

**Minutes of the Town of Perinton
Planning Board Meeting of April 17, 2013**

Planning Board Members Present

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

Conservation Board Members Present

Jerry Leone
Barb Wagner

Town Officials Present

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

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

Sign(s):

7278 Pittsford-Palmyra Road - Fitch Construction

Wendy Meagher presented the application to the Board. She states that she has already received HAC & ZBA approval. This sign approval process has been going on for a number of months now. They feel that these signs are professional as opposed to the graffiti that is on a number of windows in the area that is being used as signage.

Mr. Anderson asked for questions or comments from CED.

Mr. Doser states that CED issued comments as follows:

FITCH CONSTRUCTION - Building Mounted Signs

- a. **A variance was granted on March 25, 2013 to allow the proposed two building mounted signs, and the existing freestanding sign, with the condition that no painted signage be placed in the windows and the existing freestanding sign be externally illuminated. Applicant must provide a catalog cut sheet of the proposed lights to the CED Dept. for review prior to the issuing of a sign permit.**
- b. **HAC approved a sign package on February 12th, 2013, with the condition that the freestanding sign be externally illuminated, and a catalog cut sheet of the lights be submitted to the CED for review.**
- c. **The CED Dept. has no concerns with this application. A sign permit is to be issued for the proposed freestanding sign and the two proposed building mounted signs within six months.**

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

Mr. Anderson asked the applicant if anything on the sign application has changed since the original presentation, and the applicant states no; it is exactly the same. Mr. Paul is prepared to move forward.

Mr. Gardner feels that the signage is attractive and is prepared to move forward.

Mr. Antonelli supports the signage request and is prepared to move forward.

Mr. O'Brien likes the signage, and now that they have obtained their variance, he is prepared to move forward.

Mr. Brasley supports the signage. This building has been vacant for a long time. He has supported this request since the beginning. HAC agrees that these signs are attractive and have their support.

Mr. Lewis states that with the approval from the ZBA, he is prepared to go forward. These signs are attractive. He asks if the 2nd building may be established as another business, and if so, will that business also want building mounted signs. Ms. Meagher states that right now, Fitch is utilizing this space. He may, in the future want to have a tenant for that space, but not currently. They understand that if they wish to have signage on the other building that they would have to come back to the Town for approval. Mr. Lewis asks Mr. Place if that would require another variance.

Mr. Anderson is prepared to go forward now that the applicant has their variance. These signs are attractive.

Mr. Paul made a motion to approve building mounted for sign application submitted to the Town on 1/31/2013, subject to the following conditions:

1. There is to be no painted signage in any of the windows.
2. The existing free standing sign is to be externally lit, and a catalog cut sheet of the proposed lights for that signage is to be submitted to CED for review prior to issuing a sign permit.
3. A sign permit is to be issued for the proposed free standing sign and the proposed building mounted signage within 6 months.

Mr. Brasley seconds the motion.

Motion carries 7 - 0

6709 Pittsford-Palmyra Road - Perinton Hills Home of the RAC for Women

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

Fix Spindelman Brovitz & Goldman

A PROFESSIONAL CORPORATION • ATTORNEYS AT LAW

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March 25, 2013

Town of Perinton Planning Board
Town of Perinton Zoning Board of Appeals
1350 Turk Hill Road
Fairport, New York 14450

Re: Application of Rochester Athletic Club, Inc.
Request for Sign Approval and Area Variance
LETTER OF INTENT



Dear Board Members:

This office has been retained by Rochester Athletic Club, Inc. to assist in obtaining municipal approvals for a panel on the free standing sign for Perinton Hills Shopping Center, located on Pittsford-Palmyra Road (Route 31) and Moseley Road (Route 250). The Shopping Center is located in the Commercial District under the Zoning Law of the Town of Perinton. A plan depicting the sign modification is enclosed with this application.

Rochester Athletic Club is a local, well-known provider of fitness services in the local area. The RAC For Women facility at Perinton Hills is a state of the art 17,000 square foot athletic club designed to professionally train women in physical fitness. RAC For Women encompasses approximately 25 percent of the Perinton Hills Shopping Center. At issue is visibility; even though the RAC For Women is the largest tenant within the shopping center, the facility's visibility from either Moseley Road and/or Pittsford-Palmyra Road is virtually non-existent.

Based on the lack of visibility, which is vital to this business operation, we respectfully request sign approval from the Planning Board and the required area variance approval necessary from the Zoning Board of Appeals.

SIGN APPLICATION

The Perinton Town Code requires approval from the Planning Board for any signage under Code Section 174-14(B) and for variance relief from the Zoning Board of Appeals under that same section and Section 174-9(D)(1). This application will go to the Planning Board for initial review and then to the Zoning Board for variance. The overall width of the sign will remain unchanged and the sign as modified, will be 15 feet in height (relatively modest for a shopping center sign).

AREA VARIANCE

In order to place a panel for RAC on the existing free standing sign, a single variance from Code Section 174-9 (D) (1) is requested to allow the addition of the sign panel identifying this key tenant (the Code currently allows the name of the Shopping Center only to be allowed on the sign).

As with all area variances, the primary legal standard is the benefit to the applicant as opposed to any detriment to the health, safety and welfare of the community. In this particular case, the benefit to the applicant is clear. The variance will offer the Rochester Athletic Club the roadside identification that is necessary for this major tenant of this shopping center. No detriment to the health, safety and welfare of the community can be ascertained. In fact, the proposed variance would be a benefit to the health, safety and welfare of the community by providing additional visibility to motorists, thus affording them the opportunity to locate the facility well ahead of time to make crucial and convenient driving decisions and ensure that they arrive safely (especially considering the fact that there is a Shopping Center diagonally across the street named Perinton Square, which is often a source of confusion).

In addition to the general standard, there are several considerations which must be made by the Zoning Board of Appeals in considering area variance applications:

1. **Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.**

There will be no undesirable change to the character of the surrounding neighborhood or detriment to the nearby properties as a result of the sign variance requested. The overall design of the proposed sign is generally consistent with the commercial intersection of Route 250 and 31. The variance will have no visible impact whatsoever on the neighboring properties, as the neighboring properties are already existing commercial and/or retail establishments.

2. **Whether the benefit to be sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance.**

There is no method feasible for the applicant to pursue other than the area variance. The Rochester Athletic Club has worked hard on the proposed sign modification to keep the design simple and aesthetically pleasing.

3. **Whether the area variance is substantial.**

The requested area variance should not be considered substantial inasmuch as the size of the overall shopping center sign (including the RAC panel) is proportional to other signs and is necessary for proper identification of this key tenant.

4. **Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.**

In that the requested variance seeks nothing more than the modification of the existing shopping center sign, there will be no impact on the physical or environmental conditions of the surrounding neighborhood.

5. **Whether the alleged difficulty was self created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.**

While all area variances have an element of self creation, the variance requested here is logical to the extent that it will allow the minor modification of an existing structure/sign. In addition, by granting the proposed variance, the applicant will gain the roadside visibility that is necessary for this major tenant.

We look forward to presenting these applications at your April 17, 2013 Planning Board meeting and your April 22, 2013 Zoning Board of Appeals meeting. In the interim, should you have any questions or require additional information, please do not hesitate to contact me. Thank you for your consideration.

The current Perinton Hills sign is only 10' in height, and sits relatively close to the road, and has a lot of decorative landscaping at its base, and minimizes its' visibility and has a tendency to blend in. This sign is dwarfed by the size of the sign at Perinton Square Mall for their plaza name at the corner of Route 250 & 31. They are proposing 15' in height signage. He submits into the record information as to signage for Perinton Square Mall, Mobil/Dunkin Donuts – 650 Moseley Road, Perinton Professional Park/Faust USA Karate – 6780 Pittsford-Palmyra Road. The signage at 6780 Pittsford-Palmyra Road identifies two names. There is also signage on Fairport Road (EZ Bottle & Can & a plaza name). This sign was also a sign where the tenant had visibility issues. This proposed sign is tasteful and is 15' in height, and will also provide traffic & safety benefits, along with visibility for the key tenant.

Charles Mills, owner of Perinton Hills Plaza states that this is not an ordinary sign application simply because they want a nice sign; they want to survive. RAC is about 17,000 sf in the plaza, and they are the major traffic driver of this plaza. This is the only RAC of all of their centers that doesn't face on a road. This location has 1/8th of the walk-ins that the other locations have. He allowed them to park a truck where Denny's is now, along the road, for three days, (large mobile sign). The walk in traffic went up almost 9X in those three days. RAC needs the walk-in traffic for them to be successful. He knows that they have been there for over 10 years, but their lease is coming up and this is an issue. They are the third fitness center to be in this space, and the first two went under. RAC needs more visibility to justify being in this location. If they move out, it will be very hard for Perinton Hills Plaza. It will be good for the Town to have this plaza do well. This signage request is for financial reasons. He submits a letter into the record from Fairport Physical Therapy, one of the tenants of the plaza, who support RAC being on the Plaza signage. He feels that the Town and this plaza mutually benefit each other and he would like that to be able to continue.

Mr. Goldman states that they did receive comments from CED regarding this sign application. Mr. Mills states that if you put a larger sign on RAC face and stand on the corner and look, you will see it; however, it will not get your attention driving by. They are looking for drive-by recognition. Just because you can stand there & see the sign, it will not have the same impact as traffic. Mr. Goldman states that staff also suggested removing the panel of the floral design and that is something that is of great importance to the plaza. Mr. Mills states that he understands that design does not buy the plaza or any of the tenants any business at all; however, it does identify the plaza, as it is on all of their stationary and every communication. It has a value to them as an image of who they are. He states that he would almost be willing to remove the name Perinton Hills before removing that design. Mr. Goldman states that the design balances the sign, and adds to the aesthetics of the sign. He feels that panels below the sign will make it look cheesy. This is much more attractive. They will remove the small sign in the front that says RAC if this is approved. Mr. Mills agrees.

Mr. Anderson asked for questions or comments from CED.

Mr. Doser states that CED issued comments as follows:

RAC – Perinton Hills Plaza Identification Sign

- a. Town Code Reference Code Section 174-9 D (1): One freestanding identification sign may be permitted for each commercial shopping plaza or enclosed shopping mall. Said sign shall contain the name of the plaza only. The location, area, height and style of such sign must be approved by the Planning Board.**
- b. This application requires a variance of Section 174-9D (1), which is scheduled for April 22nd, 2013.**
- c. The applicant is proposing to increase the height of the existing freestanding plaza sign from 10 feet to 15 feet, and adding a new multi-color panel for the RAC. The CED Dept. recommends the applicant explore the following alternative:**
 - a. Enlarge the RAC building-mounted sign under existing code for building mounted signage (1.5 sq. ft. per linear foot of first 100 sq. ft. of tenant frontage, plus 1 sq. ft. per linear foot of each 100 sq. ft. thereafter, with a 200 sq. ft. sign size maximum). This would increase the business' visibility from the road.**
 - d. Should the current application be approved, the CED Dept. recommends replacing the Perinton Hills "tree" logo with a one color RAC panel, thereby keeping the new freestanding sign height the same.**
 - e. The CED Dept. recommends the existing RAC sign at the entrance to the mall be removed, and existing tenant signs along the entrance driveway be removed.**

The applicant has discussed reasons tonight as to why they do not wish to follow the alternative suggestions; however, they would like to see the RAC sign in the median removed, and all of the existing tenant signs along the entrance driveway also removed. He acknowledges that they have had disagreements with the plaza owner regarding these signs.

Mr. Anderson asked for questions or comments from the audience. William Guche, 39 Broadmoor Trail, feels that Mr. Mills deserves some credit for being a business man and telling them his financial concerns if he loses this tenant. He doesn't think it will actually bring in any drive-by business, but if it helps to keep his tenant who wants this drive-by visibility, then the Town should look favorably on this request. This plaza has always looked nice. Anything to help keep the plaza open would be a good thing for Perinton.

Judith McNulty, 647 Thayer Road, has n objection to the two signs, however, she feels that the logo for the plaza should be on top with Perinton Hills and underneath should be RAC. Mr. Mills likes the logo. He states that the Perinton Hills logo was not really designed to create traffic for the plaza; it identified the plaza. Perinton Hills needs to be at the top, otherwise it wouldn't make sense.

Mr. Mills states that the free standing signs that CED brought up are not part of this application; however he would like to address it, as it has been discussed with him so many times. There are a number of pylon signs located immediately upon driving in off of RT 31, which show the tenants names on them. This has been a source of concern for Town staff. He states that those signs were not put up arbitrarily and they did come to the Town first to find out what is acceptable and what is not. They have never knowingly violated any of the Town ordinances. When Scott Copp was the Director of the Building Department, they met with him and advised him that they have small tenants who need whatever help they can get to generate clientele, because they are

perpendicular to the road; not parallel to the road. They discussed if there would be any signage that could be put up that would be legal without any approvals. Mr. Copp advised that under the code, they were entitled to have directional signs that do not exceed 2 feet of size, if they have an arrow. If they have an arrow, then they can be called directional. Mr. Copp told him that those signs would be legal, but could not be lit. They had these pylons made and each one of them cost \$3,100.00. They are handmade. The pedestal of the sign is consistent with the aesthetics of the plaza. They did not arbitrarily put these signs up without talking with the Town. These signs are good for the tenants. He understands that these signs are not a part of this application, but if the Board approves the signage being requested tonight and want to make it a condition of approval to remove those tenant signs, then he will, but these signs mean a lot to the plaza and to the tenants. He doesn't think that they can legally require that of him during this meeting, but if they give approval and then afterward Mr. Anderson could call him and ask him to remove those signs, then he will remove them. It doesn't have to be official or enforceable. He offers this because he does not think it can legally be addressed as part of this application. Mr. Place agrees that this is a separate issue. They could ask him to take them down, but they could not make it a requirement. They could require them to remove the small RAC sign, but not the others.

Mr. Paul states that this plaza is unique. A great deal of time has been spent on this plaza signage. He regards this plaza as being unique to Perinton. There are 4 major shopping centers in Perinton. There is this plaza, the Wegmans Plaza, Perinton Square, and Town Centre. Town Centre and Wegmans are not similar to this application. Town Centre fronts on RT 31 in its' entirety, has a monument sign, and all of the tenants are all very similar in size. Every one of them has good visibility from the street. The Wegmans Plaza has tenants along the front facing Route 250, and each one of them has signage on the front identifying the business, and each of them are similar in size, other than Wegmans, which faces Route 31, which is a huge building and a major factor in the community. Perinton Square, this Board allowed Tops to put their name on the existing sign, which is larger than this sign that is being proposed tonight. The applicant did not go forward with it, but they could. Mr. Place states that the Town required the applicant to change the name of the plaza if they did that. Mr. Paul states that the sign and location are similar. Perinton Hills Plaza signage is almost invisible to customers driving down 250 and 31. It is small, white, the lettering is somewhat small. It is difficult for potential customers to find the location. Mr. Paul supports a much larger sign at the current location. Because the other shopping centers in the area are not similar, he does not feel that a precedent would be set. This is the most attractive plaza in upstate New York. Since this plaza went in, two new buildings have been introduced; specifically, a drug store and a bank are coming in. These buildings block the visibility for customers to find things easily in this plaza location. He supports the request before the ZBA.

Mr. Anderson feels that this is an attractive plaza. He is sensitive to business owners in the area. Mr. Anderson states that the Town Board has established a sign code. The sign code is clear; it is not gray. This particular section of the code states that 1 free standing id sign is allowed for this plaza showing the name of the plaza only. There is not a lot of flexibility with that. He doesn't support the sign request as proposed. He acknowledges that you cannot see the signage on Route 31. The existing signage should be much larger and relocated with better visibility to cars passing by. He supports a larger building mounted sign for RAC. Signs are not for advertising; they are just for identification. He suggests RAC use social media to drive traffic to this business.

Mr. Goldman states that he wants to make a legal point. This Board has jurisdiction of the review of the sign itself. The 2nd panel is not consistent with code, and they know that; that is why they are going to the ZBA. This Board has the discretion to say that if the ZBA approves this, then the Planning Board is ok with the design of the sign. This would save this applicant having to come back if the ZBA grants the variance. There is no legal precedent being set. The ZBA would be the one granting that, not the Planning Board. This Board can look at height and color.

Mr. Place states that the Planning Board will make a written recommendation to the ZBA.

Mr. Lewis states that this is the most attractive mall in Town and he is proud of it. The record will show that he voted against the Mobil/Dunkin signage, EZ Bottle & Can Return on Fairport Road. He expresses concern over what will happen when the next tenant of Perinton Hills wants signage also on the ground mounted signage. This will lead to proliferation of signage that you can see in the Village of Fairport that is about 30' in height and lists every tenant in there. He doesn't want to see that in the Town. He suggests that RAC advertising states that they are RAC at Perinton Hills and our entrance is at 250 and 31. Mr. Lewis feels that the more you have on a sign; there is less safety on the road. He is opposed to this sign.

Mr. Brasley feels that the plaza is beautiful, the existing sign is beautiful, but is also invisible. He supports a much larger sign. He thinks the sign should be as big as the signage for Perinton Square. He supports this sign request, and he thinks they should have signage even bigger. He feels that this applicant will likely get the variance from ZBA.

Mr. O'Brien supports the request. RAC is the anchor store. He agrees with Mr. Brasley and Mr. Paul. This plaza should have a much larger free standing sign.

Mr. Antonelli agrees that the free standing sign should be much larger and perhaps be in a different location. He is sensitive to the needs of the business owners. The ZBA will decide this request. He thinks the proposed signage is attractive. He is concerned about other tenants coming in and asking for signage on the free standing sign, and he feels it should be limited to RAC. He cautions the applicant to think about what will happen if RAC moves out, and who might they want to put there and how is that determined.

Mr. Gardner feels that the code is clear on this issue. He does not support this request because of that. He feels that a larger different sign could work at this location, similar to Perinton Square. If the name of the plaza should change to Perinton Hills, Home of the RAC, then he could support that, as that is what was approved for Tops at Perinton Square. He is surprised that there is drive-by, impulse buying that was increased by having a truck parked in front for a few days. It doesn't seem like purchasing a membership at RAC would be an impulse decision.

Mr. Mills states that he wants to be proud of what he owns. He knows that the current sign is not doing the job that everyone else in the business would want it to do. His driving force is not always how much money they make, it is how proud they are of what they own. They think the existing sign is beautiful. He states that if RAC leaves, then the panel would be removed. No tenant

could make an application to the Town without his signature on the application. There is no other tenant, right now, that makes as much sense as RAC does. He thanks the Board members for hearing this request.

Mr. Paul asks if the applicant is willing to remove the wording "home of the". Mr. Goldman states that the tenant is willing to remove those words from the sign. This Board has the option to approve with conditions, to deny or to table this request, and leave it to the ZBA to determine whether there is propriety to the variance application. Mr. Place agrees with him.

Mr. Lewis cautions the Board members to think about how many panels they want to see added to this sign. What if the other tenants want the same? If the owner of the plaza won't even let the other tenants apply, because they are the small guy, then he is opposed to that as well.

Mr. Paul asks what happens if the tenant (RAC) leaves. Mr. Place states that the ZBA could approve it subject to the panel being approved for the anchor tenant.

Mr. Paul made a motion to grant sign approval for sign application submitted to the Town on 3/26/2013, subject to the following conditions:

1. Applicant to obtain any necessary approvals from the ZBA.
2. Applicant to remove the existing RAC sign at the entrance.
3. Applicant to work with the Town CED office to determine other potential directional signs that may be removed \based on safety.
4. This application is specific to this anchor tenant "RAC for women"
5. Applicant to remove the wording "Home of the"

Mr. O'Brien seconds the motion.

Mr. Paul states that by this motion, it sends a sign to the ZBA that the Planning Board supports the variance request.

Mr. Anderson states that he will not support the motion, as he feels that there are alternatives available for improved signage for the plaza and the tenant.

Motion carries 4 – 3, with Messrs. Anderson, Lewis, and Gardner opposed.

Mr. Mills understands and appreciates the Boards efforts. Much of what the plaza is today is because the Town has helped and assisted them over the years.

New Application(s):

Southeast Quadrant Mobile Critical Care Unit – 2527 Baird Road. Clark, Patterson, Lee, Design Professionals, as agent for Southeast Quadrant Mobile Critical Care Unit, Inc., owner of property located at 2527 Baird Road, requesting preliminary and final site plan approval to construct a 2300 sf addition to existing facility, consisting of 1300 sf garage to house three first response vehicles and 1,000 sf addition for storage, office, and training room.

Presenter: Clark, Patterson, Lee – Steve Mattern
Zoned: Industrial (use – public buildings & grounds)

Mr. Gardner recuses himself from this application and steps down from the dais.

Bill Stumbo, SEQ, presents the application to the Board, as per letter of intent from Clark, Patterson, as shown below.



Clark Patterson Lee
DESIGN PROFESSIONALS

March 27, 2013

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

RE: REVISED PLANS
Southeast Quadrant Ambulance Mobile Critical Care
2527 Baird Road

Dear Board Members:

On behalf of the Southeast Quadrant Ambulance Mobile Critical Care, Inc. (SEQ), we are submitting **REVISED** plans the following Plans for Preliminary and Final Site Plan application for review and approval. This revised set of plans was necessary as a result of not being able to obtain a cross-access easement agreement from the neighboring Midvale parcel. In addition, the revised plans reflect responses to comments received from Town Staff on the February 14, 2013 submission.

We are requesting to be heard at the April 17, 2013 Planning Board hearing. Enclosed are 15 sets of the following application materials for you distribution:

- Site Plan & Detail Sheet
- Architectural Rendering
- Planning Board Application
- Authorization to Make Application
- Site Plan Review Checklist
- Property Deed

Project Details

SEQ is proposing to construct a 2,300 addition to their existing facility located at 2527 Baird Road. This addition will include a 1,300 SF garage to house three "First Response" vehicles, and approximately 1,000 SF addition to include storage, office and training room. The garage will be used for vehicle storage only, with NO maintenance activities or vehicle servicing performed. SEQ will house its business office, typically for two employees maximum. Paramedics will also use the facility to re-stock their vehicles. This facility is not a "walkin" facility for emergency services. In fact there will be no signage for the facility and no advertising. As such, the traffic into/out of the facility will be minimal, certainly less than one vehicle per hour on an average.

Discussions with Town staff indicated the SEQ's use should be considered Public Buildings and Grounds use and as such, a Special Use Permit required. SEQ received a Special Use Permit from the Town Board on January 23, 2013 following a Public Hearing.

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Parcel Description

The parcel is 0.49 acres and is zoned Industrial. However, as a Public Buildings and Grounds use, in accordance with Town Code 208-27, the parcel currently does not meet the required setbacks for building and parking for the existing structure or the proposed addition. Specific variances from Town Code include Front, Side and Rear building setbacks, none of which are met by the existing building. In addition, the parking requirement and setbacks are not currently met and variances will be required for both. Given the Public Buildings and Grounds use, the parking need is calculated by the gross leasable floor area of the facility (2,180 SF) x 5 spaces per 1,000 SF GLFA, yielding a parking requirement of 11 spaces. SEQ parking requirements for their operations are parking for three vehicles parked while the First Response vehicles are on a call, plus two spaces for employees, for a total need of five (5) spaces. The site plan, as presented, has parking for four exterior.

Project Utilities

The project will not require any significant upgrade to utilities. Only one half-bathroom will be added, with no shower requirement, so the existing water and sanitary sewer needs do not need to be modified. Electrical and gas service to the site are adequate to meet the needs of the addition.

The project will involve disturbance of less than 6,000 SF and an increase in impervious surface of approximately 2,500 square feet on the site. Stormwater will be managed by directing roof run off and additional parking space area to French drain / level spreader features installed along the building and parking areas. The site has Colonie loamy fine sands, known for significant percolation/ infiltration rates. Monroe County Soil Survey indicates this soil is well-drained to excessively drained, capable of greater than 6.3 inches per hour.

If you have any questions or require additional information, please contact me or Steve Mattern at (800) 274-9000.

Very truly yours,
Clark Patterson Lee



Thomas Carpenter, P.E.
Principal

Steve Mattern states that they have modified their request. The letter of intent did not specifically call out the parking setback that they are looking for. They have 1' off set. It is in the plans on the site data. They have submitted application to the ZBA for reduced parking and setbacks. They will infiltrate runoff on site and will control erosion on site; it is a relatively flat site. They will remove the garage and the pavement. They will put in a three bay garage and an office addition. There will be no site light poles; it will be all wall packs. They have space for parking spots on site. There is no need for upgrade in utilities. They will add foundation plantings. He reviewed how the property drains.

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

Mr. Leone states that they have met with the applicant and the Conservation Board is prepared to make a SEQR recommendation.

Mr. Anderson asked for questions or comments from CED.

Mr. Doser states CED issued comments, as follows:

1. Applicant received Special Use Permit from Town Board on January 23rd, 2013.
2. Please provide parking lot striping detail on the plans. Spaces should be double-hairpin striped (4-inch wide lines with 4 inches of space between each double stripe). Spaces should be 9 feet wide by 18 feet long.
3. Handicap parking signs must state "Permit Required."
4. The mounting height for handicap sign should be 60 inches, measured from parking space grade to bottom of sign.
5. The site needs only one handicap unloading area (60-inch width minimum). There must be a "No Parking Anytime" sign displayed for this area.
6. The applicant plans to apply for variances for parking, as well as front, side, and rear setback encroachments at Zoning Board of Appeals meeting in May. These variances will need to be obtained and their dates of approval noted on the plans.
7. There should be a buffer area (featuring grass, vegetation, trees, fencing, embankment, or berming) to separate residential property to south.
8. Consider making south elevation more residential in appearance by adding false windows to break up monotony of south face.

There was discussion about making the unloading area smaller. It could add a parking spot. The applicant states that they would need 8', not 5'.

The applicant states that the setbacks as shown on the site plan have been revised with the application to the ZBA application in May. The building size did not change. The setbacks that were shown originally had a rounding mistake (math error).

Mr. Doser states that this applicant is appearing before the ZBA in May with the following requests:

- a. To allow the lot width to be 118 feet instead of 250 feet.
 - b. To allow the lot area to be 21,300 sq. ft. instead of 100, 000 sq. ft.
 - c. To allow the front setback for the existing building to be 71.5 feet , and the proposed garage/office addition to be 61 feet instead of 100 feet.
 - d. To allow the side setback for the existing building to be 25.5 feet and the proposed garage/office to be 29 feet instead of 80 feet.
 - e. To allow the rear setback for the proposed garage/office to be 34 feet instead of 80 feet.
1. Section 208-16 B, to allow 4 parking spaces instead of 11 parking spaces.

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

General

1. **The proposed improvements increase the site impermeable footprint by approximately 4300 square feet, which will increase site runoff. Subsoil infiltration analysis, as well as runoff calculations for various storm events, need to be provided to support the sizing of the infiltration system and dry well being proposed for this project.**
2. **Show the location for the building sanitary lateral and note any modifications required with the proposed addition.**
3. **A Letter of Credit will be required for all site improvements, including landscaping, stormwater drainage facilities and pavements.**
4. **Provide additional landscaping.**

The landscaping should be increased to reflect what is shown on the elevations.

Mr. Beck has nothing further to add.

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

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

Mr. Anderson supports the use in this area. It is important to recognize that a sign is not required because this building is not for public use. This is a dispatch area; a staging area. This is a benefit to the community. He asked for parking clarification. How many people work on the site? Mr. Stumbo states that there is one chief tech on from 8 AM – 5 PM with an assistant part time during the day. When a paramedic picks up, there will be a private vehicle left on site. They may have an occasional small meeting there. They will not have any training here. Mr. Anderson states that the Town does not want to see any parking on Baird Road from this use.

Mr. Lewis feels it is a good use for the property. Will the other ambulance bases remain? Mr. Stumbo states yes. There was discussion on the southern view looking more residential than is shown.

Mr. Brasley supports the use. There was a discussion about the handicap access aisle. He does not feel that there is any need for fake windows and doors. There are full grown pine trees to screen this. There is no need for the use or for any additional attractiveness.

Mr. Paul supports the use. He also does not support false windows and doors. He feels that there is enough screening on that side. He would like to see more landscaping fronting the street.

Mr. O'Brien supports the use, and is prepared to go forward.

Mr. Antonelli supports the use and the variances being requested, as well as the parking waiver. He does not support fake windows and doors either. There is enough screening on that side. He would like to see the plans modified to correctly state what is being asked for from the ZBA.

Mr. Leone states that the Conservation Board has met with the applicant's representative, reviewed the initial drawings, drawing revisions and supporting documentation provided by the applicant. The CB recommends a Negative Declaration of SEQR determination with the following findings:

1. Stormwater controls on the site will be enhanced through the addition of a new French drain and a new dry well.
2. Green space on the site is proposed to be 62% vs. the required 35%. This takes into account the increase in parking from 4 spaces to 8 spaces.
3. Lighting impacts will be minimal, with only the addition of three new exterior wall packs.

4. Landscaping changes will incorporate the use of some of the existing shrubs and trees and including the addition of a new small tree and scrub landscape bed along the frontage of the new addition.
5. The aesthetics of the new addition will match the existing structure and façade.

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

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

Mr. Brasley made a motion to grant a parking waiver to waive the front yard parking setback from the required 85' down to 71' and the side yard parking setback from the required 40' down to 1', as shown on the submitted plans.

Mr. Paul seconds the motion.

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

Mr. Lewis made a motion to grant preliminary site plan approval to construct a 2300 sf addition to existing facility, consisting of 1300 sf garage to house three first response vehicles and 1,000 sf addition for storage, office, and training room, for plans received by the Town on 3/28/2013, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Parking striping to be double striped as per Town Code.
3. The proper setbacks are to be shown on the final plan.
4. Applicant to obtain necessary variances from ZBA, and date and variances received to be listed on final plans.
5. Applicant to enhance landscaping on the east elevations as shown per the architectural elevations.
6. Final drawings to show the date that the Special Use Permit was granted by the Town Board and what the use was granted for.
7. Applicant to consider removing one of the handicap access aisles in order to add an additional parking space.
8. Applicant o list materials, height, and colors for both the new and existing on the architectural elevations.

Mr. Brasley seconds the motion.

There was a discussion that there is a sewer easement to the south and adding landscaping to that area is not what is wanted.

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

Mr. Lewis made a motion to grant final site plan approval to construct a 2300 sf addition to existing facility, consisting of 1300 sf garage to house three first response vehicles and 1,000 sf addition for storage, office, and training room, for plans received by the Town on 3/28/2013, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Parking striping to be double striped as per Town Code.
3. The proper setbacks are to be shown on the final plan.
4. Applicant to obtain necessary variances from ZBA, and date and variances received to be listed on final plans.
5. Applicant to enhance landscaping on the east elevations as shown per the architectural elevations.
6. Final drawings to show the date that the Special Use Permit was granted by the Town Board and what the use was granted for.
7. Applicant to consider removing one of the handicap access aisles in order to add an additional parking space.
8. Applicant o list materials, height, and colors for both the new and existing on the architectural elevations.

Mr. Brasley seconds the motion.

There was a discussion that there is a sewer easement to the south and adding landscaping to that area is not what is wanted.

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

Stonebrook (f/k/a Tanbark Hills, f/k/a Stone Creek). BME Associates, as agent for Stonebrook Development, LLC (A.D. Longwell), owner of property located south of Route 31 between Thayer Road and Loud Road (tax account #'s 180.02-1-58.11 and 180.02-1-58.2), requesting modification of preliminary and final overall site plan approval and modification of preliminary and final subdivision approval to develop a 45.2 acre parcel for a Planned Development District consisting of 32 single family detached homes, 6 duplex units (three – 2 unit duplexes), 49 townhomes, a community clubhouse, ±1.9 acre commercial/office parcel, and approximately 20.5 acres of Town dedicated and other private common lands.

Presenter: BME Associates, Ryan Destro
Zoned: Planned Development District

Mr. Anderson states that the Planning Board will not take any action tonight on the site plan. The Town Board recently referred a Special Use Permit to the Planning Board regarding this matter. The Planning Board will not take action tonight on site plan or subdivision approval. They will hear the matter, and will write written comment back to the Town Board for the Special Use Permit for a SEQR recommendation. They will hold the public hearing tonight for the site plan, but will not make a motion tonight on site plan. Once the Town Board has made a SEQR determination, this matter will come back to the Planning Board, who will then make a decision regarding site plan and subdivision.

Mr. Place states that this is unusual. The applicant has already received approval for the PDD, and they are making some modifications to what was approved, which is triggering the Special Use Permit from the Town Board. Mr. Anderson states that the Board is focusing on the modifications being requested.

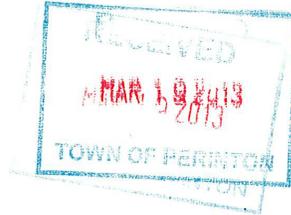
Mr. Destro, BME, presented the application to the Board as per letter of intent, which is shown below. With him is Todd Longwell.

BME | ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

February 27, 2013

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



Attn: Mark Anderson

Re: Stonebrook Residential Community 2125

Dear Board Members:

On behalf of A.D. Longwell, we are pleased to submit the revised Preliminary and Final Subdivision and Site Plans for Section 1, 2, 3 and 4, of the Stonebrook Residential Community. Enclosed are the following application materials:

- Fifteen (15) sets of the Revised Preliminary and Final Plans
- Fifteen (15) sets of New Architectural Plans
- Planning Board Application
- Revised Environmental Assessment Form
- Final Plan Checklist

The proposal is for the development of the 45.2 acre parcel for a mixed-use development consisting of 32 single-family detached homes, 6 duplex units, 49 townhomes, a community clubhouse, a ±1.9 acre commercial / office parcel, and approximately 20.5 acres of Town dedicated and other private common lands. This project was originally presented to the Board on June 20, 2007 at which time a public hearing was held. The original approval for the 45.2 acre parcel included 36 single-family detached homes, 52 townhomes, a 1.9 acre commercial parcel, and approximately 20.5 acres of open space.

The plan revisions include the following:

- A community clubhouse and outdoor swimming pool are being proposed in the location of the previously approved townhouse lots 77, 78, and 79. At this time, the clubhouse will be owned and maintained by Stonebrook Development, LLC.
- The architectural elevation of the clubhouse has been included with this application.
- The overall site plan has been revised to include three 2-unit duplex homesites in the southwestern portion of the project (units 64-69) where four patio homes were

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originally approved. The proposed location of the southernmost residential structure (front) is approximately 70 feet further away from the southern boundary line than for the homesite that was approved. All other access and utility provisions are consistent with the original approval for this portion of the project.

- The townhouse and single-family footprints have changed slightly, including the location of a number of driveways.
- The limits of Section 1 and 2 have changed with the Town dedicated Stonebrook Drive connection to Pittsford-Palmyra Road now being included with Section 1. This is being done to complete the Stonebrook Drive construction between Pittsford-Palmyra Road and Loud Road to provide two points of access to the project with the initial phase. It is also being done to allow for the proposed grading to occur, and access by the Fairport Municipal Commission, to provide electric and other private services to the project from the Route 31 connection point.
- The plan revision described in #3 above also includes these residential homes to be within Section 2 vs. Section 1 as originally approved.
- The commercial parcel (lot 89) is being proposed as a Section 4 site improvement. This parcel will have frontage and access to Stonebrook Drive with the completion of the Section 1 site improvements.
- Community clubhouse added on Section 1 plans.
- Three duplexes (6 units) replacing four single-family residential lots on the Section 2 private drive off of Juneberry Drive.

We are requesting to appear on the April 3, 2013 Planning Board agenda for presentation.

Thank you for your consideration.

Sincerely,
BME ASSOCIATES

Robert J. Cantwell

RJC/blr

Encl.

c: Todd Longwell; Stonebrook Development, LLC

Mr. Destro states that they acknowledge receipt of DPW comments, and have issued that response in writing to the DPW as shown below:

BME ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

April 17, 2013

Town of Perinton DPW
100 Cobbs Lane
Fairport, NY 14450



Attn: Tom Beck

**Re: Stonebrook
(Response to DPW Comments)**

2125

Dear Mr. Beck:

We have received your comments for the above-referenced project letter, dated April 12, 2013, and offer the following responses for your consideration:

General

1. The gutters along Stonebrook Drive need to be completed between the catch basin gutter inlets at Station 1+06 and the end of the proposed curb within the Rt. 31 right-of-way. Inlet structure DE-3 needs to be relocated to the end of the gutter extension on the east side of Stonebrook Drive.

The gutters along Stonebrook Drive will be extended as requested. Inlet structure DE-3 will be relocated to the end of the gutter extension on the east side of Stonebrook Drive as requested.

2. The 60' of gutters on the west side of Stonebrook Road will drain to Route 31 and discharge to the drainage channel to the west side of the Just Solutions. The Perinton DPW has constructed an overflow weir within the RS&E Trail that alleviates the former backup of stormwater in this area.

Acknowledged.

3. The private drive at the end of Juneberry Ridge serves 6 residential units and is required to be 20' wide and provided with a turn-around between Lots 65 and 66. All the private drives need to be provided with turn arounds.

The private drive at the end of Juneberry Ridge will be revised to be 20' wide. A turn-around between lots 65 and 66 will be provided as requested.

4. The emergency vehicle turn-arounds should be separate from residential driveways and comply with the dimensions specified in Section 503 of the NYS

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www.bmeqc.com

Fire Code and Appendix D. The turnarounds should be 20 feet in width and 70 feet in length, measured in a straight line from the turnaround end's edge of pavement to the opposite edge of pavement, with a 35 foot turning radius.

We will meet with the DPW to discuss the requested turn-around revisions.

5. The approved DOT Permit for the work within the Route 31 R.O.W. must be provided prior to the plans receiving final approval signatures.

The project plans have been submitted to the NYSDOT for review and approval. The applicant acknowledges that NYSDOT approval is required prior to the project receiving final Town approval signatures.

If you have any additional comments, please contact our office.

Sincerely,
BME ASSOCIATES



Ryan T. Destro

/RTD

Encl.

c: Todd Longwell; Stonebrook Development, LLC.

Mr. Lewis asks if the total number of lots increased, and Mr. Destro states no. The southernmost duplex unit is approximately 70' north of where the single family lot is; there will be an additional 70' of buffer space between the duplex unit and the southern property line.

Mr. Place states that the Town Board attached conditions to the application that the location of the proposed dwellings on the private drive closest to the residents on Thayer Road be at least 70' further away than they were on the original plan, the dwellings be one story buildings, there will be side load entrances on the dwellings at one end so that they don't have the look of traditional duplexes, and when the developer goes to HAC, that other street names and development names are considered.

Mr. Anderson asked for questions or comments from the Conservation Board. Ms. Wagner states that at the time of the 2007 approval the Conservation Board recommended a Negative Declaration of SEQR.

The Perinton Conservation Board (PCB) has reviewed this application to approve amendments to the Planned Development District approval given in 2007. The changes involve:

- addition of a community clubhouse and pool instead of 3 townhomes, making the total 49 townhomes instead of 52;
- 32 single family units instead of 36;
- 3 2-unit duplexes (total of 6 units) instead of 4 patio homes; and
- the road to Route 31, Pittsford-Palmyra Road to be included in Section 1 instead of Section 2.

The PCB reviewed the conditions of the 2007 approvals, which will be complied with, including cleanup and proper disposal of the waste site and mitigation of LDD intrusions.

1. The proposed project manages watershed impacts within the development area; no deleterious impacts are anticipated to the surrounding watersheds.

2. A plan is in place to manage potential wastes that may be present due to historical use of the site as a canning factory (documented by Monroe County as Waste Disposal Site # 26).
3. Mitigation is provided for disturbance of LDD areas.
4. Crescent Trail connections have been provided across the proposed development. These connections provide safe pedestrian passage from Loud to Thayer Road.
5. The plan includes mixed commercial and residential development, which is in consonance with Town development goals

Mr. Anderson asked for questions or comments from CED. Mr. Doser states that this plan was originally approved in 2007. The PDD Code was amended in 2010, and this plan falls under that. This is a slight modification to the original plan that was approved in 2007. It removes 3 townhouse units and 4 single family dwellings for a community clubhouse and three two family units. From a planning & development perspective, this does fit within the demographic trends that the US is seeing nationally, and what we are seeing locally.

Mr. Anderson asked for questions or comments from DPW.

Mr. Oakes states that DPW issued comments as follows:

General

1. **The gutters along Stonebrook Drive need to be completed between the catch basin gutter inlets at Station 1+06 and the end of the proposed curb within the Rt. 31 right-of-way. Inlet structure DE-3 needs to be relocated to the end of the gutter extension on the east side of Stonebrook Drive.**
2. **The 60' of gutters on the west side of Stonebrook Road will drain to Route 31 and discharge to the drainage channel to the west side of the Just Solutions. The Perinton DPW has constructed an overflow weir within the RS&E Trail that alleviates the former backup of stormwater in this area.**
3. **The private drive at the end of Juneberry Ridge serves 6 residential units and is required to be 20' wide and provided with a turn-around between Lots 65 and 66. All the private drives need to be provided with turn arounds.**
4. **The emergency vehicle turn-arounds should be separate from residential driveways and comply with the dimensions specified in Section 503 of the NYS Fire Code and Appendix D. The turnarounds should be 20 feet in width and 70 feet in length, measured in a straight line from the turnaround end's edge of pavement to the opposite edge of pavement, with a 35 foot turning radius.**
5. **The approved DOT Permit for the work within the Route 31 R.O.W. must be provided prior to the plans receiving final approval signatures.**

The plans that have been submitted really have no changes in site work. They do not have any issue with what is being proposed.

Mr. Beck has nothing further to add.

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

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

Lois Watts, 404 Bluhm Road, understands that the Town cannot dictate whether or not a developer chooses to sell or rent their housing units. The neighbors have been opposed for years to have this property be rental through various projects that have been presented over the years. When Mr. Longwell presented this plan to the neighborhood in 2005, they were assured that these homes would sold and not rented. The proposed changes that have been presented negate the previous feelings of support for this project. The shift to rental is a large concern for the existing neighborhood. She submits documentation into the record from 2005 that show a previous support of this project from Egypt Hills Neighborhood Association. The developer is seeking maximum profits at the expense of the existing neighbors. She feels that the neighbors were duped. She urges the Planning Board not to support this project and send that message to the Town Board. She feels that the Planning Board could deny this application based on detrimental effects it will have on the surrounding community.

Mr. Place states that these are separate lots; it is not all one lot. The Town has no control over if these lots are owned or rented.

Judith McNulty, 647 Thayer Road, agrees with the comments of Lois Watts. The neighbors do not support rental units. She does not feel that they should be allowed in a residential sensitive area. She also asks that the applicant pursue historic names. Mr. Anderson encourages Mrs. McNulty to discuss this with HAC.

Dave Schaeffer, 29 Chablis, speaking as a resident, and a representative of Crescent Trail and Parks & Rec., compliments the developer for footpaths within the development. They would like to connect Thayer Road to Loud Road for hikers with safe crossing on Route 31 at the light. The Crescent Trail would not be able to maintain pathways on HOA property. He asks if there will be more than one HOA for various sections. He would like to see public access across the property, if not on Town dedicated lands, at least to have a permanent easement to the Town.

Scott McElhearn, 24 Bent Oak Trail, states that he is President of Roundtree HOA. The association supports the comments of the two women who just spoke with their objections to the changes that are occurring to the buffer of Thayer Road from single family homes to duplexes. They will support that position both legally and financially.

A gentleman, 39 Broadmoor Trail, asked if the commercial part of this proposal fronts on Route 31. Mr. Destro states no, it is a 1.9 acre parcel, but does not have frontage on Route 31. It is the closest parcel to Route 31. The man asked who owns that parcel

in front of the applicants' commercial property. Mr. Destro states that the last name of the owner is Biltucci. The man asks if there is any connection between this property owner and Longwell. Mr. Longwell states no. Mr. Anderson states that those are separate parcels. The man asks how does Longwell know what that parcel owner may do with his vacant commercial property, and how it could affect his commercial property. The man asks if the exit road from this development that is proposed as being directly across from the entrance to the plaza will require a traffic light. Mr. Destro states no. The man expresses concern with that. Mr. Destro states that these plans have been submitted to NYS DOT and it is their determination that this project will not require a signal at this location. Mr. Anderson states that this project originally did obtain a traffic light at the intersection of Mason and Route 31. The man feels that there could be problems with this commercial development being at this location without a signal. Traffic is already bad in this area, and he is concerned with traffic safety.

Mr. Beck states that prior to the time this project came before the Planning Board, there was a traffic analysis done. The Town, NYS DOT, and the Genesee Transportation Council worked on that traffic analysis. It was taken into consideration that there could possibly be 100 units here for this development area that is in front of the Planning Board tonight, and additionally 160 units for the Pridemark property proposal off of Mason Road. This traffic analysis is available for review in the Building office at Town Hall. There was another traffic analysis done for the Pridemark project that includes an expanded area. Both of these reports were done in the early 2000's and there is also one that was just done. They basically indicate that these projects do not show any significant degradation in traffic with both of these projects. Mr. Beck states that there would not be a traffic signal at Loud & Mason today if these developments were not in the works back in the early 2000's.

A gentleman asks if there could be a right turn lane at Loud Road. Mr. Beck acknowledges that there is a delay, but it not a delay that warrants doing anything at the Loud Road intersection. The traffic that will generate from these proposals has already been taken into consideration. The man disagrees and feels that traffic will be negatively impacted. Mr. Beck states that two different private traffic engineers were involved.

Mike Wisnewski, 41 Broadmoor Trail, states that Mason Valley resident are watching these PDD's closely. They feel that the four single family homes that were originally approved in this PDD were put there as a buffer for the neighbors. They are very concerned about this proposed change.

Marie Heerkens, 61 Loud Road, feels that this project will have a significant negative impact to her property and to her quality of life if this project will be rental units. She believes that homeowners are more desirable as neighbors and more inclined to be a part of a neighborhood; and there will be less crime. She expressed concerns about traffic and she feels that she won't be able to get out of her driveway. She is concerned about road rage that will lead to multiple accidents. She does not feel that the traffic study is accurate.

A man expresses concerns that developers say one thing and do something else. He is concerned that the developer will not adhere to the guidelines that the Town imposes. The neighbors want more integrity.

Mr. Anderson states that the reason that the developer is before this Board again is because they are proposing a change and the Town is being transparent. Neighbor input is important.

A number of other neighbors expressed concern about negative impact to traffic and feel that the buffer of single family homes is important and that should not change.

A woman expresses concern about rental property. She has already had problems with this developer parking in her yard to cut trees down. Mr. Beck states that he believes that those issues have been addressed with the contractors.

Paul Wojchecchowsky, 7 Conover Crossing, asks if all of these units are proposed to be rental. Mr. Longwell states yes; 100%.

Mr. Gardner asks what the approximate distance from Thayer Road to the closest townhome is. Mr. Destro states approximately 300'. Mr. Gardner asks if there is an elevation difference. Mr. Destro states it is slightly lower than Thayer Road, but is not significant. Mr. Gardner asks if there is screening already in place there. Mr. Destro states that is outside the limits of grading. Mr. Gardner asks if the pool is open to the public or just the HOA. Mr. Destro states it is open to the HOA. Mr. Longwell reviewed the architectural rendering of the duplex and it is designed to look like a single family home and he has committed to the duplexes in this area only being one story. Aesthetically, coming along Thayer Road, if these are one story, people will be hard pressed to even notice the difference. This unit (pointing) has been pushed back by 70'. Mr. Gardner asks if putting the commercial development in section 4 would impact any of the construction sequencing for stormwater management. Mr. Destro states that the stormwater management facility will be developed in the first phase of development.

Mr. Antonelli likes the clubhouse. The architectural footprints look very nice. He asks why the driveway locations changed. Mr. Destro states it is because of the different orientation of the footprint. The four single family homes being changed to duplexes is mitigated by the fact these are in a pretty secluded area. The architecture of the duplexes looks like a larger single family house, and they are well buffered and pretty secluded. They won't look out of place.

Mr. O'Brien does not feel that these modifications any major change from what was previously approved. He does not feel that anyone will or won't buy a home because of the name of the subdivision or street. He feels that the proposed duplexes will be hard to be seen. He feels that the neighbors will see less than if they were single family homes. He thinks that the community center and pool are a good idea; the numbers of units have not changed.

Mr. Paul states that any traffic studies are a public record. He encourages anyone interested in these traffic studies that have been done over the years to go to Town Hall to ask to review them. He supports historical names for this project. He asks if the open space has changed from the original plan, and Mr. Destro says no. He inquires if benches, bike racks, bridges, traffic slowing mechanisms (crosswalks), and on site signage, that were in place with the previous approval are still being proposed. Mr. Longwell states that those items are also important to him. Mr. Destro states that those amenities have not changed, other than the community center. They can also add a bike rack to the community center. In regard to neighbor comments for units 64 – 69,

the Planning Board is not in a position to determine if these structures are rented or owned. These are 300 – 400' away (this is huge).

Mr. Brasley states that this plan was approved a number of years ago, and all they are being asked to do tonight is to review the proposed changes. This is substantially the same plan that was previously approved. Whether or not these units are privately owned or rented, is not something that the Planning Board can consider. Anyone can rent out their home. Having the garages face two different directions for the duplexes make a huge difference. The Planning Board does that with duplexes all over Town. There are likely a number of duplexes in Town that in most cases, the public is unaware that they are duplexes because of this. A fair concession to the switch to rentals could be addition of more site amenities. He would like to see more trails, more picnic tables, more benches, walking bridge, identified crosswalks, maybe a gazebo, etc., this could make this a more tolerable neighborhood. Traffic studies indicate that there will not be a big change to Route 31 and the neighborhood. Traffic is always a big issue with any subdivision approval. The traffic engineers are the experts and they are saying that the level of service will not change. He acknowledges that there will be more traffic, but not a change in level of service. HE attended the HAC meeting this month, and that Board has looked at the proposed changes to this plan. This plan is not in the historic district of Egypt, except for a very small part along Route 31. It is in the Hamlet of Egypt. When the commercial building (for the front) comes in for review HAC will want to review elevations and signage along Route 31.

Mr. Lewis states that the hiking trails will allow people who live there to hike as well as others who want to hike through. This is a wonderful amenity. Mr. Beck states that the Crescent Trail connection is shown on the plans. He would like to see some historic names for this project. Perinton does not have a school district, fire dept, post office, library, or police dept. He suggests that the applicant speak with Bill Poray, Town Historian, to try to come up with some historic names for this project. Mr. Lewis states that Route 31 is a State road, and the Town does not regulate it. If the neighbors want a traffic light, they should go to their state representative. The Town has no jurisdiction if a home is owned by and lived in by the owner or a renter. Each one of the neighbors, who own their own home today, could rent it if they want to. There is no change in the number of units being proposed from the previously approved proposal. The view from Thayer will look like small houses. There will be fake windows and dormers, and is really one floor of living space. He encourages the neighbors to attend the meetings on this project.

Mr. Anderson states that when this project was first approved a few years ago, it was in review for over a year. These proposed changes are not substantial. The amenities that were approved in the first approval are still a part of this project today; they have not been taken out. Adding a clubhouse and a pool are a nice amenity. The comprehensive plan wants to promote healthy lifestyles and a clubhouse and a pool are a part of that. He asks if there is any way to have the duplexes be located in the interior and single family homes along Thayer Road. Mr. Destro states that the topography won't support that; there is a steep slope there and it would be difficult to have larger duplexes in that location. Mr. Longwell states that the single story townhomes are less noticeable than what was originally proposed. Mr. Anderson states that there are a number of duplexes in Town that most people driving by do not know they are duplexes and not a single family home. He states that municipal law does not allow the Planning Board to consider whether or not these homes are owned or rented. Mr. Longwell is investing his money in this project and he has to believe that he has done the market research. Housing needs and approaches change the older you get. A number of seniors don't want their equity tied up in a house, or maybe they own a home elsewhere. This project provides a diversity of housing needs.

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

Mr. Schaeffer, 29 Chablis, asks if a dog run would be allowed in the yard, or tomato plants be added to the yard. Mr. Longwell states that he doesn't know the answer to that yet, but in terms of property management, they will maintain the property and it is in their best to make it look nice to be successful. He feels that this will be maintained better than if the property were individually owned. He encourages people to drive by the Highlands in Pittsford; it is called The Cottages. They are all maintained nicely in a residential area and they are all rentals.

A woman asks if it will only be seniors in the community. Mr. Longwell states that they cannot exclude others, but feels that the rental cost will make it more likely that seniors who don't want to own property will likely rent these, based on the demographics. She asks the cost per month for the rentals. Mr. Longwell states that they start at approximately \$1550 and upward of \$2400/month.

There were no further questions or comments from the audience.

Mr. Anderson made a motion to defer modification of preliminary and final overall site plan approval and modification of preliminary and final subdivision approval to develop a 45.2 acre parcel for a Planned Development District consisting of 32 single family detached homes, 6 duplex units (three – 2 unit duplexes), 49 townhomes, a community clubhouse, ±1.9 acre commercial/office parcel, and approximately 20.5 acres of Town dedicated and other private common lands, for plans received by the Town on 3/19/13, until such time as the Town Board makes a SEQR determination.

Mr. Lewis seconds the motion.
Motion carries 7 – 0.

Mr. Anderson states that he will write a recommendation to the Town Board regarding the Special Use Permit application that is before them regarding this project. He suggests that the neighbors keep an eye on the agendas and come back to help through this process.

Discussion: ZBA – 4/22/13

John Spoto, owner of property located at 790 Ayrault Road- Star Physical Therapy, requesting a variance of the Town of Perinton Sign Code Section 174-9 (B), to allow one building mounted sign (3'x10'- 30 sq. ft.) instead of a freestanding sign. Said property being located in a Restricted Business District.

The Planning Board recommends approval of the aforementioned variance because the applicant has worked with the Town to reach this optimal solution. Removing the code allowed monument sign is a good compromise for adding a single building mounted sign. The applicant needs more exposure for their business and they feel a building mounted sign along with trimming the existing plantings and landscaping will accomplish this need. The Planning Board has approved the sign pending Zoning Board approval, and made a condition that no additional tenants be placed on the building mounted sign. The existing monument sign shall also be removed.

**The Summit Federal Credit Union, owner of property located at 665 Moseley Road, requesting a variance of the Town of Perinton Sign Code Section 174-9 (B), to allow a two building mounted signs (61.24 sq. ft. each) , instead of a freestanding sign.
Said property being located in a Restricted Business District.**

The Planning Board recommends approval of the aforementioned variances because the applicant needs exposure for their business both on Route 250 and also on Route 31. The existing property can be seen as a corner lot within the Perinton Hills Plaza. A single monument sign will not be visible from Route 250 and Route 31 at the same time. In addition, a single building mounted sign will not be enough to achieve visibility from both the main roads and from within the plaza itself. The request works well with the approved site plan. The signs are very attractive and the request is minimal. In addition, eliminating the code allowed monument sign is a good compromise for adding two building mounted signs. The Planning Board has approved the signs pending Zoning Board approval.

Fix, Spindelman, Brovitz & Goldman, Attorneys at Law, as agent for the Rochester Athletic Club, Inc., as agent for Perinton Hills MA, LLC, owner of property located at 6709 Pittsford Palmyra Road (tax id#166.17-2-32.1), requesting a variance of the Town of Perinton Sign Code Section 174-9 D (1), to allow a tenant sign (RAC) in addition to the existing plaza identification sign instead of an identification sign identifying the name of the plaza only.

Said property being located in a Commercial District

The Planning Board has approved the requested sign pending the Zoning Board approval.

The Planning Board did approve the application with mixed views (Planning Board Votes were 4 in favor of approval and 3 in favor of denial)

The Planning Board members that recommend approval of the request feel that the request is appropriate because the layout of the plaza itself is a unique situation. The anchor tenant does not have frontage or exposure on either main road (Route 250 or Route 31) that surrounds the plaza. Other plazas in Town do have the individual tenant exposure from the main roads, unlike the RAC for Women (the anchor tenant). The applicant is attempting to achieve the much needed additional visibility for the plaza itself along with increased anchor tenant visibility. This request would accomplish the needed visibility and will assist in keeping a quality business in its current location in Town. Given the traffic and location at the entrance intersection of the plaza, the requested sign would assist customers in more easily locating the anchor tenant, and improve driving safety. The sign also fits nicely with the plaza architecture and is much more visible than the existing plaza sign.

The Planning Board Members that recommend denial of the request feel that the code clearly states that the name of the plaza only shall be identified on a plaza sign. They feel there is no need for a tenant sign on the plaza sign and the request does not conform to the code. This request would be considered advertising, not identification. They feel the approval of this variance would set precedence and lead to the proliferation of tenant signs being added to plaza signs in this area. In addition, they feel that the RAC for Women can achieve more visibility in other ways by creating a larger building mounted sign and relocating the existing monument sign. They do however feel that a larger plaza sign is needed and is the proper application for better identification of the plaza.

There being no further business before the Board, the meeting adjourned at 10:25 PM.

Respectfully Submitted,

Lori L. Stid, Clerk