

**Minutes of the Town of Perinton  
Planning Board Meeting of May 1, 2013**

**Planning Board Members Present**

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

**Absent**

Craig Antonelli

**Conservation Board Members Present**

Chris Fredette  
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. He acknowledges that Mr. Paul has resigned from the Planning Board. Mr. Paul has served on the Planning Board since 1996. He brought the small business man's approach, good council, and sought for a good solution for the Town residents. Mr. Paul also coordinated the sign applications.

**Sign(s):**

**The Bonadio Group – 171 Sully's Trail**

Matthew Kells, Property Manager, REIT Management, presented the application to the Board. The sign is non-illuminated and vinyl. It is for a free standing sign 48" X 60" near the front of the building. It has a concrete foundation.

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

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

**Reference Code: Commercial Section 174-9 (B) states: Restricted Business District, office buildings and complexes. One freestanding identification sign is permitted for each office complex. If there is one building or one tenant, there shall be only one identification sign. One directory or listing sign is permitted for each building within the complex. Where only one building is contained within a site and both an identification sign and a directory sign are desired, they must be combined into one sign. The location, area, height, color, style and lighting of each such sign must be approved by the Planning Board simultaneously or subsequent to site plan approval. The location of said sign, in compliance with applicable setbacks, is to be determined by the Planning Board and shall not exceed four feet in height and 24 square feet in area but may have lettering on two sides of the sign.**

- 1. The proposed signage is to install a freestanding sign 48"x 60" (20 sq. ft.) near the front of the building.**
- 2. The CED Dept. has no concerns with the proposed sign.**
- 3. A sign permit is to be issued within six months**

Mr. Anderson would like to see the wording CPA Consultants & more. That seems like advertising to him. With those words removed, he supports the sign.

Mr. Lewis asks if there are other tenants in the building. The applicant states that there are three others, however when each lease expires they will not be renewed. Bonadio wants to lease the whole building. It is written in their lease already that when their lease comes up that Bonadio gets the space. He agrees with Mr. Anderson as to wording. The applicant states that the tenant really wants that wording.

Mr. Brasley supports the sign as requested and has no questions or comments.

Mr. O'Brien states that you can't see the extra wording until you are standing right in front of it, so it doesn't make any difference.

Mr. Gardner has no issue with the sign as submitted.

Mr. O'Brien made a motion to grant sign approval for sign application submitted to the Town on 4/5/13, subject to the following conditions:

1. Signage is freestanding, non-illuminated sign that is 48" X 60" (20 sf) near the front of the building.
2. Wording to say – The Bonadio Group  
CPAs, Consultants & More

3. Color – dark blue & light blue
4. Applicant to obtain sign permit within 6 months.

Mr. Brasley seconds the motion.

Mr. Lewis states that he will oppose the motion as he feels the extra wording is advertising. Mr. Anderson states that he won't oppose the motion as the lettering is so small that no one will see it anyway.

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

**Pended Application(s):**

**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, Robert Cantwell  
**Zoned:** Planned Development District  
**(deferred 4-17-13)**

Mr. Anderson states that this Board reviewed this project on 4/17/13, at which time they deferred decision until such time as the Town Board made a SEQR determination. At the last Town Board meeting, the Town Board declared a Negative Declaration of SEQR, and have sent this project back to Planning Board for site & subdivision review determination.

Ryan Destro, BME states that both he and Todd Longwell, Stonebrook, LLC are in attendance if there are any questions or comments. He reviewed the proposed changes to the previously approved project as per letter of intent, as shown below:

# 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

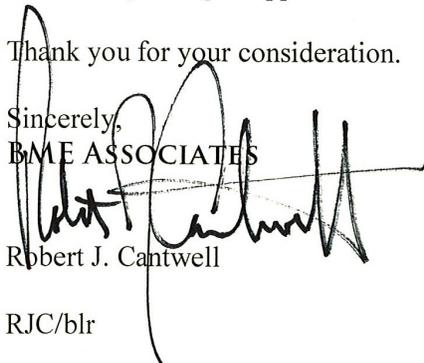
originally approved. The proposed location of the southernmost residential structure (front) is approximately 70 feet further away from the southern boundary line than for the homesite that was approved. All other access and utility provisions are consistent with the original approval for this portion 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. Anderson states that there was a public hearing on this matter on 4/17/13; however, he will again take questions or comments from the audience regarding this matter.

Judith McNulty, 647 Thayer Road, asks how they can get preliminary and final site & subdivision approval without the Special Use Permit approval from the Town Board first. Mr. Place states that if this goes forward tonight, it would be subject to the applicant obtaining the Special Use Permit from the Town Board. The Code does not address which one has to be completed first. Mrs. McNulty expressed concerns regarding traffic increase. She understands that there was a traffic study done which shows that everything will be fine; however, she knows that there is already a problem with making a left hand turn from Loud Road onto Route 31 because people on Mason are taking rights. She would like to have the names of the road be historic in nature. Mr. Anderson states that there was a traffic study completed by the state that incorporated this development and they feel that there is no issue. Mr. Longwell states that he has been working with Monroe County 911 to address the names of the roads. He has submitted three names – Ramsdell Rise, Perrin Ridge and Packard Lane and all of those names were denied. He has resubmitted a number of others since then, and he is waiting to hear back. Mr. Anderson states that there is a lengthy process involved in this.

Mr. Anderson asked for questions or comments from the Conservation Board. Ms. Fredette states that they have made a recommendation to the Town Board regarding SEQR for the Special Use Permit.

Mr. Anderson asked for questions or comments from CED. Mr. Doser states that this plan was originally approved in 2007 as a PDD, which has a portion of the Code that was slightly amended in 2010. This is a modification to that plan removing three townhouse units and four single family dwellings for a community clubhouse and three two family units. CED has no issues with this modification and from a planning perspective; this product fits within the national demographic trends and some of the local demographic trends that we are seeing in Perinton.

Mr. Anderson asked for questions or comments from DPW. Mr. Oakes states that the site works is essentially identical to what was previously approved and he has no comments.

Mr. Beck has no comments.

Mr. Anderson asked for questions or comments from Attorney Place. Mr. Place states that this is a pended application and is a carry-over from the public hearing on 4-17-13. If this goes forward, it should be made subject to the applicant obtaining the Special Use Permit from the Town Board. At the March 13, 2013 Town Board meeting, the following conditions were attached to the application by the Town Board:

- The location of the proposed dwellings on the private drive closest to the residents on Thayer Road be at least 70 feet further away than they were on the original plan
- The above dwellings be one story buildings
- There will be side load entrances on the above dwellings (on one end) so that they don't have the look of traditional duplexes
- When the developer goes to the Historic Architectural Commission, other street names and development names are considered.

If this goes forward, elevations should be as submitted. A sidewalk fund determination has already been made; however a Parks and Rec fund determination is still required.

Mr. Anderson states that at the last meeting there was discussion regarding amenities that were approved in 2007 with trails, traffic calming, etc. He asks if the amenities that were approved in 2007 still proposed on the new plan. Mr. Destro states that everything that was previously approved remains on these plans with the addition of some new amenities with the addition of the pool and the community center, and they will also propose a bike rack at the community center. Mr. Anderson states that the first process took over a year and he felt at that time that this would be a strong project. He feels that the pool and community center are good additional amenities. There are a number of duplexes in Town that have the end load garage which gives a profile of a single family home and these are present throughout the Town. This is an effective way of presenting an elevation of a single family home. He feels that this project is consistent with the Egypt Subarea report and will be a major contributor to the revitalization to Hamlet of Egypt.

Mr. Lewis supports the duplexes. You will only see one garage door from any side. Mr. Lewis asks if everything is going to be rented, and Mr. Destro states yes. Mr. Lewis states that with a change in the demographics nationwide and to some extent in Perinton, there is a demand for rental units. Seniors don't particularly want to own a property or maintain a property. There is a growing market for this. He realizes that this is not what has been seen in the Town most of the last 30 years, it will be seen a lot more as time goes by. He likes the idea of historic names for the roads. He asks how wide the private drive roads are proposed to be. Mr. Destro states 16'; the DPW has asked for 20' and they are working with the DPW to finalize this.

Mr. Brasley thanks the applicant to try to get some historic names for this project in place. He realizes how difficult it is. He had questions on which roads are public and which are private. Mr. Destro states that Stonebrook Drive is a public road. Mr. Brasley asks if there will be parking allowed on the public road. Mr. Destro states that none is proposed. There are 13 parking spots for the community center. The commercial center will also have associated parking for it. Mr. Brasley asks if parking is allowed on the public road. Mr. Destro states that is up to the Town. Mr. Brasley asks where people will park if they have more than two guests. Mr. Destro states that there are two parking spots in the garages, plus the driveways are 30' to 40' in length. Mr. Beck states that if parking becomes a problem on the public road, then the Town Board could move for no parking regulations. Mr. Brasley asks if the private road has provisions for parking. Mr. Destro states that parking is allowed on the private roads. Mr. Doser states that they meet code for parking. Mr. Brasley wants to make sure that parking is accommodated for the residents if

they have a party or some occasion where they have a number of guests. Mr. Brasley supports this project and feels it will be a great asset to the community of Egypt.

Mr. O'Brien states that this project has been heard at a number of meetings over the years, and the proposed changes are fairly minor and he is prepared to go forward.

Mr. Gardner asks how far the new duplex units are off of Thayer Road. Mr. Destro states that the closest duplex unit to Thayer Road is approximately 270' from the corner to Thayer Road. The southernmost duplex unit is approximately 340' to Thayer Road, and the northern most duplex unit is approximately 290' to Thayer Road. Mr. Gardner feels that the changes that are being asked for are minor from the plans that were approved in 2007. HE is prepared to move forward.

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

Mr. Anderson made a motion to require the applicant to make a contribution to the Town Park fund in an amount to be determined by the DPW.

Mr. Lewis seconds the motion.

Motion carries 5 – 0.

Mr. Brasley made a motion to grant modification of preliminary overall site plan approval and modification of preliminary 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 3/19/2013, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The applicant is to submit to the HAC for review of final architectural elevations of the commercial building and any signage along Route 31.
3. Applicant to return to the Planning Board for final approval of the commercial building elevations when they are prepared to build that.
4. The applicant is to obtain a Special Use Permit from the Town Board, and the applicant is to list the Special Use Permit and the date it was granted on the final plans submitted for signature.
5. Duplexes along Thayer Road shall conform to the plans submitted and conform to the conditions of the Town Board in the Special Use Permit.
6. Applicant has agreed to provide a bike rack at the community center.
7. Signs are a separate application, except for the monument signage that has already been approved by the Planning Board, and if that approval is determined to be valid by Town staff, then that signage is authorized.

Mr. O'Brien seconds the motion.

Mr. Longwell states that the monument sign has already been approved by this Board, and that has not deviated from the original approval. It goes out along Route 31 to the entrance of the development. There was a discussion if that signage approval is still valid, and it was determined that if CED determines that the signage approval is still valid then it is ok.

This project conforms to the Town Comprehensive Plan & the Egypt Subarea Report in that it provides a variety of housing types, styles and prices. This concentrates development in the center of Egypt and it caters to a growing need for the population that is mentioned in the Town Comprehensive Plan.

Motion carries 5 – 0.

Mr. Brasley made a motion to grant modification of final overall site plan approval and modification of 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 3/19/2013, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The applicant is to submit to the HAC for review of final architectural elevations of the commercial building and any signage along Route 31.
3. Applicant to return to the Planning Board for final approval of the commercial building elevations when they are prepared to build that.
4. The applicant is to obtain a Special Use Permit from the Town Board, and the applicant is to list the Special Use Permit and the date it was granted on the final plans submitted for signature.
5. Duplexes along Thayer Road shall conform to the plans submitted and conform to any conditions of the Town Board in the Special Use Permit.
6. Applicant has agreed to provide a bike rack at the community center.
7. Signs are a separate application, except for the monument signage that has already been approved by the Planning Board, and if that approval is determined to be valid by Town staff, then that signage is authorized.

Mr. O'Brien seconds the motion.

Motion carries 5 – 0.

**New Application(s):**

**Messer Subdivision – 27 Waterworks Lane.** Thornton Engineering, as agent for Samuel Messer, owner of property located at 27 Waterworks Lane, requesting preliminary and final subdivision approval for a 4 lot single family residential subdivision.

**Presenter:** Thornton Engineering, Glenn Thornton, P.E.  
**Zoned:** Residential A

Mr. Thornton presented the plans to the Board as per letter of intent as shown below:

*Egypt F.A.*



March 28, 2013

Mr. Michael Doser  
Director, Code Enforcement and Development  
Town of Perinton  
1350 Turk Hill Road  
Fairport, New York 14450-8796



Re: Subdivision and Site Plan Application  
Messer Subdivision  
27 Waterworks Lane, Perinton

Dear Mr. Doser:

Thornton Engineering LLP has been retained by Samuel Messer to prepare the subdivision plat and site plans for a proposed four lot single family residential subdivision at 27 Waterworks Lane in the Town of Perinton. Acting in our capacity as engineer for the applicant, we hereby submit 15 individual packets (original plus 14 copies) containing all required materials comprising the Planning Board Application for Subdivision and Site Plan Approval. Each packet contains the following items:

1. Planning Board Application Form
2. Re-subdivision Map (folded)
3. Site Plan Drawing Nos. S-1 Site/Utility Plan, S-2 Grading, Drainage and Soil Erosion/Sediment Control Plan, and S-3 Miscellaneous Details (folded)
4. Letter of Intent
5. Short Environmental Assessment Form
6. Deed
7. Preliminary Subdivision Review Checklist, Preliminary Site Plan Review Checklist, and Final Site Plan Review Checklist

We have also enclosed five copies of the Engineer's Report, the original copy of the Monroe County Department of Planning and Development "Development Referral Form", and application fees in the amount of \$160.00 in the form of a check payable to the Town of Perinton.

We understand that this application will be placed on the agenda for the May 1, 2013 meeting. Should you determine that additional information is required, please contact me directly so that the necessary data can be immediately submitted to maintain the May 1st meeting schedule. Thank you.

Sincerely,

THORNTON ENGINEERING LLP  
*Glenn F. Thornton*  
Glenn F. Thornton, P.E.  
Partner

cc: Samuel Messer (w/enclosures)



oluy

April 3, 2013

Mr. Michael Doser  
Director, Code Enforcement and Development  
Town of Perinton  
1350 Turk Hill Road  
Fairport, New York 14450-8796



Re: Subdivision Application  
Messer Subdivision  
27 Waterworks Lane, Perinton

Dear Mr. Doser:

Subsequent to our submittal of the referenced subdivision application on March 28, 2013, we received notification from Tim Oakes that the plans required modification and resubmission by April 5<sup>th</sup> to maintain the May 1<sup>st</sup> Planning Board schedule. The drawing modifications involve the addition of a sanitary sewer extension along the south side of Waterworks Lane.

The required sanitary sewer extension has been designed and detailed on the plans, and we have enclosed 15 folded copies of each of the following drawings for inclusion with the previously submitted documents:

- revised Drawing S-1, Site/Utility Plan
- new Drawing S-4, Miscellaneous Details

The previously submitted version of Drawing S-1, Site/Utility Plan should be removed and discarded. Thank you for your assistance.

Sincerely,

THORNTON ENGINEERING LLP

A handwritten signature in cursive that reads "Glenn F. Thornton".

Glenn F. Thornton, P.E.  
Partner

cc: Timothy Oakes, P.E., Town Engineer (w/out enclosures)  
Samuel Messer (w/enclosures)

The existing neighborhood pool, pool house, septic tank & fencing will be demolished as part of this project. Each lot will have its' own driveway. They have worked closely with the DPW on this project. They tried to perc the soil and it is just not good perc there. They propose a storm lateral connection to the storm sewer that exists on the far side of the street. They will be bored under the streets so there is no disturbance to the pavement. They will extend the sanitary sewer across the street and build a parallel sanitary sewer system on their side of the street. The developer will dedicate that to the Town, along with a 15' wide easement for the sewer. The front yards will carry down to the gutter system where it will be collected in a catch basin. The rear portions will be drained in swales between the lots to the LDD area in the back. The swales will be fairly shallow and flat.

Mr. Anderson asked for questions or comments from the audience. Edward Bearer, 20 Crow Hill Drive, had questions about the leech fields and if that is ok for foundation of a home. The applicant states that the foundation for the home in the pool area will be placed on native ground and not on fill in the pool area. The leech field is not an issue as it is shallow.

Mr. Anderson asked for questions or comments from the Conservation Board. Chris Fredette thanks the applicant for meeting with the Conservation Board last night. She asks if they have done perc tests. The applicant states that they went out there again today, and it still doesn't perc. There is a lot of clay and the water is draining through it. He will not use infiltration for stormwater as it likely won't work. They plan to use the storm laterals bored under the street. Ms. Fredette states that the Conservation Board issued comments on 4/29/13 as follows:

**The Perinton Conservation Board (PCB) is in receipt of the Messer Subdivision application dated March 29, 2013 to the Perinton Planning Board. Your application is requesting preliminary and final subdivision approval.**

**The PCB has reviewed the application and accompanying documents and requests that you provide the following:**

1. A table summarizing the area of each lot outside LDD.
2. Information to support the assumed soil hydraulic conductivity and demonstrating that the dry wells will function as intended.
3. Indicate the direction that lot R-1A will drain – specifically, how is drainage influenced by run-on from the lot to the east?
4. Confirm the stability at the tops of slope for each lot when dry wells are installed.
5. Include note that minimum depth of restored topsoil shall be 6", per Town requirements.

Mr. Anderson asked for questions or comments from CED. Mr. Doser states this project meets zoning requirements for Residential A District.

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

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

**General**

1. **All of the site work, including mass grading and seeding, installation of all utilities and removal of the existing pool, deck, building, and fence on Lot R-1B, needs to be completed at the same time. A Letter of Credit will be required for all work.**
2. **The bottom of pool elevation needs to be noted on plans.**

**Grading**

1. **A basic SWPPP is required for this project.**
2. **The grading on lots R-1C and R-1D needs to be revised to direct stormwater runoff towards the rear of the lots and away from the adjoining properties, with side lot swales.**

**Utilities**

1. **The proposed manhole to be installed on the existing ACP sanitary sewer will be difficult to accomplish and create construction disturbance in the front yard of 22 Waterworks Lane. The applicant's engineer should investigate connecting to the existing manhole between 19 Crow Hill and 22 Waterworks Lane and reversing the flow from proposed san MH2.**
2. **Provide a note on the plans that the sanitary laterals are to be extended to the easement line and provided with a cleanout.**
3. **The proposed sanitary sewer easement needs to be a minimum of 15' wide. The signed easement needs to be submitted to the DPW for filing, along with a check for the filing fee made out to the Monroe County Clerk, prior to plans receiving final approval signatures.**
4. **Provide deep hole and perc test results for each lot to confirm that dry wells will work, along with calculations to establish what the capacities need to be. Revise the drywell detail to show an actual precast drywell to be installed. If adequate percolation is not available, the connections to the existing storm sewer by directional drilling across the road, will be required.**

Mr. Beck states that this is a good project.

Mr. Anderson asked for questions or comments from Attorney Place. Mr. Place states that a Park Fund contribution determination is required on this project.

Mr. Gardner asks what the approximate area that is being disturbed is. The applicant states that it is on the drawings and is 1.77 acres of disturbance. Mr. Gardner feels that this project will fit in with the neighborhood; the lots are a little bit narrower, but for the most part will blend in well. Mr. Gardner asks the applicant to confirm the areas outside of LDD. The applicant states that they are both 18,000 ft.

Mr. O'Brien questions if the foundation will be over where the pool was. The applicant states that the foundation will bear on the native soil under the pool. There will be fill placed in the pool, but the foundation will not bear on the fill. MR. O'Brien feels this is a nice area to develop and it meets the code.

Mr. Brasley is prepared to move forward and has no questions or comments.

Mr. Lewis asks if the lot size meets the code. The applicant states yes. Mr. Lewis feels this project will fit in nicely with the neighborhood.

Mr. Anderson feels this is a nice infill project and is well planned. He is prepared to go forward.

Chris Fredette states that the PCB recommends a SEQR Negative Declaration, based on the following findings:

1. The plan respects LDD on the property, keeping buildings away from the steep slope at the rear of each lot.
2. Stormwater runoff facilities are designed to minimize impacts to the soils and slopes and to preserve slope stability.

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 5 – 0.

Mr. Anderson made a motion to require the applicant to make a contribution to the Town Park Fund for each lot being that there is no active or passive recreation facilities provided with this subdivision.

Mr. Lewis seconds the motion.

Motion carries 5 – 0.

Mr. Anderson made a motion to grant preliminary subdivision approval for a 4 lot single family residential subdivision, for plans received by the Town on 3/28/13 and letter of intent received by the Town on 4/3/13, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The pool removal and all initial site work is to be completed prior to the construction of any building lots.

Mr. O'Brien seconds the motion.

Motion carries 5 – 0.

Mr. Anderson made a motion to grant final subdivision approval for a 4 lot single family residential subdivision, for plans received by the Town on 3/28/13 and letter of intent received by the Town on 4/3/13, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The pool removal and all initial site work is to be completed prior to the construction of any building lots.

Mr. O'Brien seconds the motion.

Motion carries 5 – 0.

**Tops Fuel Facility – 6720 Pittsford-Palmyra Road.** CHA, as agent for Tops Markets, LLC, as lessee for DiMarco Perinton Square, LLC, owner of property located at 6720 Pittsford-Palmyra Road, requesting preliminary and final site plan approval for the addition of a fuel facility at Tops Market in Perinton Square Plaza.

**Presenter:** James Trasher, CHA  
**Zoned:** Commercial

#### General

1. **The applicant needs to provide an updated Letter of Credit estimate for our review and obtain a Letter of Credit for the approved amount.**
2. **A second Letter of Credit or similar guarantee shall be posted with the Town to provide for the removal of the gas station appurtenances, including the tanks, as stipulated in the Town Board's conditions for a Special Use Permit, approved in January 2010.**
3. **The applicant has addressed our other comments from the Planning Board's June 2, 2010 meeting, at which time they received final approval for this project.**

Ms. Wagner states that the Conservation Board recommends a SEQR Negative Declaration, based on the following findings:

1. The Conservation Board received a copy of the Tops gas station operations plan that includes spill response and maintenance procedures as well as spill response training for the personnel managing the fueling facility;
2. The applicant indicates that the fueling facility is designed to minimize the potential for a fuel spill to the environment, and personnel are trained to manage a spill should one occur. Directions for actions to be taken in the case of a spill will be posted in a prominent location within the kiosk;
3. The applicant has agreed to implement additional inspection and maintenance procedures to ensure that a sufficient depth of water is maintained in the catch basin to prevent discharge of petroleum to the wetland north of the plaza;
4. The project is designed to comply with New York State and Federal regulations regarding petroleum storage and fueling facilities;
5. There will be a net decrease in impervious surface of the plaza due to added landscaped features;
6. Traffic flow within the plaza will be improved as part of this project.

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 5 – 0.

Mr. Brasley made a motion to grant preliminary site plan approval for the addition of a fuel facility at Tops Market in Perinton Square Plaza, for plans received by the Town on 4/4/13, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant to list on the plans submitted for final signature the date that the revised Special Use Permit was granted by the Town Board.

3. The applicant to add a note to the final plans submitted for signature agreeing to monitoring the oil/water separator liquid level as requested by the Conservation Board this evening.
4. This approval includes approval of the architectural elevations & signage on the fuel canopy & kiosk as submitted and approved on 4/7/10. The application shall re-submit those same elevations as part of the plan for final signature.
5. Any change to signage or any additional signage would be a separate application that would require Planning Board approval.
6. Applicant to revise their spill procedures to reflect the DEC requirements & submit a copy of revisions to the Conservation Board.

Mr. Lewis seconds the motion.

Motion carries 5 – 0.

Mr. Brasley made a motion to grant final site plan approval for the addition of a fuel facility at Tops Market in Perinton Square Plaza, for plans received by the Town on 4/4/13, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant to list on the plans submitted for final signature the date that the revised Special Use Permit was granted by the Town Board.
3. The applicant to add a note to the final plans submitted for signature agreeing to monitoring the oil/water separator liquid level as requested by the Conservation Board this evening.
4. This approval includes approval of the architectural elevations & signage on the fuel canopy & kiosk as submitted and approved on 4/7/10. The application shall re-submit those same elevations as part of the plan for final signature.
5. Any change to signage or any additional signage would be a separate application that would require Planning Board approval.
6. Applicant to revise their spill procedures to reflect the DEC requirements & submit a copy of revisions to the Conservation Board.

Mr. Lewis seconds the motion.

Motion carries 5 – 0.

**Discussion:**

**1<sup>st</sup> 90 day extension - Magnolia Manor Subdivision – Section 4 (fka Packard-Waymon subdivision)  
(extension to run from 4/3/13 – 7/3/13)**

Mr. Anderson made a motion to grant 1<sup>st</sup> 90 day extension to run from 4/3/13 – 7/3/13.

Mr. Lewis seconds the motion.

Mr. Lewis questions if this project is really going to build out. If they wish further extension in July, he would like them to come to the Planning Board in June to discuss why. Mr. Beck states that the Town required them to complete Section 2 before Section 4.

Motion carries 5 – 0.

**Minutes - 4/3/13**

Mr. Anderson made a motion to approve the minutes of April 3, 2013, as submitted.

Mr. O'Brien seconds the motion.

Motion carries 5 – 0.

There being no further business before the Board, the meeting adjourned at 9:02 PM.

Respectfully Submitted,

Lori L. Stid, Clerk