

**Minutes of the Town of Perinton
Planning Board Meeting of May 15, 2013**

Planning Board Members Present

T.C. Lewis, Vice Chairman
James P. Brasley
Kenneth O'Brien
Craig Antonelli
Norm Gardner

Absent

Mark Anderson, Chairman

Conservation Board Members Present

Chris Fredette
Bob Salmon

Town Officials Present

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

Absent

Tim Oakes, Town Engineer

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

New Application(s):

Hull to VanBuren Subdivision – 290 Howell Road. John A. Greene & Associates, as agent for Donald K. Hull, owner of property located at 290 Howell Road, requesting preliminary and final subdivision approval to subdivide existing 1.8 acre parcel into two parcels, with existing house on 0.877 acres of land and new lot to be 0.939 acres.

Presenter: John Greene & Associates, Michael S. Greene

Zoned: Residential A District

Mike Greene presented the application as per letter of intent as shown below.

JOHN A. GREENE & ASSOCIATES
784 FILKINS ROAD
NEWARK, NEW YORK 14513
OFFICE (315) 331-4023 FAX (315) 331-3999

April 15, 2013

Ms. Lori Stid
Zoning & Planning Boards Clerk
Town of Perinton
1350 Turk Hill Road
Fairport, New York 14450



**RE: DONALD K. HULL SUBDIVISION (JOB NO. 13-2697)
LETTER OF INTENT**

Dear Ms. Stid:

This letter is to inform the Town of Perinton of the intent of Donald K. Hull of 290 Howell Road, Perinton to subdivide his existing 1.8 acre parcel into two parcels. The existing house will be on Lot AR2A-1, which will be 0.877 acres and the new lot, Lot AR2A-2 will be 0.939 acres.

The new lot will be built on by Mr. Hull's granddaughter and her husband. Gerber Homes will be retained as the home builder. The sanitary sewer lateral will need to be extended to both of these lots from the existing sewer extension located on the Lewis property.

Therefore, it is our intent to be placed on the May 15, 2013 Planning Board agenda for subdivision approval.

Sincerely,

Michael G. Sponable, P.E.
John A. Greene & Associates

The owner is constructing this lot for his granddaughter. The lot meets zoning.

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

Mr. Lewis asked for questions or comments from the Conservation Board, and there were none.

Mr. Lewis asked for questions or comments from CED. Mr. Doser states that this application meets zoning requirements.

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

General

- **Identify the existing portion of the 20' wide sewer easement that is shown on the plans and provide the Liber and Page of the easement, as well as the grantee/grantor information.**
- **An easement will need to be provided across proposed Lot AR2A-2 to proposed Lot AR2A-1 for extension of a sanitary lateral to Lot AR2A-1.**
- **Label the size of the existing cleanout shown on Lot R2B. If an 8" sewer is not currently available on Lot R2B, it will need to be extended to a point that is able to serve connections to the proposed lots AR2A-1 and AR2A-2. These will need to be individual 4" sanitary laterals with cleanouts extended to the property line of the lot they are serving.**
- **Specify on the detail that the sanitary lateral pipe is to be SDR-21 with gasketed fittings.**

Mr. Beck states that Monroe County issued comments as follows:



Department of Planning and Development
 Monroe County, New York

Maggie Brooks
 County Executive

Judy A. Seil
 Director

To: Town of Perinton Planning Board
From: Steve Olufsen, Junior Planner
Date: May 14, 2013
Subject: Hull to VanBuren Subdivision - 2 lots
 290 Howell Road
 MCDP&D Response to Development Review Referral (PR13-11S)



Review Authority and Response:

General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment

Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment

County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval

Section C5-4.C (Advisory Review)
 Approval Modification Disapproval Comment No Comment

Referred to the Development Review Committee (DRC) (If yes, DRC Project Review Report attached):

Yes No

MCDP&D Comments:

This project occurs in the Irondequoit Creek Watershed. Municipalities in the watershed participate in the Irondequoit Watershed Collaborative (IWC). The mission of the Collaborative is to identify and advance common goals related to water resource management to their mutual benefit; most of the municipalities in the watershed entered an intermunicipal agreement to codify their commitment to that end. Collaborative participants have developed a report entitled "Recommendations for Comprehensive Stormwater Management" which includes a Packet for Developers. This packet includes a Storm Water Pollution Prevention Plan template, forms, guidelines and tables. A copy of the Developers' Packet can be found at www.monroecounty.gov under Planning and Development, Planning Division, Development Review.

The applicant should contact the municipality's Department of Public Works to discuss developing a sediment and erosion control plan or a Storm Water Pollution Prevention Plan.

8100 CityPlace • 50 West Main Street • Rochester, New York 14614
 (585) 753-2000 • fax: (585) 753-2028 • www.monroecounty.gov

If you have any questions regarding this review, please contact me at (585) 753-2027 or solufsen@monroecounty.gov.

Attachment

xc: Development Review Committee
 Michael S. Greene, John A. Green & Associates
 Donald K. Hull

May 14, 2013

Subject: Attachment to File PR13-11S

The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that require appropriate action PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL.

(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Questions should be addressed to the appropriate DRC agency.)

1. The following comments must be addressed by the applicant: (A)
 1. Plans for any extension or relocation of a sanitary sewer must be submitted to and approved by the Monroe County Department of Health pursuant to Article 17 of the New York State Environmental Conservation Law.
 2. No dedicated public sewer shall be less than 8 inches in diameter.
2. Monumentation must be checked by the M.C.D.E.S. Survey Office. If there are any survey monuments in the work area, a \$1,500 security deposit and a survey report may be required to protect it. Contact M.C.D.E.S. Survey Office, phone 753-7530. (B)
3. Add "County Road 42" to Howell Road label. (B)
4. A standard County drainage note is required. "Highway drainage along the County highway must be maintained. The applicant will be responsible for all required grading in the County right-of-way. (B)
5. A tie distance to the nearest county or state highway is required for location purposes. (B)
6. Show the posted speed limit and intersection sight distances (required and provided) to the left and right. (B)
7. Show proposed driveway width. (B)
8. All utilities must be bored across the County highway. (B)
9. Show where gas & electric will be accessed. (B)
10. A standard County highway permit note is required. "After MCDOT approves this project, a 136 Highway Permit and a 239F Permit will be required. Inspection of all construction in the right-of-way will be a condition of these permits." (B)
11. A standard County materials note is required. "All materials installed in the County right-of-way shall be in accordance with the MCDOT Standards and Details in effect when installed." (B)
12. Show MCDOT Figure DRIVEWAY WITH SAG VERTICAL CURVE on the plans. If you need an electronic version of the detail, please email MCDOT at tcesario@monroecounty.gov. (B)

(A) - Monroe County Department of Health, Jeff Kosmala, 753-5470

(B) - Monroe County Department of Transportation, Thomas Cesario, 753-7711

(C) - New York State Department of Environmental Conservation, Division of Environmental Permits, 226-5400

(D) - New York State Department of Transportation, David Goehring, 272-3300

13. Plan Note "G": Howell Road is a county road, not a town road. The MCDOT Highway map can be downloaded at <http://www.monroecounty.gov/File/DOT/DOTRoadMap.pdf>. The Monroe County Highway System Listing can be downloaded at <http://www.monroecounty.gov/Image/dot-MCHighwaySystemList.pdf>. (B)
14. A review fee of \$50.00 is due to continue our review/approval of this project. Please make checks payable to Director of Finance, County of Monroe. (B)
15. This project was not sent to the following agencies for review. Applicants should verify with these agencies that they do not have jurisdictional requirements for this project. (C, D)

- (A) - Monroe County Department of Health, Jeff Kosmala, 753-5470
(B) - Monroe County Department of Transportation, Thomas Cesario, 753-7711
(C) - New York State Department of Environmental Conservation, Division of Environmental Permits, 226-5400
(D) - New York State Department of Transportation, David Goehring, 272-3300

Mr. Beck states that one of the comments from the County is that no dedicated public sewer shall be less than 8" in diameter. The applicant states that there is an easement in place. There are three stubs with 4" laterals. Mr. Beck states that the further lot owned by Mr. Hull's son could be subdivided in the future. He encourages the applicant to sit down with DPW staff to work this out.

Regarding the sidewalk contribution, this property has been subdivided before, the lot to the south is owned by Mr. Hull's daughter and the lot to the north is owned by Mr. Hull's daughter, and sidewalk contribution was made prior. Mr. Lewis verifies that a sidewalk contribution is not necessary at this time, and Mr. Beck states that is accurate. Mr. Beck states that a Park Fund determination is required.

Mr. Lewis asks what the date of the plans are that the applicant has posted on the wall as it appears to be different than what has been submitted to the Planning Board for review on 4/15/13. The site data shows 1.06 acres on his plans, but the data that has been posted to the wall shows 1.8. The applicant states that the property total area is 1.8. The applicant states that the plans were revised on 5/13/13. Mr. Lewis states that no one has those revised plans. Mr. Lewis states that the lots are shown as measured to the center of the road. Mr. Lewis states that the new plans should show the measurement to be 33' less. It will reflect in the area, but should not affect meeting code requirements.

Mr. Brasley states that the lot area connections and ROW lines will need to be corrected. He is prepared to go forward.

Mr. O'Brien is prepared to go forward.

Mr. Antonelli is prepared to go forward.

Mr. Gardner asks if there are any conservation easements on this parcel. Mr. Doser states no.

Mr. Lewis asks if there are any questions or comments from the audience, and there were none. Mr. Lewis closed the public hearing.

Ms. Fredette states that the Conservation Board recommends a Negative Declaration of SEQR, as there are no environmental concerns for this proposed subdivision.

Mr. Antonelli made a motion to grant a Negative Declaration of SEQR, as there are no environmental concerns.

Mr. O'Brien seconds the motion.

Motion carries 5 - 0.

Mr. Brasley made a motion to require the applicant to contribute to the Town Park fund for the newly created lot 2, as there is neither passive nor active recreation provided by this subdivision.

Mr. O'Brien seconds the motion.

Motion carries 5 – 0.

Mr. Brasley made a motion to grant preliminary subdivision approval to subdivide existing 1.8 acre parcel into two parcels, with existing house on 0.877 acres of land and new lot to be 0.939 acres, for plans received by the Town on 4/15/13, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant to correct site data on the final plans submitted for signature from overall property being 1.06 acres to approximately 1.8 acres.
3. Applicant to review the size and ownership of the sanitary sewer that was discussed this evening by the Commissioner of Public Works, subject to the satisfaction of the DPW.
4. Applicant to correct the lot lines to the ROW line, not to the road center line on the final plans submitted for signature.
5. Applicant to correct lot areas and lot lengths on the final plans submitted for signature.

Mr. Antonelli seconds the motion

Motion carries 5 – 0.

Mr. Brasley made a motion to grant final subdivision approval to subdivide existing 1.8 acre parcel into two parcels, with existing house on 0.877 acres of land and new lot to be 0.939 acres, for plans received by the Town on 4/15/13, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant to correct site data on the final plans submitted for signature from overall property being 1.06 acres to approximately 1.8 acres.
3. Applicant to review the size and ownership of the sanitary sewer that was discussed this evening by the Commissioner of Public Works, subject to the satisfaction of the DPW.
4. Applicant to correct the lot lines to the ROW line, not to the road center line on the final plans submitted for signature.
5. Applicant to correct lot areas and lot lengths on the final plans submitted for signature.

Mr. Antonelli seconds the motion

Motion carries 5 – 0.

A man in the audience had questions regarding park fund contributions and how they were assessed.

1135-1157 Fairport Road – site plan modification. BME Associates, as agent for 1157, LLC, owner of property located at 1135-1157 Fairport Road (tax account #152.14-1-41.1), requesting preliminary and final site plan approval for modification of site plan previously approved on November 17, 2010 for relocation of dumpster enclosure and modification to landscaping.

Presenter: Dan Viola
Zoned: Restricted Business

Mr. Viola presented the application to the Board, as per letter of intent from BME Associates as shown below.

BME ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

May 6, 2013

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



Attn: Mark Anderson, Chairman

Re: 1135 & 1157 Fairport Road

2104

Dear Board Members:

On behalf of 1157, LLC, we are pleased to submit revised Site Plans for the above-referenced project, which received Final Site Plan approval at the November 17, 2010 meeting, and whose approval was then deferred at the November 7, 2012 meeting to provide additional responses to comments from the Conservation Board and Department of Public Works. Enclosed are the following application materials:

- Fifteen (15) copies of the revised Site and Landscape Plans

The proposed revisions to the Site Plan includes the addition of a white vinyl dumpster enclosure as requested by the Board. The Landscape Plan has been modified to propose indigenous plant material species to comply with LEED criteria, as well as to match the scale and magnitude of the originally approved landscaping plan. The proposed landscaping will create an aesthetically pleasing landscape along the Fairport Road frontage, as well as provide screening to neighboring properties to the west. The applicant met with the Conservation Board on April 30th and received no additional comments.

We are requesting to appear on your May 15, 2013 meeting agenda for presentation on the proposal.

Thank you for your consideration.

Sincerely,
BME ASSOCIATES

Andrew R. Spencer

ARS

Encl.

c: 1157, LLC

Mr. Viola states that they recently met with the Conservation Board regarding these proposed revisions.

Mr. Lewis asks if the site is in compliance with the earlier approval. Mr. Viola states that he thinks so.

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

Mr. Lewis asked for questions or comments from the Conservation Board. Ms. Fredette states that the approval was given 11/17/10 that had a number of conditions attached to it that the applicant did not comply with. She asks what incentive has the applicant been given to comply this time. Mr. Viola states that he would have put this in a couple of months ago if he did not have to come back to the Board for site plan approval. Ms. Fredette states that the Conservation Board would like to see some additional landscaping to conceal the air conditioning unit on the west side of the building from the road; perhaps a couple of more bushes. Mr. Viola states that they have added another bush to the plans since they met with the Conservation Board. They added another bush off the end of the building and took the tall shrub that was at the end and moved it over in front of the walk.

Mr. Lewis asked for questions or comments from CED. Mr. Doser asks the applicant to describe what he was just discussing with the Conservation Board. Mr. Viola states that the shrubbery had stopped at the end of the building and there is one river birch in that area. A comment was made to add something else to shelter the air conditioning units that are on that side of the building. Mr. Viola states that he does not feel that is necessary, but he will do it. The original comment was to space them out a little farther so that the shrubs overlapped the front of the building. Instead of just spacing them out, they opened them up and

added a shrub in the middle so that there is equal spacing. The plan shows a river birch and three dogwoods in front of it? The concern from Conservation Board is that the screening that is shown on the plans will not adequately screen the air conditioning units, so they are looking for more screening so that those units are not viewed from the roadway. Mr. Viola states that he will do that, but there has to be room to get the lawnmower through there. Mr. Viola doesn't think that there is room for more than one more shrub in there, because by the time you get to where the catch basin is and the concrete barrel that is under it, and then you set the river birch in there and the shrubs around the front and a couple in the middle, there may not be room for anymore. Mr. Doser is not sure that he agrees with that. Mr. Viola states that he will do what they want if someone will tell him what they want. Mr. Lewis states that the Board doesn't tell him what to do; the applicant tells him what they want and the Board either approves it or asks him to modify it. Mr. Lewis states that the plans are dated September 2012 and modified for landscaping to 4/26/13; are these plans that he wants approved? Mr. Viola states yes; those are the plans they discussed with the Conservation Board on 4/30/13. Mr. Lewis states that the plans were received by the Town on 5/6/13. Mr. Viola states that he is just looking for some direction from the Town. He will do what they ask of him.

Mr. Doser states that the Conservation Board feels that perhaps another dogwood could be added.

Mr. Lewis asked for questions or comments from DPW. Mr. Beck states that DPW issued comments as follows:

General

- **The DPW has reviewed the revised site plan and has no issues with the proposed modifications. Both the landscaping and dumpster enclosure need to be installed this spring.**

Mr. Lewis asked for questions or comments from Attorney Place. Mr. Place states a SEQR determination is not required for a Type 2 action.

Mr. Gardner states that it will take 15 years for the proposed landscaping to fill in. He feels that the landscaping should be twice as much as what is being proposed. The dumpster is right on the property line, but is out of the way towards the railroad tracks. He would like to see a couple of low shrubs on the east side of the property line.

Mr. Antonelli states that the reason the applicant came back in November was because they were having problems accessing the dumpster and have now moved it. It backs up to Sunset Trail and the railroad tracks, which is ok, as there is nothing back there. This is a good location for this dumpster. The original approved landscaping did not meet green standards and that is also why they came back to ask for a change. The applicant states they also didn't see the value in putting all that shrubbery in between the buildings where nobody coming down Fairport Road would see it. The shrubbery across the front of the building was miniscule. Mr. Antonelli asks if this plan accomplishes what the applicant was looking for. The applicant states yes. Mr. Antonelli states that he is prepared to move forward with what has been proposed.

Mr. O'Brien agrees with Mr. Antonelli.

Mr. Brasley states that the dumpster enclosure is right up against Sunset Trail. This is a very unique lot with the railroad tracks and the tunnel right next to it. In this particular location, this is the best place for the dumpster. He likes Mr. Gardner's idea to put a shrub or two along the east side of the dumpster enclosure since it is so close to the public road. This site is much improved from what it was. The Board is not used to negotiating landscaping after a building is open. He asks if the applicant is willing to agree to a deadline to have all of the plantings completed by July 1, 2013. Mr. Viola states that he feels that it can be accomplished by that date.

Mr. Lewis asked for questions or comments from the audience, and there were none. Mr. Lewis closed the public hearing.

Mr. Lewis made a motion to grant preliminary site plan approval for modification of site plan previously approved on November 17, 2010 for relocation of dumpster enclosure and modification to landscaping, for plans received by the Town on 5/6/13, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The three cardinal red osier dogwood be increased to six.
3. The dumpster on the Sunset Trail side is to be shielded from the road with three shrubs.
4. These changes are to be completed no later than 7/1/2013 to the satisfaction of Code Enforcement & Development.

Mr. O'Brien seconds the motion.

Motion carries 5 – 0.

Mr. Lewis made a motion to grant final site plan approval for modification of site plan previously approved on November 17, 2010 for relocation of dumpster enclosure and modification to landscaping, for plans received by the Town on 5/6/13, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The three cardinal red osier dogwood be increased to six.
3. The dumpster on the Sunset Trail side is to be shielded from the road with three shrubs.
4. These changes are to be completed no later than 7/1/2013 to the satisfaction of Code Enforcement & Development.

Mr. O'Brien seconds the motion.

Motion carries 5 – 0.

Discussion:

Recommendation to Town Board–Creekstone (Pride Mark)-rezoning 39.9 acres of land on Pittsford-Palmyra Road & Mason Road from Residential B to PDD

Mr. Lewis states that this Board is only making a recommendation to the Town Board. They are not making any decisions regarding the proposed rezoning; The Town Board does that. If it goes forward, the applicant will be required to come back to Planning Board for a series of meetings for site & subdivision approval.

Jim Barbato, Jr., Pride Mark Development, states that adjacent lands to the east are residential, to the west are Commercial, Industrial, single family residential & Egypt Fire Dept. Station. Lands to the north are single family residential and Cemetery. Lands to the south are Commercial Anthony Funeral Home. The proposal will be in harmony with the general purpose and intent of the Comprehensive Plan by providing a mix of housing opportunities for the residents of the Town while serving as a transition between the single family residential uses and the industrial/commercial uses in the area.

Planned residential low is meant to border the single family homes; and in that area they are proposing 26 single family homes, ranch style (bungalow). They are approx 1400 – 1600 sf, 2 – 3 bedrooms, all with attached garage. Those will likely be rented in the range of \$1700 – 2000/month.

Planned residential medium, which the Sub-Area Plan defines to include townhouses and condominiums, and states that apartments are acceptable, they are proposing 60 ranch townhomes; two bedroom, two bath, two car attached garage, approximately 1300 – 14400 sf. These will likely be rented in the range of \$1400 – 1600/month. There are 12 buildings and each building has 5 units. They are proposing 66 apartment units in 3 buildings. Each building has 22 units. There are 12 integrated garages, 6 on each end. Each of these buildings would have garages on each side and additional parking would be around the buildings. They are 3 story buildings. The goal is to cater to empty nesters and seniors. 3 story buildings are sprinklered, which is a benefit.

Residential Business/light commercial on Route 31 (Northern Nurseries). This is where they plan to locate the community center. It is approximately 5000 sf with an outdoor pool and a cabana building along Route 31. This will shield the pool from Route 31 as well as providing a nice front to Route 31 rather than looking at the pool from Route 31. There will be bathroom facilities here and outdoor gathering space for the residents. The rental office and fitness center will also be located here. He described the architectural elevations, which will fit into the Hamlet of Egypt. They will really have two fronts; one that faces Route 31 and one that faces the interior of their community and both will be treated with appropriate architectural elevations.

He showed the previous plan and compared the changes to the new plan.

Mr. Barbato stated that they believe that the new plan (Creekstone) is consistent with the goals of the Town Comprehensive Plan with the growing 55 and over demographic clearly identified and also with the Egypt Subarea plan. He further stated that Creekstone is consistent with the subarea plan as far as density per each zone.

Regarding the greenhouses - Rochester Presbyterian Homes have been in the assisted living business since 1925 and there are four ranch homes in the Pride Mark proposal with 12 bedrooms/bathrooms each. Each one is 8500 sf. The height of the building is approximately 29'. There would be two entrances to the greenhouses off Mason Road and each of the four homes would be self-contained with residents eating in the home, etc. Pride Mark would build the four homes for the Rochester Presbyterian Homes organization and sell them to the Rochester Presbyterian Homes.

They hired SRF Associates to perform a traffic study based on a scope provided by the Town. The drop showed that there would be no drop in the current level of service and the impact from this development would not be significant. The Town also hired Erdmann to review their study and the DOT also reviewed it, and both agreed with the results from the traffic study.

They received comments from Chris Lopez, a professional planning consultant; it was determined by the Town that they work with him. Mr. Lopez was also involved in developing the Egypt Subarea Plan back in 2003.

- The overall density was reduced from 174 to 160 units, which is approximately an 8% reduction. The current plan is 4 units per acre if the wetland area is included. With wetlands removed, it is 4.9 units per acre.
- The unit reduction was primarily in the apartments. 22 apartments and 2 single family homes were removed, and 10 townhouses were added.
- The Greenhouses were relocated away from the residences on Broadmoor to the planned residential business area along Mason Road.
- The pond areas were re-designed and pulled away from adjacent neighbor's properties, and are adjacent to Town land and internal to the project. They realize that they will be required to adhere to DEC regulations, Town engineer requirements, etc.
- The apartment buildings were moved adjacent to the open space wetland area. This creates the most significant buffer from the surrounding neighbors and minimizes the height of the buildings. The finished grade of the apartments will range from 15 to 28' lower than Mason Road.
- The community was pulled back from Mason Road creating a better buffer to the neighbors across the road.
- They have moved the single family homes and relocated the community center that were fronting on Mason Road. On the previous plan the homes and community center fronting on Mason Road were approximately 100' back from the property line. On the current plan, the single family homes are 160' back and the first Greenhouse is approximately 200' back from the property line.
- They have created an open space area next to the historic cemetery, which they feel respects the cemetery area more than the previous plan. They also plan to create a park setting with a patio area, outdoor seating, bike racks and trail connections. This area will be accessible to residents of the new community, as well as the surrounding area. The plan shows a parking area for use by Perinton residents that want to park and access the Crescent Trail network.

- The alignment of the road and structures were straightened out in accordance with the sub-area plan guidelines. He realizes that Longwell proposal (Stonebrook) is proposed as rental. There is a strong demand for rental. They feel very strongly that is where the demographics are going. They hired a consultant to do a market analysis and a feasibility study, and the report was amended after they learned that Longwell project was switching from ownership to rental. This was all taken into account. The data presented that there is a demographic shift in the Comp Plan; over age 55 is the growing population who are looking for a diversity of housing for empty nesters and seniors. Many people want maintenance free living. The study shows that there is no market evidence to suggest that development of housing of this type has a negative impact on nearby single family residential; in fact there are reports that show a well done, high-end residential community for rent could have potential positive impacts versus vacant land. The study shows that the project absorption is two years after the first C of O is issued.

They plan to build the project in phases, to the demand, and as they fill to a certain percentage, they would continue to build to insure their own success, as well as it is required by lenders. They have not changed the target market; they are targeting empty nesters and seniors.

They plan to create a pedestrian friendly community, with sidewalks, walking trails, street lights, which will be on 10' poles, plus the lamp, so a total of about 11'. They plan to make a clear connection for the Crescent Trail that runs through the project. All of the roads are proposed to be private roads, which is a reduction in Town services.

They have made a lot of changes to the plans through the process to meet concerns of neighbors, Town input, consultant input, and feel as though it meets the spirit of the Egypt Sub-Area Report, and many of the goals that have been established in the Town Comprehensive Plan that was updated in 2011.

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

Mike Wisniewski, 41 Broadmoor Trail, thanks the developer for the many changes that have been made to the plans to conform to the Egypt Sub-Area report. One area that does not follow is the three story apartments, and is in conflict with the Egypt Sub Area Report. Some of the area that these are proposed to be placed is marked as planned residential low density. There should not be apartment buildings in this location. The two southern most buildings do not follow the architectural guidelines of the plans for medium density; however the guidelines show that the scale and size should be consistent with the existing context of the Hamlet. Maximum height is 35' and 2 ½ stories. He believes that these proposed apartments are more than 35' high and are 3 ½ stories high. He feels the density is too high, based on Hickory Woods approval and Stonebrook approval. He asks what assurance there is that the Planning Board and Town Board can give that it will be built as approved; what if they come back for changes like Stonebrook just did. What if they want to remove the buffer for the adjacent residents or increase the density? The neighbors were opposed to those changes for Stonebrook and it was approved anyway.

Mr. Lewis states that the Planning Board spends a lot of time to ensure that it will be built according to approved plans. Code Enforcement & Development is to enforce the approval. If the applicant wants to change the proposal, they would have to come back to the Town for modifications.

Bill Guche, 39 Broadmoor Trail, asked where all of the residents would park for the apartments if there are not garages for all of them. The applicant states that there is plenty of parking all around the apartments. Mr. Guche asked how many parking spaces there are for each apartment. The applicant states 3.5 for each apartment. Mr. Guche expressed concern about drainage. The applicant states that engineering will be done through the planning process. Mr. Guche expressed concern about the ponds not being capable of holding all the water. Mr. Costich states that they will be sized and designed according to NYS requirements. This site represents about 5% of the water that goes into the wetlands. Mr. Lewis states that what the Planning Board is looking at tonight is not the final plan; they are simply looking at proposed rezoning. Details of drainage will be presented to the Board when they come and ask for site and subdivision approval; not at this stage.

Joel Jacobs, 45 Broadmoor, also expressed drainage concerns. Mr. Lewis states that this will be reviewed by Town Engineers/DPW. Mr. Jacobs states that Ramsdell Park subdivision pond failed. Mr. Beck states that when the ponds when it, they did not infiltrate property and that was corrected.

Cindy Platteter, 165 Bent Oak Trail, does not feel there is any benefit to the community to rezone. She works in senior living and they are unable to fill their apartments already. This is not a good reason to rezone. She is concerned that the proposed scale is too large and they will not be able to fill it. She encourages the Town to call other senior facilities in the County; no one is full.

Darlene Wisniewski, 41 Broadmoor, inquires what the Board uses as a comparison project to determine how this will work. MR. Doser states that PDD is a newly established Code and the only other project is Longwell (Stonebrook). These are new ideas that a typical suburb hasn't had to consider before because typically they have only been for single family dwellings. With the shifting demographic nationally and locally, there is a thought that empty nesters would like to live in a smaller planned development area with smaller portions of land that they don't have to maintain. Mr. Beck states that Stonebrook is the only other PDD. HE states that there are other areas that are not zoned PDD that have similar type developments. The Hammocks on the corner of Route 31 and 250; there is a mix of apartment and townhomes and is adjacent to Crest Manor nursing home and is adjacent to Southern Hills single family residential development. There is also Alpine Knoll/Whitney Ridge, mixture of apartment buildings, rental townhomes, some are attached, some are detached, some are in the apartment complex and some are for sale. There is a public road that runs through it, but they are on a private drive. Right next to this is Belinda Crescent which has a mixture of duplexes and townhomes, some of which are rental and some are for sale. These neighborhoods are surrounded by single family residential development (Whitney Country). These were not developed under PDD, they were developed under 281 Town law and rezoned. Mr. Lewis states that Egypt is a historic area and they are trying to build in a more compact population.

Judith McNulty, 647 Thayer Road, expressed concern about traffic. The intersection of Loud/Mason is already very difficult. She realizes that a traffic study has been done, but she does not believe that it will function well when this project is complete. Mr. Place states that the State reviews this. This is not static. If it doesn't work, then the State will have to review it. The Town has been pro-active. Mr. Lewis encourages her to discuss this with the State. Mr. Beck states that when the original traffic study

was done, it took into account the potential development of this property and the Longwell property and it produced the need for a light. The State gave the Town two choices; either realign the Loud/Mason intersection and signalize it, or a light could go in at Town Centre. The Town hired their own traffic consultant to try to improve the traffic. The Town is aware of current traffic issues and that not everyone would make the light. Mrs. McNulty states that there is a precedent for two lights going in close together (Wegmans – 250/31).

Dorothy Jacobs, 45 Broadmoor, also expressed traffic concerns trying to make a left onto Ayrault. Mr. Beck states that this is a County Road, and was also taken into consideration with the traffic study.

Beverly Shanker, 5 Conover Crossing, expressed traffic concern, especially with development in Macedon. She expresses concerns that the developer will build in phases. The applicant states that the Presbyterian Home will be done independently. She inquires what if seniors don't want to rent these. The applicant is confident that won't happen. She is over 55 and everyone on her street is over 55, and none of them want to rent.

A woman in the audience states that the reason they purchased in this area in Perinton was because it is single family residential dwellings. Mr. Lewis states that the long range plan in Town since the 1990's called for high density in this area.

Mr. Guche inquires what will happen if the market won't bear it and what if seniors don't want to rent. He understands that the market may change and the developer will not have to come back to the Town to ask for permission to no longer rent to seniors or even have it be high rental. The applicant states that a market study was done and the Town has a copy of it and it is available for review. He e-mailed a digital copy to the Town. Mr. Guche asks what Plan B is. The neighbors do not want cheaper housing attracting low rental.

Mr. Lewis asks if there are age restrictions. The applicant states there are no age restrictions. Typically, there are no children in these types of developments, but it does not preclude them.

Mrs. Wisniewski asks what the height of the rec center is. The applicant states one floor with volume ceilings and the roof was built up to give it some look and some mass. The applicant state it is 35' and is approximately the equivalent of 2 ½ stories. Mr. Lewis states that this is not the appropriate time to discuss heights; that would be at the time of site and subdivision approval.

The Planning Board members discussed this proposal and make s the following findings in making favorable recommendation:

1. *Suitability of the parcel for the type of development proposed:* The land is currently zoned Residential 'B', but there are industrial uses immediately adjacent to the parcel. This proximity to more intense uses makes the land more suitable to denser development than suburban single-family homes. The proposed plan is respectful of surrounding development: single-family units next to existing single-family units, generous perimeter buffers to the Mason Valley subdivision and the historic Mason Road cemetery, and vehicle access only on to existing main roads.
2. *Adequacy of infrastructure to serve development:* Sanitary sewers are available for connection to the proposed development. Most neighbors at the Planning Board meeting expressed concern that existing congestion at the traffic signal at Rt. 31 and Mason/Loud Rds. will only worsen if this development proceeds; however, traffic studies have indicated that area roads can support the increased vehicle trips that will be generated. The internal streets are laid out to discourage "cut-through" traffic.
3. *Soundness of Concept Proposal:* This project targets seniors and empty-nesters, a growing population in Perinton. Hiking trails are proposed within the development along with connections to the Town-wide trail system. Adequate open space is proposed within the wetland areas and around the project perimeter. The largest proposed buildings, the apartments, will be located at the lower ground-level elevations on the site to minimize height impacts.
4. *Conformance to 2011 Town Comprehensive Plan and 2003 Egypt Sub-area Report:* This project conforms to the Town's long-range planning goals:
 - This project proposes increased density of development closer to the center of Egypt as recommended in the Sub-area Report. Increases in population close to the center of Egypt should benefit the commercial climate for the businesses in the hamlet, and utilities are already available in the area. It is an infill project, surrounded by existing development. The Comprehensive Plan prefers infill projects over development in more vacant areas.
 - A variety of housing types and styles is proposed: single-family, attached townhouses, apartments, and assisted living. The Comprehensive Plan recommends providing a variety of housing types throughout the Town. The proposal also targets the growing senior population in Perinton, another recommendation of the Comprehensive Plan.
 - The Comprehensive Plan advocates healthy living. This proposed development includes a fitness center, swimming pool, a pocket park, extensive sidewalks, and hiking trails.
 - This project respects the environment by considering impacts to the entire surrounding watershed, managing stormwater flows through the development, and properly treating runoff generated on-site using long-established Town and State guidelines. Proposed lighting will be residential in style and low in height.
 - The layout and design of the development includes many recommendations of the Sub-area report. All buildings will have gable roofs and simple ornamentation, and the proposed community center will contain agricultural architectural elements. The proposed street layout is rectilinear in nature, evoking a more village-like feel instead of suburban curvy roads.

As with most proposed projects, neighbor concerns include drainage, traffic, and impacts to surrounding existing development. While these are all challenging issues, the Planning Board believes these can be adequately addressed and impacts can be minimized during the Site Plan review process. We recommend that this project be considered at a Public Hearing of the Town Board.

Minutes:

4/17/13

Mr. Lewis made a motion to approve the minutes of 4/17/13, as amended.
Mr. O'Brien seconds the motion.
Motion carries 5 – 0.

5/1/13

Mr. Lewis made a motion to approve the minutes of 5-1-13, as amended.
Mr. O'Brien seconds the motion.
Motion carries 4 – 0, with one abstention of Mr. Antonelli, due to absence.

ZBA – 5/20/13

Clark, Patterson, Lee, Design Professionals, as agent for Southeast Quadrant Mobile Critical Care Unit, Inc., owner of property located at 2527 Baird Road, requesting the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-27 – Public Building and Grounds:
 - 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.
2. Section 208-16 B, to allow 4 parking spaces instead of 11 parking spaces.

Said property being located in an Industrial District.

The Planning Board recommends approval of the aforementioned variances for the following reasons:

The following variance requests are pre-existing and non-conforming and the new requested setbacks are minimal compared to the current existing conditions.

- 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.

The following variance request is consistent with the approved site plan. In addition, the property is well buffered from the adjacent property.

- e. To allow the rear setback for the proposed garage/office to be 34 feet instead of 80 feet.

The applicants' business operations do not require more than 4 parking spots and the approved site plan will not allow for 11 spaces to be constructed.

2. Section 208-16 B, to allow 4 parking spaces instead of 11 parking spaces.

The Planning Board has no comment on the remaining applications.

There being no further business before the Board, the meeting adjourned at 9:21 PM.

Respectfully Submitted,

Lori L. Stid, Clerk