

**Minutes of the Town of Perinton  
Planning Board Meeting of October 15, 2014**

**Planning Board Members Present**

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

**Conservation Board Members Present**

Chris Fredette  
Dave Belaskas

**Town Officials Present**

Robert Place, Town Attorney  
Thomas Beck, Commissioner, DPW  
Robert Kozarits, 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):**

**Hertz – 1177 Fairport Road**

Laura Baranes, Premier Signs presented the sign application to the Board. She states that Hertz has changed their color. This is a replacement sign. The sign boxes that are there today will remain; new faces will go in. The size remains the same. The old sign was a black background with yellow lettering, and the new is yellow & black background with black lettering.

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

**Reference Code: Restricted Business Section 174-9 D (3) states: On commercial buildings housing more than one tenant or type of business, only one sign for each outside public entrance shall be permitted on the exterior of the building for the purpose of advertising either the name or nature of the businesses contained therein. Should said building front on more than one highway, the placement of duplicated signs or a second sign, of the nature defined above, on the second side fronting such a highway may be permitted at the discretion of the Planning Board.**

- 1. The applicant is proposing to replace two existing previously approved signs for Hertz with two new signs with different background colors and lettering.**
- 2. The proposed new signage meets Town Code requirements, allowing this sign to have a different background color may help identify the individual businesses within this complex. Therefore, Town staff supports this sign application with the condition a sign permit be issued within six months.**

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

Mr. Anderson feels the site is unique as it is small and has three businesses on it. The site seems to work. When this site was first approved for all of the signs there was a lot of concern for the physical number of all of the signs and how they would look. Because of the orientation of the building, each business needs to have two signs. The Board decided at that time that black backgrounds would work so it would not look cluttered or aesthetically displeasing. He recognizes that Hertz has corporate logos; however this is a gateway into the Town. He thinks that the other two businesses may come in and want to have the same type of visibility. The original intent was to have all of the signs be equally visible. He supports the second sign underneath Kia Service, but would prefer to keep the other existing sign the same as it will change the aesthetic dynamic dramatically.

Ms. Neu supports the sign application as submitted.

Mr. Gardner would like to see less yellow and not have it encompass the entire panel. Mr. Gardner states that there is painting on the window that he doesn't care for.

Mr. Antonelli likes the way the signs look now, but can support the change if that is what Hertz wants.

Mr. O'Brien likes the sign as it is more visible.

Mr. Brasley doesn't think this is a big change. There are no residences nearby that would be offended by a lot of different colors. He supports the sign application as submitted.

Mr. Anderson made a motion to grant approval for Hertz signage for application submitted to the Town on 9/12/14, subject to the following conditions:

1. As to the sign facing west (Sunset) underneath NuLook and Vision sign, the yellow color be reduced such that the sign remain significantly black with a yellow background.

Mr. Gardner seconds the motion.

Motion fails to carry with a split vote of 3-3, with Messrs. O'Brien, Brasley and Antonelli opposed.

Mr. O'Brien made a motion to grant approval for Hertz signage for application submitted to the Town on 9/12/14, subject to the following conditions:

1. Applicant to obtain a sign permit within 6 months from today.
2. As shown on drawings submitted on 9/12/14 - Sign A (front elevation) & Sign B (west side)

Ms. Neu seconds the motion.

Motion carries 4 – 2, with Messrs. Anderson and Gardner opposed.

### **Georgetown East – Duxbury Heights**

Tom Carozza, property manager representing Georgetown East Condominiums presented the sign application to the Board. They wish to replace the existing sign. It will be simplified and made smaller. It will be 30" X 5'. There are 2' X 2' brick columns for appearance and will be landscaped at the base. They are requesting a small garden light to shine on the sign that will be located in the flower bed directly below it. The sign location is not changing.

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

**Reference Code: Commercial Section 174-7 B (3) states: Subdivision identification signs containing only the name of the subdivision and the streets located therein, provided that the bottom of such signs shall not be more than five feet above the ground, shall not be more than eight feet in length and shall have a maximum area of 32 square feet.**

**1. The proposed new sign meets the Town Code requirements; Town staff supports this sign application, with the condition a sign permit be issued within six months.**

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

Ms. Neu feels the sign is attractive and appreciates a smaller scale sign. She supports the sign application as submitted.

Mr. Gardner supports the sign application as submitted.

Mr. Antonelli supports the sign application as submitted and feels it is an improvement.

Mr. O'Brien supports the sign application as submitted.

Mr. Brasley feels the sign is attractive and supports the sign application as submitted.

Mr. Anderson feels the sign is aesthetically pleasing. He inquires about the lighting. The applicant states it will be polycarbonate fluorescent lighting. There will be four fingers of bulbs at 23 watts each. It will be about a 100 watt equivalent. It will wash the sign. The source of the light is shielded. Mr. Anderson inquired if the existing structure has been removed and the applicant states yes. Mr. Anderson inquired when it would be landscaped, and the applicant states likely it will be done in the spring of 2015. It will probably be a couple of arborvitae and holly.

Ms. Neu made a motion to grant approval for Georgetown East signage for application submitted to the Town on 9/22/14, subject to the following conditions:

1. Applicant to obtain a sign permit within 6 months from today.

Mr. O'Brien seconds the motion.

Motion carries 6 – 0.

### **boardwalk / Gallery 96 – 604 Pittsford-Victor Road**

Paul Zachman presented the sign application to the Board. He states that he chairs the architectural review Board in the Village of Pittsford. It is a bit of a struggle to place the signs without covering or obscuring architectural features or detracting from the building. Before the Code was changed to mixed use, this type of sign was allowed under the previous zoning. This type of sign is no longer allowed and he is seeking a variance from the Zoning Board of Appeals on 10/27/14. He wishes to have a free standing sign in front of the building in lieu of building mounted signage. He shows the Board members a picture board of other ground mounted signage in the Basin; there are at least a dozen. He reviews them with the Board. He feels that for the type of property that he has (residential style property) is a little bit further off of the road than more commercial buildings (Brueggers or Branca) which he feels are more suitable for building mounted signage. His building is a historic building and it will be more attractive to have a free standing sign and not mount signage on the building. This is a gateway coming in from the west, and all of the houses similar to his, coming in from the east on the north side of the road all have free standing signs out by the sidewalk

and they are all similar to this type of building, although not quite as old. The only buildings without free standing signs are the group of buildings in Canal Walk. The cottage building in the Richardson Group has about four different signs mounted on the building which he does not feel is aesthetically pleasing. The Subway building has building mounted signage and he feels it detracts from the building. He understands that this is counter to the code that was just approved, but feels that for these types of buildings consideration for a free standing sign would preserve an interesting and eclectic aesthetic in this area with the signage and would be an improvement for the Basin. In order to mount the signage on this building, it would have to go between the upper and lower windows and to the right of where the entrance is and he doesn't feel that would look good.

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

**Reference Code: Commercial Section 174-9 E (5) states: Freestanding signs are not permitted.**

**1. This application requires a variance for a zero front setback and a non-permitted sign within a Mixed Use District, which is scheduled for October 27, 2014 ZBA meeting, the CED Dept. will not be in favor of supporting this request. Additionally, this proposed sign will require HAC approval.**

**2. The proposed sign location appears to be located within the State road right-of-way; the applicant should clarify this matter. New York State DOT approval will be required if located within the right-of-way.**

Mr. Doser states that new development in mixed use zoning would be closer to the road as the setback is closer, and building mounted signs would be appropriate. This is a pre-existing building. This is the first application in the mixed use district for the new sign code; however is an existing building.

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

Mr. Anderson compliments the applicant on the work being done on this building. It is what the Town is looking for and is a big upgrade to what was there. He states that he supports this sign. There is a nuance in this new sign code that needs to be addressed. If this applicant came to them for this sign a few months ago, he would not have needed a variance for a free standing sign. This is an existing building. This building was not designed and developed under the concepts of mixed use. The other signs in the district, even if they change over, they will still be entitled to a monument sign. It is not fair to this applicant to be denied a free standing sign; he is rehabbing a worn out building. A monument sign will look better than to try to place signage up on this small building. He supports the sign and the variance required. The sign is attractive. He does not support the removable aluminum placard. It is very small and unless you are standing in front of the sign you won't be able to read it. The applicant states that the Gallery will have a turnover of exhibits every couple of months. He thought it would be a good way to inform the public what the current show is. It is not for drive-by traffic as it is for foot traffic. He can remove that if the Board prefers. Perhaps he could put that on the building. Mr. Anderson inquires if there is foot traffic in this area. The applicant states he is not sure as he is not there all the time yet and feels that there is more foot traffic in the summer. There was a discussion on the signage being smaller and it was determined that a smaller sign would not be better as it would be harder to read. Mr. Anderson feels that the size is reasonable. If the applicant wishes to have a smaller sign that is up to him. The applicant feels that he is fine with the size as proposed in the submittal.

Ms. Neu likes the color and the design. She feels that there probably won't be a lot of foot traffic in the winter. She supports the signage and the variances needed.

Mr. Brasley feels that the building is going to be attractive. He supports the application and the necessary variances for the reasons that the applicant stated.

Mr. O'Brien likes the sign and supports the variances needed. He appreciates the building number being on the sign. He agrees that the removable placard would be unreadable from the road.

Mr. Antonelli supports the monument signage and the variances needed. He thought this would be an issue with the mixed use zoning and will continue to be an issue. He inquires if the applicant has been to Historic Architecture Commission for review on this signage. The applicant states that he applied, but has been encouraged to not attend until after the Planning Board and Zoning Board review the proposal.

Mr. Gardner supports the monument signage and the variances needed. He does not support the removable aluminum placard as it is too small and he feels that would be advertising and not identification.

Mr. Anderson made a motion to grant approval for Boardwalk/Gallery 96 signage for application submitted to the Town on 9/22/14, subject to the following conditions:

1. Applicant to obtain a sign permit prior to sign installation.
2. Applicant to obtain Certificate of Appropriateness from Historic Architecture Commission.
3. Applicant to obtain necessary variances from Zoning Board of Appeals.
4. The removable placard is to be excluded from the signage.

Mr. Brasley seconds the motion.

Motion carries 6 – 0.

Mr. Anderson states that if the applicant wishes to have the proposed signage be smaller, he can work with Building Department staff and is not necessary to come back to the Planning Board.

**Kumon – 6720 Pittsford Palmyra Road (Perinton Square)**

Saed Shafie, Buffalo SignMakers, presented the sign application to the Board. They wish to install the sign on the exterior façade at Perinton Square Mall. The sign is led illuminated channel letters located on the lower fascia of the mall façade.

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

**Reference Code: Restricted Business Section 174-9 D (3) states: On commercial buildings housing more than one tenant or type of business, only one sign for each outside public entrance shall be permitted on the exterior of the building for the purpose of advertising either the name or nature of the businesses contained therein. Should said building front on more than one highway, the placement of duplicated signs or a second sign, of the nature defined above, on the second side fronting such a highway may be permitted at the discretion of the Planning Board.**

1. The proposed sign will be located on the existing building façade consistent with the location of all the other previously approved signs. Town staff supports this application and encourages the signs within this mall to have their own identity.

2. The proposed new sign meets the Town Code requirements; Town staff supports this sign application with the condition a sign permit be issued within six months.

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

Ms. Neu feels this is a better location than what was heard by the Board in July. She feels the color stands out better not on a white background.

Mr. Gardner supports the sign application as submitted.

Mr. Antonelli supports the sign application as submitted. He inquires if the tenant is in a different location within the mall than they were when they were heard by the Board in July. The applicant states it is the same space.

Mr. O'Brien supports the sign application as submitted.

Mr. Brasley inquires if the letter O (smiley face) is lit or unlit. The applicant states it will be lit; both the white and the blue. Mr. Brasley feels this is a better location than what was submitted to the Board the last time and supports the sign as submitted.

Mr. Anderson supports the sign application as submitted and feels this is an appropriate location on the building for a sign and is more in keeping with the location of the other signage on the mall. It is a different color and has a unique font. The Board has been introducing more of a variety of signs in the plaza and is an improvement to the plaza.

Ms. Neu made a motion to grant approval for Kumon signage for application submitted to the Town on 10/1/14, subject to the following conditions:

1. Applicant to obtain a sign permit within 6 months.

Mr. Gardner seconds the motion.

Motion carries 6 – 0.

#### **Pending Application(s):**

**Janders Run Subdivision.** Parrone Engineering, as agent for Tomax Homes, Inc., owner of property located approximately 200 feet south of Pebble Hill Road and Ledgemont Drive (tax account # 166.06-3-59.1), requesting concept, preliminary, and final subdivision approval under Section 278 of Town Law for a 17-lot single family subdivision on approximately 10 acres of land, with approximately 2.76 acres of land to be dedicated to the Town of Perinton.  
**(deferred on 9/3/14)**

**Presenter:** Parrone Engineering, Ed Parrone  
**Zoned:** Residential B

Mr. Parrone presented the application to the Board as per letter of intent dated and received by the Town on 9/24/14 and response to DPW comments of 8/29/14 dated and received by the Town on 9/24/14 as shown below. With him is Piero Forgens, the project developer.

September 24, 2014

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



Re: Janders Run Subdivision  
Conceptual Plan Submission

Dear Lori,

On behalf of our client, Piero Forgensi of Tomax Homes, Inc., we are submitting a Conventional Layout Concept Plan, a statement of benefits for a cluster development, and Final Plans of the above referenced project for your review. We are requesting that this proposal be placed on the October 15, 2014 Planning Board agenda for Concept, Preliminary, and Final Subdivision approval.

Janders Run involves subdivision of the 10.0-acre parcel into seventeen (17) single-family residential lots, including associated roadways, water main, sanitary sewer, storm sewer, and stormwater management infrastructure. The proposal includes clustering of the lots utilizing Town Law 278, with approximately 2.76 acres of land to be dedicated to the Town of Perinton along adjacent lands owned by the Town. The clustered development under Town Law 278 provides benefits to the Town of Perinton including, but not limited to, the following:

- Diversity of housing in the Town of Perinton. The proposed patio style homes are targeted for well seniors who generally do not want to maintain a larger lot.
- The proposed patio style homes typically attract clientele without school age children. As such, school taxes will still be generated but the school district will not have additional students to educate.
- The preservation of "Open Space" by providing 2.76 acres of land to be dedicated to the Town of Perinton. The open space preserved through the subdivision offers a passive recreational benefit by providing a continuous link between the RS&E trail west of the project and Town land south of the project.
- Reduced infrastructure for the Town to maintain. By utilizing Town Law 278, the roadway, sanitary and storm utilities are shortened by approximately 350 feet, reducing the Town's maintenance burden.

Enclosed within this submission, please find the following:

- Fifteen (15) copies of this Statement of Benefit
- Fifteen (15) copies of the Conventional Layout Concept Plan
- Fifteen (15) copies of the Preliminary and Final Plans
- Fifteen (15) copies of the response letter to the August 29, 2014 DPW comments
- Five (5) copies of the Engineer's Report

If you have any questions or require any additional information, please contact the Project Manager, Gary Smith, or myself.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "R. Steehler".

Robert J. Steehler  
PARRONE ENGINEERING

Cc: Piero Forgensi, Tomax Homes

September 24, 2014

Mr. Rob Kozarits  
Town of Perinton DPW  
100 Cobbs Lane  
Fairport, NY 14450

Re: Janders Run  
Town of Perinton, Monroe County



**PARRONE**  
engineering

**ROCKSOLID**

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Dear Rob:

On behalf of our client, Piero Forgensi of Tomax Homes, we are submitting materials for your review and approval of the above-referenced project. We offer the following responses to comments received from your review letter dated August 29, 2014:

1. We acknowledge that the deed of dedication for the portion of Axel Rim Trail within the Niagara Mohawk property has been filed with the County Clerks Office.
2. We acknowledge that an application for approval of a Town 278 Law is required. A Conceptual conventional plan showing seventeen (17) lots has been provided to the Town.
3. The sanitary and storm sewer layout has been revised on the Utility Plan, sheet C2.0, based on the September 4, 2014 meeting with Town staff.

Stormwater runoff for the existing conditions and proposed conditions was analyzed using the TR-55 method. Runoff calculations and drainage maps have been added to Appendix C of the Stormwater Pollution Prevention Plan (SWPPP).

Areas designated as HSG B/D soils are modeled as HSG D soils. Runoff reduction calculations as well as the Notice of Intent have been revised accordingly.

4. A Construction Estimate will be forwarded under separate cover. We acknowledge that a Letter of Credit shall be secured prior to final signatures on the plans.
5. Descriptions for Easements, Dedications, and Deed Restrictions will be provided to the DPW under separate cover upon approval of the storm main and sanitary main layouts.
6. The following note has been added to the Subdivision Plan, SU-1:  
  
"No end load garages will be permitted."
7. An Erosion and Sediment Control Plan has been added to the sheet set (sheet C3.1). The plan shows locations of the stabilized construction entrance, temporary siltation basins, catch basin sediment traps, temporary swales, jute mesh stone check dams, erosion fence, the topsoil stockpile locations, and a construction sequence.

8. A compaction testing schedule has been added to the Grading Plan, sheet C3.0.
9. Jute mesh callouts have been added to the Erosion and Sediment Control Plan on all slopes 1 on 3 or greater and along the rear yard swale invert between lots 7-14.
10. The callout regarding connection to the existing sanitary sewer manhole has been revised on the Utility Plan, sheet C2.0, to read the following:  

"Connect to existing sanitary manhole with a Kor-N-Seal boot connection. Remove existing tree adjacent to manhole cover."
11. Drop inlets DI-4.2 and DI-4.3 have been relocated to station 4+50 and have been revised to be flared inlets.
12. Drop inlets DI-8.2 and DI-8.3 have been relocated to the southern P.C. of the cul-de-sac (Station 12+01).
13. Deep hole tests were performed on September 12, 2014. Infiltration tests were performed on Friday, September 19, 2014. The results have been added to the Grading Plan, sheet C3.1.
14. A pretreatment stilling basin has been added at the outfall pipe upstream of the infiltration facility. The stilling basin has been sized for 100% water quality volume, since infiltration rates are greater than five inches per hour.
15. The following note has been added to the Grading Plan, sheet C3.0:  

"Sediment shall not be allowed to enter the proposed infiltration basin during construction. The developer shall conduct a performance test on the infiltration basin upon completion of construction to ensure the actual infiltration rate is consistent with design assumptions."
16. The stormwater management facility has been revised to be a single infiltration basin. The system has been sized to fully infiltrate the 10-yr design storm event and provide detention for a 100-yr storm event with a minimum of one foot (1') of freeboard.
17. The Infiltration Basin cross-section (detail 3, sheet C5.4) has been revised to be site-specific, including elevations for the outlet structure, spillway, and 1, 2, 10, and 100-yr storm events.
18. A 3'x3' drainage structure has been added to the east side of the trail adjacent to the infiltration basin outflow pipe to alleviate concerns with standing water in the area. End sections have been added to the north and south of the proposed structure to collect swale drainage.
19. The area along the east of the trail between the power lines and the infiltration basin has been regarded as shown on the Grading Plan, sheet C3.0, to provide positive drainage to the proposed northern end section.
20. Field inlet FI-1.0 has been relocated approximately fifteen feet (15') west and revised to be a four-foot (4') diameter catch basin manhole. The connecting pipe to the north will be approximately parallel to the existing 12" csp pipe, but at no point will be closer than ten feet (10') to the property line of #29 Pebble Hill Road.

21. The grading in the rear of lots 2 and 3 has been revised on the Grading Plan, sheet C3.1, to provide positive drainage to the new catch basin manhole CB-1.0 to the north.
22. The Manhole detail (Detail #4, sheet C5.1) has been revised to show a 6" minimum separation between the pipe invert and bottom slab.
23. The Town of Perinton Offset Cul-De-Sac Detail (D7) has been added to the Construction Details (Detail 2, C5.0).
24. Corners of the subdivision are denoted by Town Land Identification Markers. A detail for the Town Land Identification Markers has been added to the plans (detail 5, sheet C5.2).
25. Earthwork for the site will balance (within 1000 CY).
26. The ownership of the property to the south has been revised on the Subdivision Plan, sheet SU-1, to reflect the Town of Perinton as owner.
27. Outlet control structure information has been added to the Storm Sewer Schedule on the Utility Plan, sheet C2.0.
28. A ten-foot (10') wide access berm has been added to the Grading Plan, sheet C3.0, around the top of bank of the infiltration basin.
29. The following note has been added to the Utility Plan, sheet C2.0, under the Storm Sewer Crossing Schedule:  
  
"Refer to Detail 5, sheet C5.0, for drop inlet road crossing pipes and connections to storm manholes."
30. Check dams along the rear lot swale are intended to be temporary. The callouts on the Grading Plan, sheet C3.0, and Detail 7 of sheet C5.4 have been revised accordingly.
31. Driveway cross-slopes have been revised to be 2-3% on the Grading Plan, sheet C3.0. Cross-slopes may be steeper at the connection to Axel Rim Trail in areas that are at 8% grade (Lots 5-12).
32. Town Conservation Monuments have been added to the Subdivision Plan, sheet SU-1, at lot corners 8/9, 10/11, 13/14 and 14/15. Five (5) monuments have been removed from the plan along the conservation area parallel to the RS&E trail, as requested.
33. The following note has been added to the Grading Plan, sheet C4.0:  
  
"Prior to the start of the mass grading operation, the developer and a representative from the Town of Perinton's Department of Public Works shall walk the project's southerly property line to confirm that all dead and/or fallen trees have been removed."
34. The project mill and resurface limit has been extended to Pebble Hill Road. The following callout has been added to the Utility Plan, sheet C3.0, at the mill and resurface limit:  
  
"Sawcut at limit of mill/overlay."

We believe that these plan changes and associated responses address your concerns for the project. Enclosed with this submission, to aid in your approval, please find a complete set of revised plans. If you have any questions or require additional information, please contact myself or the Project Manager, Gary Smith.

Respectfully submitted,



Robert J. Steehler  
PARRONE ENGINEERING

Cc: Piero Forgensi

He states that the Town Board has accepted the open space on 9/24/14. They are requesting cluster zoning for a 17 lot subdivision. The letter of intent outlines the reasons for the 278. The concept plan shows that they could build a 17 lot subdivision and meet conventional zoning requirements. He reviewed that plan with the Board. This is not the plan they wish to proceed with; they prefer the cluster zoning. Since the last approval for 18 lots; they have dropped a lot. They met with the Conservation Board last night and acknowledge receipt of DPW comments.

Mr. Anderson asked for questions or comments from the Conservation Board and Mr. Belaskas states that the Conservation Board has reviewed this proposal and is prepared to make a SEQR recommendation. HE thanks the applicant for providing the data that they requested.

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

**CED Comments:**

1. **The application is a proposal for a 17-lot cluster development in a Residential B zoning district. The Planning Board has the discretion to modify the setbacks and development to promote the most appropriate use of the land, to facilitate the adequate and economical provision for streets and utilities and to preserve the natural and scenic qualities of open lands.**
2. **The conventional plan shows 17 lots that can be developed under Residential B zoning.**
3. **The applicant is proposing to dedicate 2.8 acres of the 10 acre parcel to the Town of Perinton.**
4. **Lot sizes are proposed to be between at least 11,460 square feet and an average of 14,513 square feet, instead of 14,400 square feet (as is required in Residential B). Three lots exceed the Residential B requirement. All are acceptable sizes for a cluster development.**
5. **The application calls for 40-foot setbacks along lots 1 through 13 and 30-foot setbacks in the cul-de-sac (instead of 50 feet as is required in Residential B).**
6. **Side setbacks are proposed to be at least 10 feet (instead of 12 feet as is required in Residential B).**
7. **Rear setbacks are proposed to be 15 feet (standard in Residential B).**

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

**Requesting Concept, Preliminary and Final Subdivision Approval (Town Law - Section 278 Clustering)**

**DPW Comments:**

**General**

1. **Deed of dedication for the portion of proposed Axel Rim Trail within the Niagara Mohawk (d.b.a. National Grid) property dated June 30, 2008 has been filed with the County Clerk's Office (Book 10637, Page 0499) and copy provided to the Town of Perinton.**
2. **The Conventional Concept Plan for developing the site per the designated zoning included with the submittal on 9/24/2014 and justification for approval to develop this site under the Town's 278 Law for Cluster Development appear adequate.**
3. **Provide a Construction Estimate to the DPW for review. The approved amount shall be secured in a Letter of Credit prior to plans receiving final approval signatures.**
4. **Provide descriptions for Easements, Dedications and Deed Restrictions to the DPW for review. The signed easement documents along with a check to the Monroe County Clerk for the appropriate filing fee shall be provided to DPW prior to signing the subdivision plan.**
5. **Applicant should contact resident at #29 Pebble Hill to offer plantings for screening portion of property adjacent to RS&E trail.**
6. **DPW recommends that a factor of safety of "2" be applied to the field tested infiltration rates to account for sediment accumulation and soil bed consolidation (12 in/hr tested / 2 = 6 in/hour design rate).**

Mr. Kozarits thanks the applicant for working with them. They have received the letter of credit and the easements today. The pond is able to accommodate a 100 year storm without reaching the banks. There is an under drain system that has a valve that can be operated by DPW if the future if needed. The pond is in compliance with the Phase 2 regulations. The grading changes between the lots are much improved from what was originally presented. It is a challenging lot.

Mr. Beck thanks the applicant and his engineer for their efforts.

Mr. Anderson asked for questions or comments from Attorney Place.

Attorney Place states that concept approval is required for the 278 application. The Town Board accepted the proposed dedication of open space. You should require the applicant to provide a fee policy to the Town to insure the road access. The Board should identify the maximum number of lots that are permitted and the minimum setbacks that are acceptable. A park fund contribution and a SEQR determination are needed. This is an unlisted action.

Mr. Parrone states that Mr. Forgensi's attorney Diane Mendick is working on that.

Mr. Anderson feels that a lot of hard work has been accomplished by the applicant. He feels that a better stormwater management plan is in place. He feels that the applicant has shown that they could build 17 lots on the conventional plan and supports the cluster proposal. He agrees with the proposed number of lots, lot size minimum and the setbacks.

Mr. Brasley agrees with Mr. Anderson. He agrees with the reasons for supporting a 278 cluster proposal as outlined in the applicants' letter of intent. He is pleased that the Town Board has accepted the dedication of the open space which is adjacent to Town park land. The DPW is in support of the proposal and he is prepared to go forward.

Mr. O'Brien supports the application and agrees with Messrs. Anderson and Brasley. The DPW is satisfied with the stormwater. He is prepared to move forward.

Mr. Antonelli supports the request and agrees with Messrs. Anderson and Brasley.

Mr. Gardner agrees with the number of lots. He does not like the layout. He disagrees with the number of cuts and fills; however if this is how the applicant wants to build it and the DPW is satisfied from a technical standpoint, he can support it.

Ms. Neu expresses concern about how this will look when constructed. She would like to see some elevations and is concerned that it will look institutional. Mr. Parrone states that the homes will not be a cookie cutter type of housing. Ms. Neu is prepared to go forward.

Mr. Anderson made a motion to grant concept subdivision approval under Section 278 of Town Law for a 17-lot single family subdivision on approximately 10 acres of land, with approximately 2.76 acres of land to be dedicated to the Town of Perinton for plans received by the Town on 9/24/14, subject to the following conditions:

1. Maximum # of lots will be 17.
2. The minimum setbacks shall be 40-foot setbacks along lots 1 through 13 and 30-foot setbacks in the cul-de-sac.
3. The lot size minimum is to be at least 11,460 square feet.
4. Side setbacks are to be at least 10 feet.
5. Rear setbacks are to be at least 15 feet.
6. Approximately 2.76 acres of the 10 acre parcel are being dedicated to the Town of Perinton.

The benefits to the Town are as identified in the letter from Parrone Engineering to the Town of Perinton dated and received by the Town on 9/24/14, which is a part of the record; including dedication of approximately 2.76 acres of land to the Town, a diversity of housing styles and reduced infrastructure for the Town to maintain.

Ms. Neu seconds the motion.

Motion carries 6 – 0.

Mr. Anderson asked the Conservation Board for a SEQR recommendation.

Mr. Belaskas states that the Conservation Board has fielded the parcel, met with the applicant, and has reviewed the drawings and supporting documentation for this project. Based on this review, the Board has the following findings:

1. Current plan has reduced the number of lots in the subdivision which provides the following benefits:
  - Reduced density of development
  - Increases side setbacks for houses from lot lines
2. The use of the cluster zoning in this development leaves substantial land area to be devoted to open space.
3. Developer will deed to the Town of Perinton approximately three acres of land, some of which will be used as a walking access to the R S & E trails.
4. Drainage is sufficient for topographical features of the development.
5. Stormwater will be managed and treated by means of an onsite infiltration basin. Infiltration tests were completed that demonstrate the site has the capacity for infiltrations and will not affect neighboring properties. The infiltration basin can function as a detention pond in the event there is a clogging of the drainage layer. An under drain layer will be installed to allow for draining of the infiltration basin.

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

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

Mr. O'Brien seconds the motion.

Motion carries 6 – 0.

Mr. Anderson made a motion to require the applicant to make a contribution to the Town Park fund for 17 lots in order to help supports the goals of Parks & Recreation as identified in the Town Comprehensive Plan.

Mr. O'Brien seconds the motion.

Motion carries 6 – 0.

Mr. Brasley made a motion to grant preliminary subdivision approval under Section 278 of Town Law for a 17-lot single family subdivision on approximately 10 acres of land, with approximately 2.76 acres of land to be dedicated to the Town of Perinton for plans received by the Town on 9/24/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant to provide a fee policy to the Town to insure the road access for a portion of the road underneath the power lines to the satisfaction of the Town Attorney prior to final plans being signed.

Mr. O'Brien seconds the motion.

Motion carries 6 – 0.

Mr. Brasley made a motion to grant final subdivision approval under Section 278 of Town Law for a 17-lot single family subdivision on approximately 10 acres of land, with approximately 2.76 acres of land to be dedicated to the Town of Perinton for plans received by the Town on 9/24/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
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Mr. O'Brien seconds the motion.

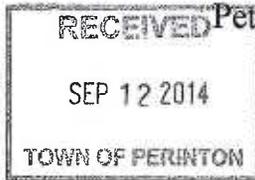
Motion carries 6 – 0.

**New Application(s):**

**Rene's Café – 617 Whitney Road site improvements.** Quinzi Properties, LLC, owner of property located at 617 Whitney Road, requesting preliminary and final site plan approval for renovations to existing building & site modifications.

**Presenter:** Peter Quinzi Construction Inc.  
**Zoned:** Industrial

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



Peter Quinzi CONSTRUCTION Inc.  
822 McKinley Street  
East Rochester, NY 14445  
(585)586-9610  
Quinziconstruction.com

September 11, 2014

Town of Perinton / Planning Board  
1350 Turk Hill Rd.  
Fairport, NY 14450-8796

Re: Letter of Intent for the Proposed Improvements to 617 Whitney Rd.

The purpose of my letter is to summarize the proposed work for 617 Whitney Rd. and request your approval. The following bullet point summary will list the proposed improvements to the property in the chronological order in which they will be completed upon approval.

**Proposed Improvements:**

- Remove the middle section (approx. 1100sf) of the building and rebuild it as per plan provided. This section of the building looks like it was the connection between the 2 main structures and was not built well. Rebuilding this section will allow us to correct the less than ideal roof lines & transitions through this area as well as update the structure to proper building code. This improvement will allow us to properly repurpose the space for the 2 existing tenants.
- Change the main entrance to the Café from the North side of the property to the West wall on O'Connor Rd. The purpose for this change is to correct the pedestrian flow of the property. Currently, the main entrance for the Café is the furthest point from the main parking area. To walk from the main parking to the main entrance you have to walk down the back lane, which is being used for truck deliveries to the café and it is also where the exhaust hoods for the kitchen are venting. Not the ideal situation to say the least. As part of this item, I am seeking approval to build a retaining wall, add landscaping and a sidewalk along the West wall as per drawings provided. Please note, I would like to maintain the North entrance for those with handicaps and/or fire escape etc. as we conveniently have handicap parking on the North Side.
- Change the façade on the Café. Remove the T111 painted wood siding and replace it with EIFS / exterior insulation finishing system. This system will provide increased R-Value making the property more efficient. I would like to continue the EIFS system through the middle section of the building as per plan elevation provided.

- Remove and replace the existing asphalt and continue it through the main parking area. This will allow us to eliminate the trip hazards from all the patchwork.

This property has been neglected over the years and is in need of some major improvements. I would appreciate your consideration for approval and direction for the proposed project.

For the past 25 years the front of the building has been a small café and the rear has been warehouse space. The proposed improvements do not change the current use of the property. He wants to be able to use the property more efficiently. He purchased it about a year ago with the intention of cleaning it up. He has been working with Town staff.

Mr. Anderson asked for questions or comments from the Conservation Board. Ms. Fredette states that the Conservation Board sent a letter to the applicant on October 9<sup>th</sup> requesting information as follows:

**What is the proposed use for the middle and south areas of the building?**

**In the Full EAF:**

**Section D2l: Hours of operation for Rene's appear to be 7-5. Do they not serve dinner?; or is that just for the construction period?**

**Section E1g: This question, regarding hazardous waste, is not answered.**

**Section E1h: We would appreciate some details about the spill that occurred on this site in the past, and that is listed on the Spill Incidents database, DEC ID # 12-13532. Our concern is with the restaurant on this site. Has the spill been remediated?**

She states that they have received an answer on the spill and it has been remediated. She asks the applicant if the restaurant serves dinner, and the applicant says no; they are open for breakfast & lunch. She states that they don't have an answer on the hazardous waste questions on the EAF. The applicant state no. Ms. Fredette states that they would like that answered in the EAF.

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

**CED Comments:**

1. Proposed application fits anticipated Mixed Use District zoning with its combination of uses, and its emphasis on parking in the rear property.
2. Pedestrian flow from back parking lot will be improved by creation of sidewalk dedicated for pedestrians around western portion of building.
3. Architectural elevations are appropriate for Mixed Use District. Proposed reconstruction of middle portion of building will allow for expansion of Rene's Café.
4. Asphalt parking replacement will be vast improvement.
5. Parking lot must be double hair pin-striped per Town Code.
6. Handicap patrons should have direct access into building. Under this configuration, they would need to go around building to access new entrance. Handicap parking spots must be properly signed with sign indicating "Handicap Parking -- Permit Required". CED questions whether two HC parking spaces are required.
7. Please provide zoning information (existing vs. proposed) and signature blocks on plan.
8. Signs are not part of application.
9. Parking Calculation:
  - a. Warehouse: existing rear portion 2000 sq. ft.  
proposed middle section 640 sq. ft.  
Total warehouse area = 2640 sq. ft. (Parking Required = 1 space)
  - b. Café: existing calculated occupancy 50 persons  $50 / 3 = 17$  spaces  
Future café kitchen/catering area – 460 sq. ft. (Parking Required – 17 spaces)
  - c. Total Parking required for site = 18 parking spaces. The site plan should reflect the parking calculation as shown above, with no variance needed for parking.
10. Label snow storage area on site plan.
11. The plan shows existing green space of 11% with proposed 9.8% green space. A variance should be requested for this change. CED recommends that all variances required for this site be obtained to clean up existing conditions.

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

### Rene's Café -617 Whitney Road Site Improvements

Requesting preliminary & final site plan approval

#### **DPW Comments:**

1. Provide the applicable lot requirements for this parcels zoning designation, and indicate what variances are required to bring it into compliance.
2. The proposed lighting plan shows the 0.5 ft. candle illumination contour extending outside the property line in some locations. Lowering the pole height to a maximum of 16' should decrease the offsite illumination. Provide light pole detail.
3. The plan should show the proposed storm lateral to be 8" PVC SDR 35 connecting to the storm sewer main on the west side of O'Connor Road. Provide cleanouts on the east side near the building.
4. The Dumpster Enclosure Detail needs to show an elevation of the proposed gate construction.
5. Show double hairpin striping for the parking spaces.
6. Confirm elevation difference between elevated walkway and adjacent ground. Hand rail will be required for an elevation difference of 30" or more.
7. Remove the references to site improvement from the architectural drawings.
8. This application is within a Town PED Zone. A contribution to the Towns Sidewalk Fund in the amount of \$4,661.10 (length of frontage along O'Connor Rd and Whitney Rd x \$15.00) will be required.
9. The proposed handicap parking at the front of the building requires vehicles to back onto Whitney Road when exiting. The handicap parking should be oriented parallel to Whitney Road and positioned behind the stop bar on O'Connor Road. The parking space near the south east corner of the building (adjacent to the proposed fence gate) could be striped as a handicap space to replace the space removed at the front of the building.
10. Provide lawn area or other landscape treatment between the proposed pavement and existing curb at the corner of O'Connor Rd and Whitney Rd.
11. Narrow the O'Connor Rd driveway throat to 24' wide and move it closer to the building. This will allow for an additional parking space in the lot.
12. Extend curbing south of the proposed O'Connor Rd driveway and provide header curb at the driveway.
13. Remove the asphalt from the existing O'Connor Rd driveway near Whitney Rd and reset the curb.
14. The large tree on the west side of the building should be shown on the site plan and labeled "To Be Removed."

They are looking for a positive connection to the storm sewer instead of tying into the back of a catch basin to protect the building. He states that it is typical to provide a curbed entrance into the parking lot and would an aesthetic improvement. The DPW is ready to move forward.

Mr. Beck states that they will work with the applicant on all of the comments. This is a popular restaurant and the Town is looking forward to the proposed façade improvements and the rejuvenation of the parking lot. This project does fall in a PED zone. In this instance, there is a fair amount of frontage, and this is essentially a façade change, the DPW will work with the applicant on an appropriate amount.

Mr. Anderson asked for questions or comments from Attorney Place. Attorney Place states that this is considered a type II SEQR action. A sidewalk contribution is required. The Board will need to make the appropriate motion. The site plan should include the bulk area requirements for the lot and show whether they are going to comply with the underlying zoning or request area variances.

Mr. Anderson states that this is a Type 2 SEQR action and no SEQR determination is required. The site plan needs to show the zoning requirements on it, such as building size, green space, setbacks, etc. If a variance is required, then it also needs to be shown on plans.

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

Ms. Neu supports the proposed façade modifications and the parking lot modifications. She inquires if the front door will remain and the applicant states yes.

Mr. Gardner is in favor of the proposal and feels it will be an improvement. He inquires if 2 handicap spots are required. The applicant states that if only one is required he is ok with 1.

Mr. Antonelli supports the proposal and feels this will be an improvement. He would like to see a signature block on the plans.

Mr. O'Brien supports the proposal and feels it will be attractive when complete. He inquires if there will be directional signage in the parking lot. The applicant states yes. He will address signage at a later date. Mr. Anderson states that the applicant does not need Board approval if the directional signs are less than 2 square feet.

Mr. Brasley supports the proposal and this will be a nice upgrade to the neighborhood. He inquires if there are any proposed changes to exterior lighting. Adam Freeman, LandTech, states that there are already building mounted lights on the building. They are proposing a couple of pole lights in the back and some lights for the walkway. The lights are shown on the plans. There is a minor reduction in green space on the parcel. Mr. Brasley is unaware that there is any green space on this parcel and he is ok with that as it has been this way for as long as he can remember. This is a minor façade and parking lot renovation and he agrees with the DPW that the amount is excessive and he encourages the DPW to work with the applicant to reduce the sidewalk contribution significantly.

Mr. Anderson supports the proposal and feels it will be a big improvement. There has been a restaurant in this location for a long time that has been successful. Defining the parking will be a big help. He states that the plans in front of the Board show 2 handicap spots. Mr. Doser states that only 1 is required; he is not sure if the restaurant has a high number of handicap customers. MR. Beck states that if they want two, they can have one parallel with the building in the front and one in the back if needed.

This would allow for a safe ingress/egress. Mr. Anderson states that would be consistent with the comments from Monroe County. Mr. Anderson feels this should be a condition of approval. Mr. Anderson also feels that the sidewalk contribution is a bit heavy for a façade improvement and the DPW should work with the applicant on that.

Mr. Anderson states that this is a Type 2 SEQR; therefore no SEQR determination is required.

Mr. Anderson made a motion to require the applicant to make a contribution to the Town sidewalk fund in an amount to be determined by the Commissioner of Public Works, recognizing that the applicant is including to construct a sidewalk on O'Connor Road as a potential either full or partial contribution to the fund.

Mr. O'Brien seconds the motion.

Motion carries 6 – 0.

Mr. Brasley made a motion to grant preliminary site plan approval for renovations to existing building & site modifications for plans received by the Town on 9/12/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Final plans submitted for signature must show a zoning requirements table, including such information as setbacks & green space (confirm requirements with Code Enforcement & Development)
3. Applicant to obtain any necessary variances from the Zoning Board of Appeals as determined by Code Enforcement & Development and list the variance(s) and date(s) granted on the final plans submitted for signature.
4. No signs are included as part of this approval. If the applicant wishes to change the existing signage it is a separate application.
5. Handicapped parking need only be provided at a ratio of 1 handicap space per 25 spaces. Applicant to work with the DPW to modify the handicap parking locations.
6. Applicant shall provide a signature block on the final plans submitted for signature. (confirm requirements with Code Enforcement & Development)

Ms. Neu seconds the motion.

Motion carries 6 – 0.

Mr. Brasley made a motion to grant final site plan approval for renovations to existing building & site modifications for plans received by the Town on 9/12/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
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6. Applicant shall provide a signature block on the final plans submitted for signature. (confirm requirements with Code Enforcement & Development)

Ms. Neu seconds the motion.

Motion carries 6 – 0.

**Discussion(s):**

**Recommendation to Town Board – proposed rezoning - Fairport Road - Commercial to Mixed Use, Commercial to Restricted Business**

Presenter: Mike Doser – CED

Using a slide show presentation, (see below) Mr. Doser explained what Mixed Use is, the demographic trends driving Mixed Use, why it fits along Fairport Road and the key zoning requirements of Mixed Use.

Mr. Doser states that Matt Ingalls, who was instrumental in creating the mixed use zoning code for the Town is also here this evening for the discussion.

The Town of Perinton is proposing to rezone 35 properties (approximately 36 acres) along the Fairport Road corridor from Commercial District zoning to Mixed Use District or Restricted Business zoning. Specifically, 33 of the properties would be rezoned to Mixed Use District zoning and two of the properties north of Fairport Road and west of Baird Road (area of Island Valley Golf Course) would be rezoned to Restricted Business zoning. The proposal complies with the 2011 Town of Perinton Comprehensive Plan, and should help Fairport Road continue its revitalization.

Among the goals of Mixed Use District zoning:

(1) It aims to provide areas within the Town for locating a mix of commercial, office, civic, and residential uses serving the day-to-day convenient shopping and personal service needs of neighborhood areas and to assure the compatibility of such areas with nearby residential development.

(2) It aims to create lively, pedestrian-friendly and attractive buildings, sites, open spaces and streetscapes where residents and visitors will enjoy walking, biking, driving, and shopping. It is the intent of the Mixed-Use District to ensure that typical, strip commercial development is avoided and that future private development will actively and positively engage the public realm.

If you've driven through the Fairport Road corridor, it's evident that the Town has made a substantial investment there the past few years. The aim is to make that area the proper gateway it should be to the Village of Fairport and the Town of Perinton. The Town has created a notable four-way intersection at Jefferson and Fairport Road, with a beautiful parkway-like entrance into Perinton Park. We've added concrete sidewalks for better pedestrian mobility. We've been instrumental in redeveloping the lot of Friendly's and 7-11 for the CVS Pharmacy, a much-needed retail presence in the area. We've demolished the Hess Station, and are working with the property owners on a plan to redevelop the Holzwarth Automotive building. We're also currently working with a developer on a plan for the properties that formally housed Vincent Buick, and more recently, the vehicular storage for Hoselton Automotive. These are exciting times for the Fairport Road corridor, which was the Town's first main commercial area. I think many would say it has seen better days. But the mixed use zoning is the shot in the arm this area needs in order for it to recapture and maintain its vibrancy.

We met with owners of the prospective properties on November 14th, 2013, and briefed them on the proposed rezoning plan. The attendees were generally positive about the rezoning and felt that it would enhance the area.

Now Mixed Use District zoning offers four major benefits to property owners:

1. Property owners can develop more of their land area.
2. Property owners have the opportunity to create additional revenue streams as the result of adding residential uses.
3. Residential, commercial, and office business uses can exist side-by-side, which creates greater density and a built-in customer base for businesses.
4. Specific architectural and landscaping standards ensure the corridor will maintain the desired setting.

It is important to note that this proposed rezoning, by itself, will not physically alter Fairport Road. The proposed rezoning is not related to a project currently under consideration by the Town of Perinton. Should the rezoning be approved, specific proposed projects on the newly rezoned properties would still require site plan approval from the Planning Board.

The rezoning is sponsored and led by the Town as the result of the findings and goals from the 2011 Town of Perinton Comprehensive Plan, a plan crafted by professional planners with the help of input from leaders in the public and private sectors, and Town of Perinton property owners. The Town Board accepted the plan in 2011.

#### SUMMARY

The Town has made a substantial investment into Fairport Road. And property owners have all contributed in redevelopment as well: Landers Car Wash, Tom Wahl's, Mobil Dunkin Donuts, CVS, McArdles, Fairport Hots, Shooters, B&G Pizza, the Sandbox, the Alliance Group...just some of the projects that have come before our boards and received approval during the last 10 years.

We're hopeful to add to that list redevelopment of Holzwarth and Hoselton relatively shortly.

But it's working together, the public and private sector that will really make Fairport Road the gateway, the gem it should be, to the Village of Fairport and the Town of Perinton.

## First, How'd You Hear About This?

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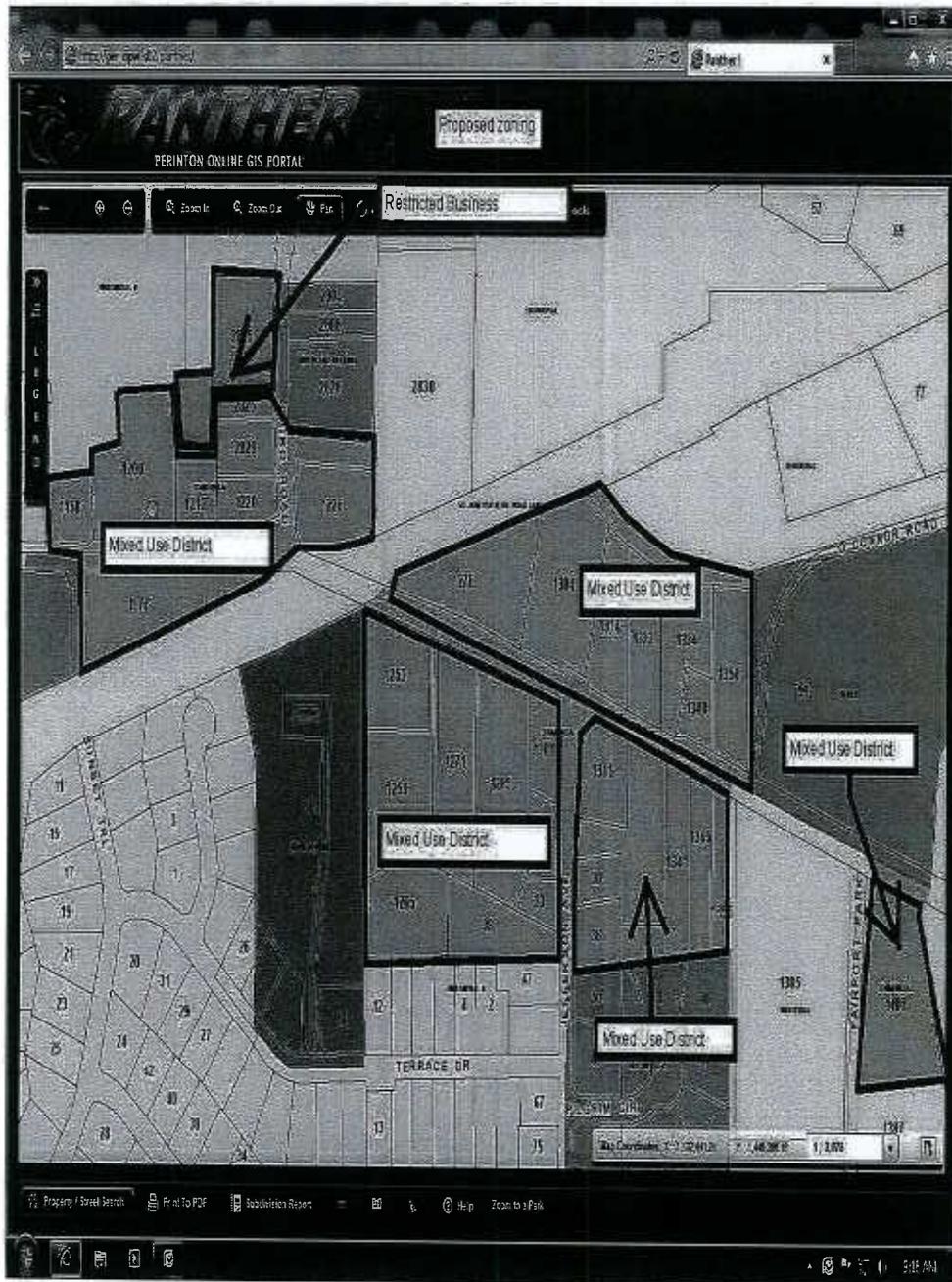
- A variety of notification to property owners:
  - Public Informational Meeting Nov. 14<sup>th</sup>, 2013
    - Notice mailed Nov. 5<sup>th</sup>, 2013
  - Original Public Hearing scheduled for July 23<sup>rd</sup>, 2014
    - Notice mailed July 15<sup>th</sup>, 2014
    - Notice mailed that hearing was postponed July 21<sup>st</sup>, 2014
  - Public Hearing on October 8<sup>th</sup>, 2014
    - Notice mailed on Sept. 22, 2014
    - NOA signs posted around corridor perimeter Sept, 24, 2014
    - Legal notice printed in *Fairport-East Rochester Post* on Sept. 18<sup>th</sup>, 2014

*Town of Perinton Mixed-use District*

## Recent Highlights on Fairport Road

- The Town relocated O'Connor Road, creating a safer, more picturesque four-way intersection and scenic gateway into Perinton Park.
- The Town added concrete sidewalks along Fairport Road and designed a dedicated pedestrian access into park.
- The Town was instrumental in the following activities in order to encourage redevelopment:
  - Demolition of Friendly's and 7-11 for CVS Pharmacy
  - Hess Station demolition
  - Removal of vehicular storage from corner of Fairport Road and Jefferson

*Town of Perinton Mixed-use District*



## What's Wrong with the Current Zoning?

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- The properties are currently zoned “Commercial.”
- Most of the Commercial-zoned properties are undersized by Perinton’s Commercial Zoning District standards. Most properties fail to meet:
  - 60,000 sf (1.3 acre) minimum size
  - 300 foot lot width requirement
  - 85 foot front setback requirement
  - 30 foot side setback requirement

*Town of Perinton Mixed-use District*

## What's Wrong with the Current Zoning?

(cont'd)

- Simply stated:
  - ▣ The Commercial-zoned properties are too small.
  - ▣ It is not likely that any of these properties could develop without a strong reliance on area/use variances from the Zoning Board of Appeals.
  - ▣ Mixed Use is a hybrid type of zoning that fits the size and features of Fairport Road.

*Town of Perinton Mixed-use District*

## The Mixed-use Concept is Not New to Perinton (cont'd)

- Mixed-use has been recommended for nearly 15 years
  - 1999 Fairport Road Business & Transportation Plan
  - 2000 Comprehensive Plan
  - 2010 Fairport Road Corridor Design Guidelines
  - 2011 Comprehensive Plan



*Town of Perinton Mixed-use District*

# The Mixed-use Concept is Not New to Perinton

(cont'd)

□ According to the 2000 Comprehensive Plan:

*Recommendations*

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**for land use and design in the Fairport Road corridor include:**

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<ul style="list-style-type: none"> <li>■ Creating a tree-lined parkway road profile that would accommodate bikes and pedestrians.</li> <li>■ Placing buildings close to the road, with parking behind.</li> <li>■ Introducing mixed use development that would encourage residential or other uses above or alongside small service oriented or specialty shopping businesses.</li> <li>■ An International Trailhead on the Canal theme.</li> <li>■ Burying or relocating utility poles, and adding landscaping to improve aesthetics.</li> <li>■ Shared or public parking to open up more land for business development.</li> </ul>	<ul style="list-style-type: none"> <li>■ Relocating O'Conner Road to the west across from the Jefferson Avenue light.</li> <li>■ Reduction in driveways. Consolidating accesses and providing alternative access to businesses from the rear.</li> <li>■ Creating a central plaza and several pocket parks in the area.</li> <li>■ Common site development, architectural design, streetscape, and signage guidelines.</li> <li>■ Connection to regional trail system.</li> <li>■ Expanded hours of business.</li> <li>■ Develop or redevelop large vacant parcels with commercial service theme.</li> <li>■ Promote events and activities to stimulate interest in the area.</li> </ul>
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■ Introducing mixed use development that would encourage residential or other uses above or alongside small service oriented or specialty shopping businesses.

## Town of Perinton Mixed-use District

# The Mixed-use Concept is Not New to Perinton

(cont'd)

- This area of Perinton was identified as appropriate for Mixed Use, according to the 2011 Comprehensive Plan:

- “The Mixed-Use land use areas in the Town are defined along key corridors and existing hamlets, including Bushnell’s Basin, Egypt, Fairport Road, Whitney Road, and Route 31. The mixed-use land use classification should build upon the unique character of each mixed-use node.”



- Mixed-Use Area
- Commercial
- Planned Non-Residential
- Office Mixed-Use

## Town of Perinton Mixed-use District

## The Mixed-use Concept is Not New to Perinton

(cont'd)

- According to the 2011 Comprehensive Plan:
  - ▣ “These areas are appropriate for commercial, office, and residential land uses, whether in stand-alone buildings or within a single building. Higher density and concentrated development that serves both local neighborhoods and the larger community should be encouraged.”

*Town of Perinton Mixed-use District*

## The Mixed-use Concept is Not New to Perinton (cont'd)

- In addition, the properties are in close proximity to Erie Canal amenities. A goal of the 2011 Comprehensive Plan is to:
  - “Continue to leverage the Erie Canal as a resource to attract more tourism and business development opportunities in Bushnell’s Basin and Fairport Road, between the railroad bridge and Perinton Park.”

*Town of Perinton Mixed-use District*

## Was this Mixed Use Concept Studied?

- Yes, by many professionals.
  - Erdman Anthony & The Cavendish Partnership
    - 1999 Fairport Road Business & Transportation Plan
  - Larsen Engineers
    - 2000 Comprehensive Plan
  - edr, p.c.
    - 2010 Fairport Road Corridor Design Guidelines
  - Bergmann Associates
    - 2011 Perinton Comprehensive Plan
  - Ingalls Planning & Design
    - Certified Planner Matt Ingalls helped to draft this district proposal.
- All identified Fairport Road as an area most suited for mixed-use

*Town of Perinton Mixed-use District*

# Was this Mixed Use Concept Studied?

(cont'd)

- All plans included participation by community leaders from the private and public sector, developers, and property owners. They were reviewed by the public and accepted by the Town Board.

*Town of Perinton Mixed-use District*

## Why Mixed Use?

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- Mixed Use District Zoning is a better fit than Commercial. It permits commercial/retail, residential, or professional office opportunities on smaller lots.
- Mixed Use limits large-scale strip development typically seen in Commercial Zoning.
- Property owners can develop more area of their properties with a greater number of uses.
- Accommodates multiple modes of travel
  - Motorists, bicyclists and pedestrians

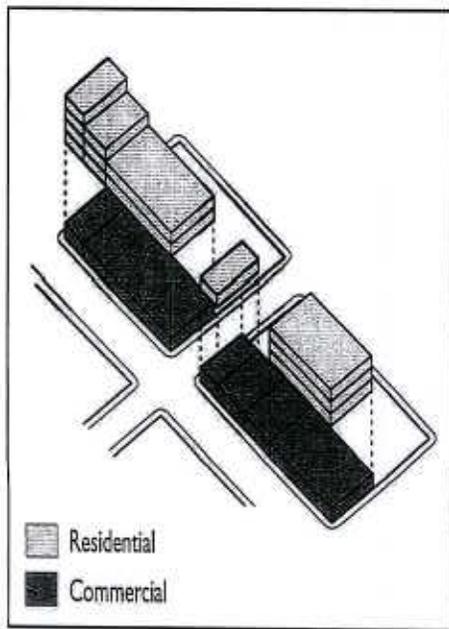
*Town of Perinton Mixed-use District*

## Mixed-use

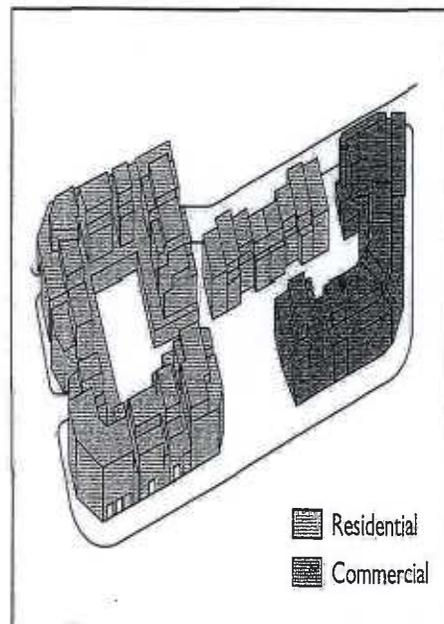
It makes good sense in some areas

*“Mixed-use is - in a broad sense - any urban, suburban or village development, or even a single building, that blends a combination of compatible uses, where those functions are physically and functionally integrated, and also accommodates driving, walking, and bicycling.”*

# Mixed-use Development



**Vertical Mixed-use**



**Horizontal Mixed-use**

*Town of Perinton Mixed-use District*

# Our Communities are Changing

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- Survey are showing that people are looking for more active communities.
  - Walk, bike, etc.
- We don't need to separate all uses.
- Changing demographics.
  - Baby boomers
  - Millennials

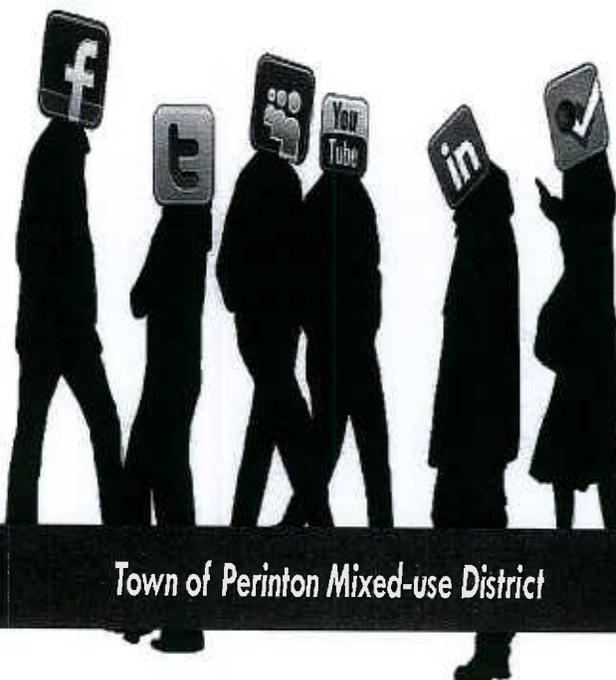
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*Town of Perinton Mixed-use District*

## Generation Y — AKA the Millennials

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- People in this group were born between 1982 and 2000.
- Now comprises 40% of the US population.



*Town of Perinton Mixed-use District*

## Generation Y — AKA the Millennials

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- But Gen Yers aren't looking for typical suburbia that some of them grew up in.
  - They want compact, mixed use neighborhoods with nearby stores or restaurants they can walk to and with transit options, too.
  - What do they want most when choosing a place to live?
    - Walkability!

~American Planning Association

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*Town of Perinton Mixed-use District*

# Benefits of Mixed-use

## □ **Benefits of mixed-use:**

- Can often make projects viable with additional revenue streams
- Increases the viability of local shops and facilities and offers convenience to residents
- Provides more housing opportunities and choices
- Reduces energy use (e.g. reduced vehicular trips)
- Reduces infrastructure costs
- Reduces impervious surfaces
- Improves air quality
- other

*Town of Perinton Mixed-use District*

## Mixed-use: It makes sense in some areas

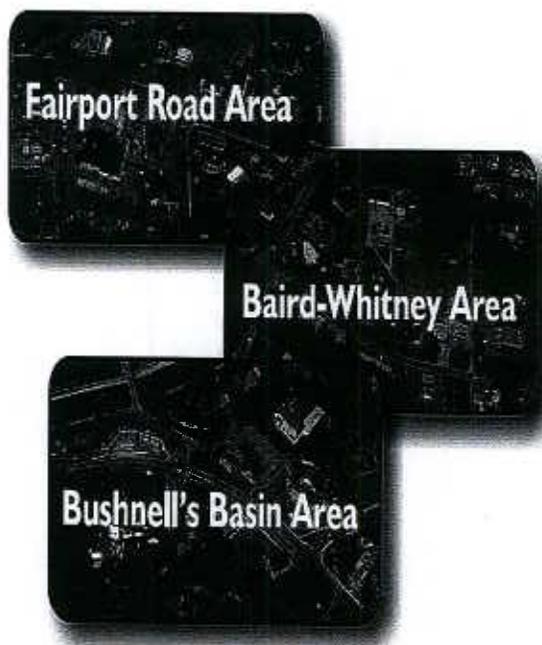
- Town of Greece – Dewey Avenue Mixed-use District
- Town of Penfield – Currently considering mixed-use districts in three areas in the Town
- Democrat & Chronicle article- August 8, 2013
  - “Towns seek to remake suburbia”
    - *Towns consider mixed use areas that appeal to a more diverse population*
- Several other Towns in New York State including the Town of New Scotland
  - RFP - Mixed-Use Zoning District & Site Design Standards

### *Town of Perinton Mixed-use District*

# District Overview

## **Mixed-use Zoning District**

*(Limited Commercial District revised and renamed)*



# District Intent

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The intent of the district is as follows:

- (1) To foster a combination of appropriately scaled land uses and activities that support the goals and objectives contained in the Town's Comprehensive Plan as well as other land use and design plans.
- (2) To provide areas within the Town for locating a mix of commercial, office, civic, and residential uses serving the day-to-day convenient shopping and personal service needs of neighborhood areas and to assure the compatibility of such areas with nearby residential development.
- (3) To create lively, pedestrian-friendly and attractive buildings, sites, open spaces and streetscapes where residents and visitors will enjoy walking, biking, driving, and shopping. It is the intent of the Mixed-use District to ensure that typical, "strip commercial" development is avoided and that future private development will actively and positively engage the public realm.

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*Town of Perinton Mixed-use District*

# Building Character & Design

## □ Building Composition (principle based)

*A well articulated base, mid-section, and crown can be achieved in all building types and sizes including multi-story buildings, as depicted in the illustration to the right, and single-story buildings, as depicted directly below.*

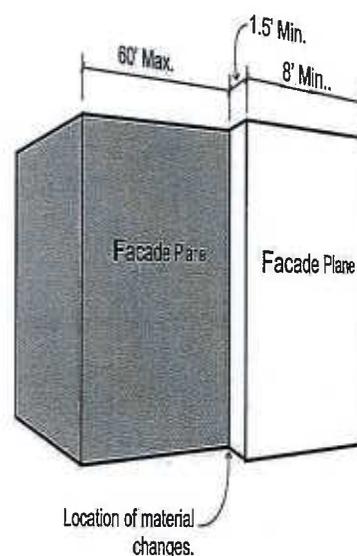


*Town of Perinton Mixed-use District*

# Building Character & Design

## □ Facade Composition

- Buildings shall have a prominent street level entrance visible and accessible from the public sidewalk.
- Buildings located on corner lots shall have a building entrance located on the corner that faces the intersection of two public streets, to the extent practicable.
- Varied building designs that avoid long, flat facades are required.



*Town of Perinton Mixed-use District*

# Land Uses

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- Permitted Uses
  - offices/office space
  - grocery store
  - apparel store
  - drugstore, antique/consignment store
  - bookstore, laundromat, beauty parlor/barbershop
  - apparel repair/alteration, bakery, florist shop, artist studio
  - restaurants/coffee shops, sporting goods store
  - bicycle sales/repair, bed and breakfast, vet office/kennel
  - public buildings and grounds, and medical buildings
  - residential units
  - Any combination of permitted residential or non-residential uses.

*Town of Perinton Mixed-use District*

## Other Uses

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- Outdoor entertainment
  - ▣ - with a special permit from the Zoning Board of Appeals.
- Drive-through
  - ▣ - with a special permit from the Zoning Board of Appeals or Town Board (if in an historic district).
- Others which are consistent with the intent of this district and which are similar to permitted uses
  - ▣ - with a special permit from the Town Board

*Town of Perinton Mixed-use District*

# Dimensional Regulations

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- Lot size requirements
  - ▣ Between 10,000 and 43,560 square feet (one acre), with a minimum 80-foot width.
- Lot coverage requirements
  - ▣ The lot shall consist of at least 25 percent green space, and total lot coverage, including structures, parking areas and other impervious surfaces shall not exceed 75 percent of the total lot area.

*Town of Perinton Mixed-use District*

## Dimensional Regulations

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- Buffer between Mixed Use District properties and residential zoning districts.
  - ▣ 50 feet.
- Setback requirements.
  - ▣ The front setback is between 10 to 30 feet.
  - ▣ The side and rear setback is a minimum of 15 feet.
  - ▣ Common wall buildings are excluded from side and rear setback requirements.

*Town of Perinton Mixed-use District*

# Dimensional Regulations

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- Building size
  - ▣ Buildings cannot exceed 10,000 square feet in size.  
Uses cannot exceed 2,500 square feet in space.
  - ▣ Buildings and uses exceeding these thresholds may be approved with a special permit from the Town Board.

*Town of Perinton Mixed-use District*

# Dimensional Regulations

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- Building height limitations
  - ▣ Buildings shall be between 22 and 35 feet in height and ideally two stories.
  - ▣ Building are not required to be two stories.
- Planning Board, at its discretion may waive or modify requirements pertaining to dimensional regulations, except for requests for lot areas exceeding one acre (which would require a special permit from the Town Board).

*Town of Perinton Mixed-use District*

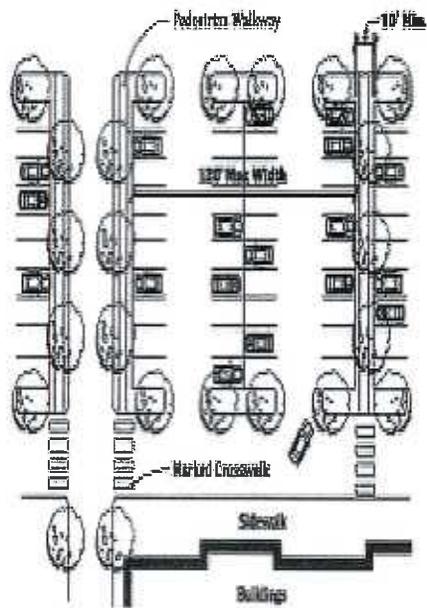
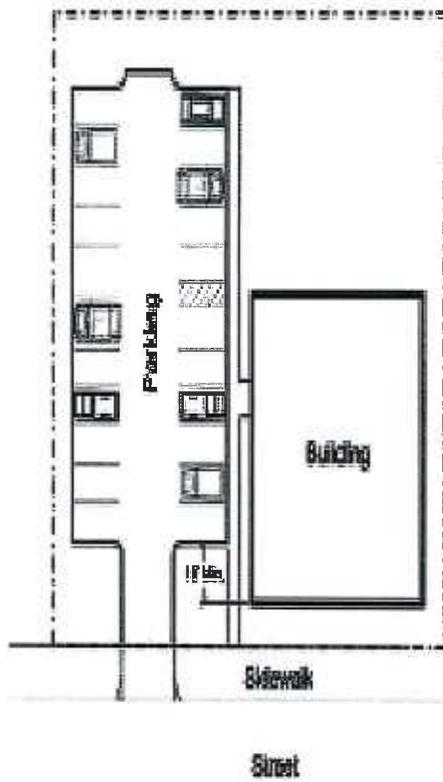
# Parking

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- Parking should be located in the side or rear property.
- Property owners may share parking and may have parking requirements reduced by 10 percent if uses do not overlap peak business hours.
- Bicycle parking is also required to be provided at 10 percent of the motorized vehicle parking or a minimum of two spaces and a maximum of 20 spaces.

*Town of Perinton Mixed-use District*

# Parking



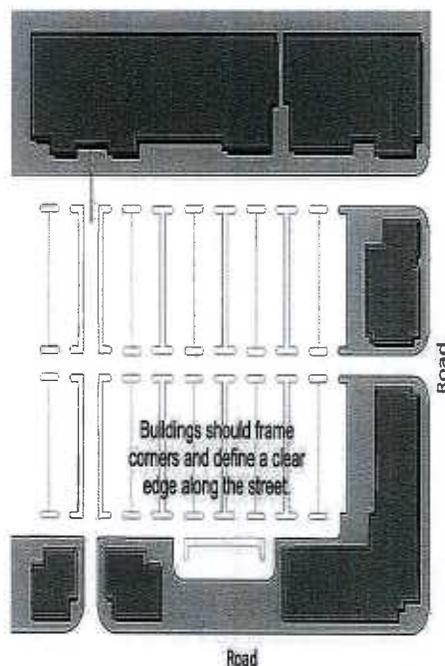
## **Parking Blocks**

*Parking blocks shall be compact, well landscaped with designated pedestrian facilities.*

## **Town of Perinton Mixed-use District**

# Multi-building Development

- Building should be situated so that they frame the roads and define street edges.



*In the development pattern above, out-buildings front directly on the street and define a clear edge. The pad sites on the corners make a strong architectural statement and provide a sense of arrival to the development center. Parking is on the interior of the block and does not dominate the street frontage.*

**Town of Perinton Mixed-use District**

## Landscaping Requirements

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- Setbacks along streets should have a minimum of one shade tree per 40 feet of linear frontage.
- Setback areas should include ornamental plant materials, such as ornamental trees, flowering shrubs, perennials, and ground covers.

*Town of Perinton Mixed-use District*

# Mixed Use District Zoning FAQ

- **Misconception: Commercial vs. Mixed Use District**
  - My property is currently zoned Commercial. I'd like a new gas station, car wash, or car repair shop on my land. I'm concerned because you can't have those in Mixed Use District Zoning. But if my property stayed Commercial, I could have those, right?
    - No. Although those uses are permitted in Commercial Zoning, they require special permits from the Town Board.
    - The Town Board would determine the suitability of those uses based on the Town Comprehensive Plan, which does not support adding more of those land use types along Fairport Road.

*Town of Perinton Mixed-use District*

# Mixed Use District Zoning FAQ

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- What does that mean exactly?
  - ▣ Even under Commercial District Zoning, it is unlikely that a new gas station, car wash, or car repair shop would be approved along Fairport Road.

*Town of Perinton Mixed-use District*

# Mixed Use District Zoning FAQ

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- How does Mixed Use District Zoning affect the existing use of my property?
  - Properties that comply under the current zoning standards are permitted to continue (as nonconforming uses under § 208-11 of Town Code).
  - Such nonconforming use shall not be enlarged, and the buildings, structures or premises shall not be altered or changed except to a conforming use.

*Town of Perinton Mixed-use District*

## Mixed Use District Zoning FAQ

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- What does that mean exactly?
  - A current permissible operating use under current existing zoning may operate forever under two conditions:
    - There is no building/structural expansion.
    - There is no lapse of operation greater than one year.
  - Those conditions/rights are transferable to new owners who may acquire those properties.

*Town of Perinton Mixed-use District*

## Mixed Use District Zoning FAQ

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- You mentioned buildings may be two stories. What may I do with the second floor?
  - Dwelling units
  - Live-work space
  - Office units
- May live-work space be on the ground floor?
  - Yes, with a special permit from the Town Board.
- May I build a townhouse, or multi-unit residential (apartment) or a two-flat (two units, one above the other)?
  - Yes, with a special permit from the Town Board.

*Town of Perinton Mixed-use District*

## Mixed Use District Zoning FAQ

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- Is Mixed Use District Zoning new?
  - No. The Town recently modified Town Code §208-43, Limited Commercial Zoning, and renamed the zoning district, “Mixed Use District.” This code enhances the existing Limited Commercial code and provides more development opportunities for property owners.

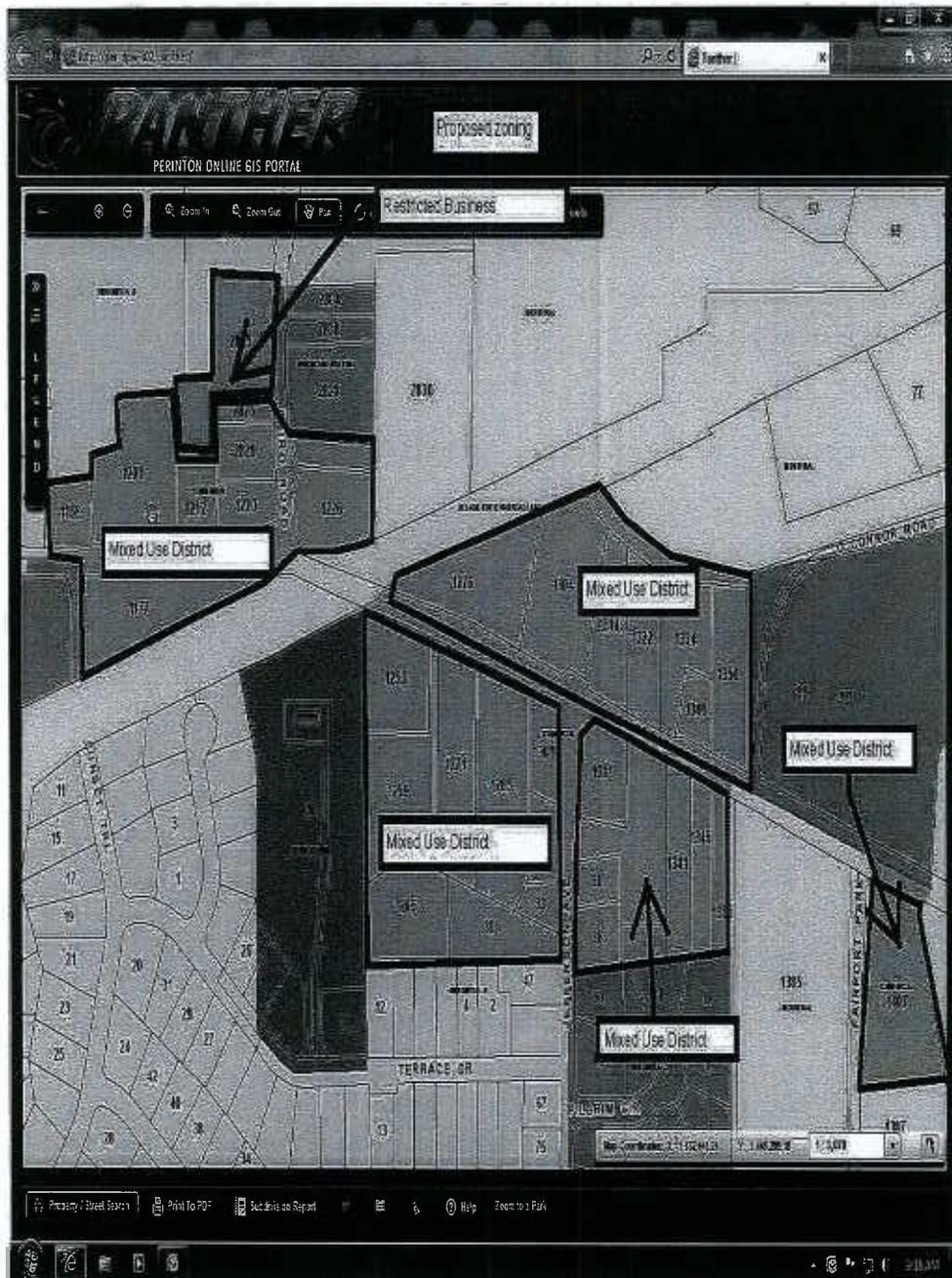
*Town of Perinton Mixed-use District*

## Mixed Use District Zoning FAQ

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- What are the major advantages?
  - ▣ Property owners can develop more land area.
  - ▣ Residential units are permitted, offering an additional revenue stream for property owners.
  - ▣ Residential and commercial/retail uses exist among each other, creating a built-in customer base for businesses.
  - ▣ Specific architectural and landscaping standards ensure the corridor maintains the desired setting.

*Town of Perinton Mixed-use District*



Matt Ingalls provided a brief overview of the mixed use district, (per the slide show presentation). He explained that not all uses need to be separated especially with the changing demographics. People are looking for an active community with walking and biking. This type of use is a convenience to residents. It makes sense in some areas. The Town of Penfield is also considering mixed use in some areas. Building height limitations are that buildings shall be between 22' and 35' in height (not required to be two stories). The Planning Board may, at its' discretion, waive or modify these requirements pertaining to dimensional

regulations, except for lot area exceeding one acre, which is the Town Board. Side yard parking makes sense as it allows safe access. Improved walkability will create traffic calming. He reviewed the landscape requirements.

Mr. Anderson states that this is not a public hearing, but he welcomes comments from the public.

Dan O'Neill, 81 Aldrich Road states that he is a real estate agent and is there representing Hoselton for their property located at the corner of Fairport Road and Jefferson Avenue. He states that he has been selling commercial real estate for 25 years. He would like the Town to reconsider the sizes. The average office lease in Monroe County and Ontario County is between 5000 and 7000 square feet. There are very few smaller spaces that are needed today. It is very costly to build a lot of very small spaces. The average retail space is between 7,000 and 12,000 square feet. The sizes are not compatible with today's market. He understands that Bushnell's Basin has small buildings that already exist. Hoselton has 5.6 acres of land for lease. His client will be unable to get tenants who will be able to get financing. There is an office tenant who wants to build an office in the Town of Perinton and that proposal is for 10,000 square feet. If the Town requires Special Use Permits for this, there are a lot of tenants who will walk away as it will take about four extra months for that to happen which costs more money. He feels that the Town should ask people who are in the business what they think about it. He has looked at College Town and you need a certain density to make residential work. If you limit it to two-story, and limit the number of units, it makes it very hard for a developer to have a profit with all of stormwater regulations and utility work required to be done. He states that Bushnell's Basin is already all built out; there is not a lot to do. If you make it too restrictive, you will limit the development and not make it easier to develop.

Mr. Anderson inquired how the 2,500 and 10,000 square foot parameters compare with successful mixed use zoning elsewhere (like College Town). Mr. Ingalls states that College Town does not have those restrictions. He states that some points are valid. The idea behind mixed use is to encourage a variety of uses without requiring it. The idea is to not have it be so large that you are only getting single uses. You don't necessarily see 2500 in other mixed use districts (not that small). It would work on a smaller lot, but not on a bigger lot. There are very few large lots on Fairport Road. Mr. Anderson states that some of the buildings are larger than 10,000 sf. Mr. Ingalls states that the intent is to be able to get people walking and riding their bikes with different things to go to. This section of Fairport Road is a transition as you approach the Village. They are encouraging walkability here for people to get to the park and the canal and business uses.

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

Judith McNulty, 647 Thayer Road, supports the concept for Bushnell's Basin, Egypt, Village of Pittsford, and Village of Fairport. She does not support the idea of it on this stretch of Fairport Road as she feels it is unsafe and pedestrian traffic should not be encouraged in this location.

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Belaskas states that the Conservation Board will make a written recommendation to the Town Board, but in general, they are in favor of it.

Mr. Anderson had questions about building height. Code says 35', but yet overall code is 40'. Mr. Doser states that they are thinking about changing it to 40'. Mr. Anderson inquires if this were to all be developed out as mixed use, what the cumulative effect would be on stormwater and traffic. Mr. Beck states that a traffic consultant will likely review this as difference between Commercial and Mixed Use. He feels that stormwater depends on the project and are reviewed as individual parcels. Mr. Anderson states that #1385 (Qualitrol) has been there for a very long time and is a successful industrial use. They just did a fairly large expansion here. Would the Town consider rezoning this to mixed use if they sold it? Mr. Doser states that it could be a possibility. The Town wants to listen to a proposal first before it contemplates rezoning. Qualitrol has been excluded from this rezoning. Mr. Anderson feels that the size of the uses and the buildings are too restrictive. Mr. Doser states that the Code was designed with flexibility in mind so even though the maximum is 2500 square feet and the building of 10,000 square feet, a good sound proposal with excellent rationale could be approved by the Town Board with a Special Use Permit. CVS worked with the Town for over a year to obtain their approvals, which included a Special Use Permit from the Town Board. Mr. Anderson states that the Fitness Center on Fairport Road exceeded 2500 sf.

Mr. Brasley supports the proposed rezoning. It will allow for more flexibility and more types of development and more dense development which are all good things. He attended the Town Board meeting last week and he agrees with some of the comments that have been made by the business owners. He feels that somewhere between 2500 sf and 8000 sf is appropriate. There are other parts of Town that are available for large scale commercial development. If Fairport Road was appropriate for large scale commercial development, it would have happened in the last 20 years. This gives more opportunity. He feels that the Town Board should revisit the maximum use sizes.

Mr. O'Brien asks if the height is increased to 40' is it limited to 2 stories. Mr. Place states that it speaks to height; not number of stories. Mr. O'Brien supports the idea in general. He feels that smaller lots could be combined. There is no possibility on some of the smaller lots. It will take a while for this mixed use zoning to take effect.

Mr. Antonelli supports the idea in general. He agrees with Mr. Brasley that the square footage needs to be reviewed and amended. He feels that signage will be an issue. There are monument signs all over Fairport Road and this will be an ongoing issue with businesses on this road.

Mr. Gardner agrees with Mr. Antonelli as to signage. Implementing this will be difficult. The Planning Board tonight supported a variance for the same thing on Pittsford-Victor Road. Mr. Place doesn't think that is a bad thing. Mr. Gardner feels that the Planning Board should follow the guidelines and if they are not; that there is a good rationale for not.

Ms. Neu is in support of proposal in general. She agrees with Mr. Brasley that the square footage issues should be discussed and modified. She feels that the proposal should allow for variances and special use permit for anything that strays from the Code.

Mr. Anderson will write memo to the Town Board showing that the Planning Board reviewed the proposed rezoning of 33 properties on Fairport Road from Commercial to Mixed Use District zoning and two properties on Baird Road to Restricted Business zoning.

The Planning Board has previously commented favorably on the establishment of Section 208-43 Mixed Use District, most recently on September 4, 2014. The proposed rezoning is consistent with the 2011 Town of Perinton Comprehensive Plan which identified the Fairport Road corridor as an area appropriate for Mixed Use zoning. The key discussion points in support of the rezoning include the following:

- The Mixed Use zone classification will provide for more flexibility in planning, a broader range of development and service offerings to support this area of town, and enable the revitalization of the Fairport Road corridor.
- The proposed parcels, including #1311, provide a large contiguous area in which the goals of Mixed Use zoning can be achieved.
- The rezoning of two parcels on Baird Road enables sufficient buffers to adjoining residential parcels and is consistent with the Restricted Business zoning immediately across the street.

There were a number of issues/concerns which were also discussed which the Town should take into consideration including:

- Building heights should be established at 40 feet consistent with the existing Town Code. The Board felt there was no benefit to restricting height to 35 feet. Further the code should be silent regarding the number of stories to allow flexibility for three stories if appropriate.
- The 2,500 square foot limitation seems a bit restrictive and may become a barrier for many appropriate uses. While the Town desires to encourage a variety of neighborhood friendly uses, many of these potential businesses may require larger spaces. The Board does not have a specific square footage recommendation but encourages the Town staff to seek a more appropriate balance between the proposed 2,500 square feet and the 8,000 square feet for commercial.
- The industrial use of parcel 1385 is a long established, successful business within the Town. However, should the business outgrow its' site or choose to relocate, is an industrial use appropriate in the future versus rezoning to Mixed Use? While not an immediate concern, the Town should consider the longer term goal of this parcel.
- The Board recognizes implementation of the new zoning guidelines is critical to success. The Town and the various boards must have discipline and determination in following the guidelines, and avoid the tendency to revert to the more traditional commercial development planning approaches as each parcel comes before the Town for redevelopment.

The Board is very supportive of both the Mixed Use code and the proposed rezoning in the Fairport Road corridor. It also recognizes there will be growing pains as we proceed with implementation of this new planning approach which may require future adjustments in the Code and guidelines.

All of the Board members present unanimously support the proposed rezoning.

#### **Recommendation to Zoning Board of Appeals - 10/27/14 agenda**

The Board reviewed the applications of interest as follows:

**Congregation Etz Chaim, Perinton Nursery School, and Mountain Rise United Church of Christ, owner of property located at 2 Mountain Rise, requesting a variance under Town of Perinton Sign Law Section 174-7 B (1), to allow an additional 10.8 sq. ft. of new signage to the existing 22 sq. ft. of signage, the total to be 32.8 sq. ft. instead of 16 sq. ft. Said property being located in a Residential A District.**

The Board recommends approval of the variances because the request for the additional signage will not affect the site. The current property is large and its buildings are well hidden from Route 31 and Mountain Rise. The proposed additional signage will achieve better visibility and they feel the additional sign will be better for identification, traffic safety and overall visual needs. This request is also consistent with the signage approval.

**Paul Zachman, owner of property located at 604 Pittsford Victor Road, requesting the following variances of the Town of Perinton Sign Code:**

1. Section 174-9 E (5), to allow a proposed freestanding on the property instead of no freestanding sign permitted,
2. Section 174-10, to allow the proposed freestanding sign to be 0 feet front set back instead of 25 feet.

**Said property being located in a Mixed Use District.**

The Board recommends approval of the variances

- 1) The proposed freestanding sign will achieve better visibility and they feel the new sign will be better for traffic safety and overall visual needs. The current building on the property is under a much needed "facelift" renovation. The applicant is performing a renovation to an existing building, not a full demolition and/or new development. The site itself is basically staying the same as the existing conditions. Under the previous zoning, the applicant would be allowed a freestanding sign similar to the other similarly zoned properties in the Basin. The intent of the new sign section of the zoning change was for a new development and major site changes, not building rehabilitation and renovations. In addition there is not an aesthetically pleasing and functional place for a building mounted sign for visibility and architectural needs.
- 2) The proposed sign location will achieve better visibility and they feel the new sign will be better for traffic safety and overall visual needs. This request is also consistent with the signage approval.

**Minutes: 10/1/14**

Mr. O'Brien made a motion to approve the minutes of 10/1/14 as submitted.

Mr. Anderson seconds the motion.

Motion carries 5 – 0 with one abstention of Mr. Antonelli.

Mr. Anderson states that the meeting of 11/5/14 is cancelled.

There being no further business before the Board, the meeting adjourned at 9:50 PM.

Respectfully Submitted,

Lori L. Stid, Clerk