

**Minutes of the Town of Perinton  
Planning Board Meeting of October 16, 2013**

**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**

Dave Belaskas  
Robert Salmon

**Town Officials Present**

Robert Place, Town Attorney  
Thomas Beck, Commissioner, DPW  
John Beck, Deputy Director Code Enforcement & Development  
Lori Stid, Planning Board Clerk

**Absent**

Michael Doser, Director Code Enforcement & Development (CED)

Mr. Anderson called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures. He states that Be Walters Retail Development has been withdrawn from tonight's agenda, and has been rescheduled for 11/6/13.

**Sign(s):**

**Allstate - 7374 Pittsford-Palmyra Road** (Town Center Plaza)

Mr. Anderson called for the applicant, and no one appeared. This will be placed as the last item on the agenda tonight to allow time for the applicant to appear.

**Pended Application(s):**

**Be Walters Retail Development.** Parrone Engineering, as agent for Mamason's Perinton, LLC (Le Thi Be Walters), owner of properties located at:

721 Pittsford-Victor Road - 179.10-1-44  
725 Pittsford-Victor Road - 179.10-1.43;  
735 Pittsford-Victor Road- 179.10-1.42;  
741 Pittsford-Victor Road - 179.10-1.41;  
747 Pittsford-Victor Road - 179.10-1.40;  
751 Pittsford-Victor Road - 179.10-1.39;  
6 Laird Lane - 179.10-1.45,

requesting final site plan approval for the conversion of the single family residence at 721 Pittsford Victor Road to office space, the existing Subway building to remain unchanged, the church building to be lowered with a rear addition to facilitate handicap access to the building, construction of a 2,577 s.f. restaurant facility with a pick-up window and seasonal outdoor seating area for 9 patrons, and construction of a 2,740 s.f. building for office/retail use.

**rescheduled to 11/6/13**

**Presenter:** Edward Parrone, Parrone Engineering  
**Zoned:** Commercial

**Discussion:**

**3rd - 90 day extension - Magnolia Manor Subdivision – Section 4** (fka Packard-Waymon subdivision)  
(extension to run from 10/3/13 – 1-3-14)

Mr. Anderson explains the request, as per letter of intent, as shown below:

# BME | ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

September 19, 2013

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

Attn: Lori Stid

**Re: Magnolia Manor, Section 4**

**2177E**



Dear Board Members:

On behalf of Metrose Builders, we are requesting an additional 90-day extension for the final subdivision approval for Magnolia Manor, Section 4; originally granted by the Planning Board on October 3, 2012. The current 90-day extension, which was granted by the Planning Board on June 19, 2013, is valid through October 3, 2013. Per request from the Town of Perinton DPW, the first phase of Section 2 construction was to be completed prior to obtaining Town signatures on the Section 4 plans, and prior to the start of Section 4 construction. The 90-day extension is required due to the timing of the Section 2 construction. The first phase of Section 2 is now complete, and Metrose Builders intends to obtain the necessary Town signatures and begin construction on Section 4. There have been no changes to the lot layout from the plan that was previously reviewed and approved by the Planning Board.

If you have any questions, please contact our office.

Sincerely,  
BME ASSOCIATES

Ryan T. Destro

/RTD

c: Metrose Builders

Mr. Beck states that the DPW is in support of this extension request. Mr. Place states that Town Law was changed a couple of years ago, and they are allowed to request an unlimited number of extensions.

The Board discussed allowing the extension to run through January 15, 2014, as the Board will not meet in January until January 15, 2014. Mr. Place was in agreement.

Mr. Brasley made a motion to approve 3<sup>rd</sup> 90 day extension for Magnolia Manor Subdivision – Section 4 (fka Packard-Waymon subdivision) with the extension to run from 10/3/13 – 1/15/2014.

Mr. Lewis seconds the motion.

Motion carries 7 – 0.

### **Recommendation to Town Board**

Section 208 of Town Code - Mixed-use Zoning District (Limited Commercial District revised and renamed)

Mr. Anderson states that Mr. Beck gave a presentation at workshop. He asked the Board members for their comments.

Ms. Neu states that it sounds exciting and any questions she had have already been answered.

Mr. Gardner hopes that it will work and will become pedestrian friendly. This is a vehicular society.

Mr. Antonelli has no specific comments.

Mr. O'Brien expressed concern that with parking in the back and with two entrances (one in the front and one in the back) that security could be an issue.

Mr. Brasley states that this code change will allow existing businesses to remain unchanged if they want to, but will give a lot of options for redevelopment and development of vacant parcels. He hopes that the Town Board will consider rezoning other parcels to this new district.

Mr. Lewis is in favor of the code change. This will give an image of a small village/neighborhood setting and will allow more flexibility to the Town and to developers.

Mr. Anderson supports the code change. Most of the commercial areas have already been developed and what is left is redevelopment. This gives the Town an opportunity to enhance some of these areas. He expressed concern with the orientations of some of the buildings and parking in the interior. If the main entrance is in the interior, the part of the building facing the road has a streetscape to it and not just the back of a building look to it. This change will allow flexibility on both sides for creative redevelopment. Mr. Anderson states that he will write a recommendation to the Town Board.

**Sign(s):**

**Allstate - 7374 Pittsford-Palmyra Road** (Town Center Plaza)

Mr. Anderson again called for the applicant, and no one was present.

Mr. Anderson made a motion to defer decision on sign application submitted to the Town on October 11, 2013, until such time as the applicant appears before the Board to be able to answer any questions or concerns the Board may have regarding the request.

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

**Minutes**

Mr. Lewis made a motion to approve the minutes of 8/21/13, as submitted.  
Mr. O'Brien seconds the motion.  
Motion carries 7 – 0

Mr. Brasley made a motion to approve the minutes of 9/18/13, as submitted.  
Mr. O'Brien seconds the motion.  
Motion carries 6 – 0, with one abstention of Mr. Gardner, due to absence.

**ZBA – 10-28-13**

**Bill Gray's Inc., (Tom Wahl's) as agent for DiPrima Properties LLC, owner of property located at 1333 Fairport Road, requesting a variance of the Town of Perinton Sign Code Section 174-9D (4), to allow a second sign (8'x5') building mounted face sign in addition to the existing freestanding sign, instead of one sign. Said property being located in a Commercial District.**

The Planning Board recommends approval of the aforementioned variance because the new approved façade would look unfinished without a sign on the "Tower". The additional sign will enhance the overall visibility of the property. In addition, many properties in this area have also received similar variance requests (i.e. McArdles, Dunkin Donuts, and the Old Friendly's).

**Mamasan's Perinton LLC, owner of property located at 721,725, 735,741,747, and 751 Pittsford Victor Road and 6 Laird Lane, requesting the following variances of the Town of Perinton Zoning Ordinance:**

1. **Section 208-42 D:**
  - a. **To allow the front setback for existing building #721 to be 13.33 feet instead of 85 feet, and to allow the side setback to be 15.67 feet instead of 30 feet.**
  - b. **To allow the front setback for existing building #725 to be 5.91 feet instead of 85 feet.**
  - c. **To allow the front setback for existing building #735 to be 16.79 feet instead of 85 feet.**
  - d. **To allow the front setback for proposed building #1 to be 11.08 feet instead of 85 feet.**
  - e. **To allow the front setback for proposed building #2 to be 17.05 feet instead of 85 feet.**
2. **Section 208-42 G: to allow the access points to be 180 feet apart instead of 350 feet.**
3. **Section 208-25 – to allow the buffer area to be 15 feet (west side), instead of 50 feet.**
4. **Section 208-16 C (2) to allow the front parking setback to be 8 feet instead of 85 feet, and to allow the parking side setback to be 15 feet instead of 30 feet.**

**Said property being located in a Commercial District.**

The Planning Board recommends deferral of the aforementioned variances because we recently found that the wetland delineation for the project has changed since 2006 and the applicant has to alter the site plan accordingly. The applicant also needs to receive Final Approval for the site plan, as only Preliminary Approval has been given. At this time we do not know how the changes to the wetlands will affect the overall design. We prefer to wait until Final Site Plan Approval to provide our comments.

There being no further business before the Board, the meeting adjourned at 7:46 PM.

Respectfully Submitted,

Lori L. Stid, Clerk