

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, February 28, 2007

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	David C. Glossner	Councilperson
	Carolyn H. Saum	Councilperson
	Joseph H. LaFay	Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; W. Scott Copp, Director, Building Department; Susan C. Roberts, Town Clerk; T. C. Lewis, Planning Board; S. Chris Fredette, Conservation Board.

Supervisor Smith called the meeting to order at 8:00 pm and introduced the Board and staff present.

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of February 14, 2007 be approved as submitted by the Town Clerk.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved.

PUBLIC HEARING  
SPECIAL USE PERMIT  
WALGREENS PHARMACY  
PITTSFORD-PALMYRA AND MOSELEY ROADS

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in Perinton Fairport Post on February 15, 2007; affidavit of posting was also February 15, 2007.

Supervisor Smith began by explaining to the audience that, in 1999, the Code of the Town of Perinton was amended as a response to the proliferation of "Big Box" stores. The amendment required that any developer who wished to construct a "stand-alone" building of 8,000 sq. ft. or more obtain a Special Use Permit from the Town Board. This amendment provided another layer of oversight for the construction of large buildings and gave the Town better control of the applications.

He said that the purpose of a Public Hearing was to allow the applicant to describe the proposal and answer questions from the audience. The Town Board would then listen to comments from the audience regarding the proposal. He said that the proposal would be referred to the Planning and Conservations Boards for their comments before any decision was made by the Town Board.

Jerry Goldman, Fix, Spindelman, Brovitz & Goldman, appeared for the applicant, Corner Perinton LLC. He introduced Russ Porter from Costich Engineering and Steven Thompson from Bergmann Associates.

Mr. Goldman said that Corner Perinton LLC was proposing the construction of a 14,550 sq. ft. Walgreens Pharmacy at the southwest corner of the intersection of Pittsford-Palmyra and Moseley Roads. The project would entail the demolition of two existing buildings: the former Boston Market building and the Citibank building. He said that he had reviewed Section 208-54(D) and believed that the proposal met the listed criteria.

Mr. Goldman described the site plan for the project. He said that the building would be located in the southwest corner of the site, back from the intersection. Parking would be located on the north and east sides of the building; the drive-through window would be on the south side. There would be buffer plantings between the parking areas and the roads. Traffic circulation would remain as it is, entering either from Moseley Road or Pittsford-Palmyra Road.

Steven Thompson said that Walgreens has modified its prototype building for this site. It has reviewed the architectural details of buildings in the Perinton Hills mall and has incorporated some of them, including columns, cornices, light fixtures and canopies. It has adopted the color scheme from the Ruby Tuesday building, using red brick and similar awnings.

Mr. Thompson said that the massing of the building, which is 27' tall, will be reduced by the flat roof and by bays and awnings. The lower portion of the building will be screened by plantings.

Supervisor Smith asked Mr. Thompson to explain which elevation drawings were for the north, south, east and west sides. Mr. Thompson did so.

Councilperson Saum asked Mr. Thompson to locate the drive-through window. Mr. Thompson said it was on the south side of the building.

Councilperson Knapp asked why the south facade was so stark. Mr. Thompson said it was the least visible; it faced the neighboring office buildings. He said the company preferred to spend money on the more public sides of the building.

Councilperson Glossner stated his opinion that the south side was too large and too plain. It would be visible to people traveling north on Moseley Road and needed to be changed.

Supervisor Smith asked if there were any questions from the audience.

Lois Watts, 404 Bluhm Road, asked if there would be a driveway to the west of the site. Mr. Goldman said the existing driveways would be used.

Ms. Watts asked how Walgreens determined the need for a pharmacy. Mr. Goldman said there are very few Walgreens in southeastern Monroe County; this site is available and already zoned commercial. Ms. Watts said there were already several pharmacies at this intersection. Mr. Goldman said that the others were north of Rte 31; this would be south of 31 and therefore, more accessible to people traveling east on Rte 31. He also said that this would be the only pharmacy with a drive-through window.

A woman in the audience asked how the proposal would affect traffic, would there be an increase over Boston Market and the bank? Mr. Goldman said there would be no increase in traffic volume. The woman asked if there would be a problem with traffic circulation. Mr. Goldman said it should be the same as existing.

Judy McNulty, 647 Thayer Road, asked how the height of the proposed building compared to the existing buildings. Mr. Goldman said that the proposed building would be 27' high. He estimated that the existing buildings were 22' high. Ms. McNulty commented on the fact that the existing buildings were 3,000 sq. ft. in size; the proposed building would be 14,550.

Councilperson Knapp asked if Walgreens was planning any other stores in the area. Mr. Goldman said he did not know. Developers propose locations to Walgreens, it does not look for sites. The company then reviews the proposed location and decides whether it is feasible. It then begins working with the local municipality. He said he was not aware of any other proposed sites.

Councilperson Glossner said that the site is currently well landscaped with lawns, shrubs and plantings. He would expect Walgreens to maintain the current standards of landscaping.

Supervisor Smith said that, when a new development is proposed in the Town of Perinton, the Town Engineer reviews the proposal to be sure it meets Town standards. He asked if the applicant would be willing to have this proposal reviewed by an architectural consultant who would represent the Town. Mr. Goldman said that such a referral would be the Town's prerogative.

John DeSeyn, 340 Wilkinson Road, asked about the feasibility of a drive-through pharmacy. He said that some states were banning drive-through facilities. Mr. Goldman said that customers in suburban areas believe that a drive-through is an asset.

Supervisor Smith asked for comments from the audience.

Thomas Newcomb, 1 Blackwatch Trail, said he agrees with Councilperson Glossner, the landscaping standards for the site should be maintained. He also stated that the building as proposed was too tall for the site. He asked about parking and lighting. Mr. Goldman said the parking would be on the east and north sides of the building. The lighting would be the same as the rest of the plaza. There would be no spillage of light beyond the site.

Councilperson Glossner asked if Walgreens would provide more parking than is presently available. Building Director Copp said it would, the present buildings are much smaller and need fewer parking spaces.

Judy McNulty, 647 Thayer Road, said the building should be no higher than the present building. She said the parking should be behind the building instead of near the road.

Supervisor Smith asked if there was an alternate footprint. Mr. Goldman said this was the standard plan used, with the door near the parking lot and the drive-through pharmacy in the back.

Supervisor Smith asked if Walgreens modified its plans when in an historic area. Mr. Goldman said no. He said he believed there was one alternate design in the Town of Irondequoit. Mr. Goldman said the architectural style may alter the footprint some.

Supervisor Smith asked if the company had a minimum separation distance between stores. Mr. Goldman said the company looked at population density, not distances.

Councilperson Knapp asked about buffering. Mr. Goldman said that the site plan shows only the buffering provided by Walgreens. There is additional green space between the property line and the sidewalk which belongs to NYSDOT.

Councilperson Glossner asked how much visual relief would be provided between the road and the parking lot. Mr. Goldman said there would be some but that the parking lot would still be visible.

Sandra Palmer, 11 Chadwell Circle, asked if the company could build a smaller store and still have it be profitable. Mr. Goldman said the company needed 14,550 sq. ft. to provide all its merchandise and amenities.

Susan Davis, 307 Lyndon Road, said she was concerned about traffic safety at the intersection. She did not want to have difficulty seeing approaching traffic and did not think visibility should be obstructed by landscaping.

Supervisor Smith said that the Planning Board usually addresses site issues while the Town Board addresses the proper use for a location. However, he said

that the Special Use Permit application allows the Town Board to address design issues and site plan issues.

Judy McNulty asked if the proposal were made 30% smaller would Walgreens build. Mr. Goldman said it probably would not.

Supervisor Smith asked about hours of operation. Mr. Goldman said that had not been determined: some stores were opened from 6am to 10pm, others 24 hours a day.

There being no further questions from the Board or the audience, and all those wishing to be heard having been heard, the Public Hearing was closed.

Councilperson Glossner made a motion, seconded by Councilperson Saum, that the proposed construction of a Walgreens Pharmacy at the southwest corner of Moseley and Pittsford-Palmyra Roads be referred to the Planning and Conservation Boards for their recommendations and that the Town hire an architect, at Walgreens' expense, to review the plans for the Town.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

AWARD BID  
CONTRACTS 3 & 12  
DPW REDEVELOPMENT PROJECT

Commissioner Beck reported that, on February 23, 2007, bids were opened for Contract #3, Pre-engineered Metal Buildings, and Contract #12, Salt Storage Building. These contracts are part of the DPW redevelopment project.

Contract #3 included the new vehicle storage garage, the fleet maintenance building, the administration office addition and new siding and roof material for the existing highway garage. The low bidder was Building Innovation Group Inc., with a bid of \$2,071,726.00, which was \$159,297 below the budgeted amount. There were also three alternates to Contract #3: a two year maintenance bond on materials, changes in the structural steel to accommodate a direct connect vehicle exhaust system and colored roof material. Alternative 3 has been eliminated; the building will use the standard roofing material.

Contract #12 is for a new salt storage barn. Only one bid was submitted, from Cover-All Building Systems. Their bid was for \$146,124.00, \$5,724.00 above the budgeted amount.

The bids have been reviewed by the Department of Public Works and by LeChase Construction, the construction manager for the project. Both recommend awarding the bids to the low bidders, including alternatives 1 and 2 for the metal buildings. Commissioner Beck asked that the award be contingent on the successful bid openings for Contract items 1, 2, 4, 5, 6, 7, 8, 9 and 10 on March 6, 2007.

A motion was made by Councilperson Knapp, seconded by Councilperson LaFay, that the bid for Contract #3, Pre-engineered Metal Buildings, including Alternates 1 & 2, be awarded to Building Innovation Group Inc., 107 Lincoln Parkway, East Rochester NY 14445, for a base bid of \$2,071,726.00, Alternate #1 for \$4,303.00 and Alternate #2 for \$53,500.00 and that the bid for Contract #12, Salt Storage Barn, be awarded to Cover-All Building Systems, 37651 Amberley Road, Lucknow, Ontario, Canada, for a base bid of \$146,124.00 with the contingency that the awards not be finalized until it is determined, after the bid opening of the remaining contracts, on March 6, 2007, that the project will be within budget.

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved

Supervisor Smith reported that the Town has an opportunity to join Monroe County in an energy purchasing consortium, which will help control the costs for natural gas, making the cost more predictable. He asked the Board to authorize him to sign the energy aggregation intermunicipal agreement with Monroe County.

Councilperson Saum made a motion, seconded by Councilperson LaFay, that the Supervisor be authorized to sign an Intermunicipal Cooperative Purchasing Agreement with Monroe County for the purchase of natural gas. Entering the agreement, which will serve as an excellent example of inter-governmental cooperation, will allow the County to administer the bidding process for the purchase of natural gas and will allow better budgeting for the cost of gas.

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved

Supervisor Smith said that the Genesee Valley Harriers Running Club would like to host a cross country run in the Town of Perinton. The proposed race, to be held on Saturday, October 20, 2007, would be based at Jensen Farms on Turk Hill Road and would traverse the Town-owned lands of Indian Hill, Thayer Road and the Dewitt open space. The group appeared before the Recreation and Parks Advisory Board on February 22, 2007. The Advisory Board supported the event and recommended the Town Board approve the proposal, with some conditions.

David Bischoff and Mike Reif appeared before the Board. They gave a brief explanation of the club's history, its goals and the goals of the proposed run. They displayed a map of the proposed course, which would use much of the Crescent Trail network through the Town properties.

David Schaeffer, Crescent Trail Association, spoke in favor of the run.

Mark Gwaltney, Chair of the Recreation and Parks Advisory Board, reiterated the Advisory Board's support of the run, with the conditions recommended by the Board.

Councilperson Saum made a motion, seconded by Councilperson LaFay, that the Board approve the use of Town lands for the Genesee Valley Harriers' Jensen Stables Ultimate Cross Country Challenge on October 20, 2007, with the following conditions: that the Genesee Valley Harriers designate the Perinton Pride Fund as a beneficiary of donations and conduct a pre-event inspection and post-event clean-up of Town lands

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved

Supervisor Smith reminded Mr. Bischoff and Mr. Reif that they will still need to appear before the Zoning Board of Appeals for a Special Use Permit to hold the race.

#### AUDIT APPROVED

A motion was made by Councilperson LaFay, seconded by Councilperson Saum that Audit #2 for the month of February, 2007 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

JANUARY MANUAL II

General Fund \$1247.44

The above bill was paid with check # 65031.

FEBRUARY AUDIT

General Fund	\$155,334.40
Town Outside of Village	43,698.80
Recreation	52,784.46
Highway General Repair	12,473.34
Highway Snow & Miscellaneous	172,263.32
Joint Sewer	26,453.34
Special Recreation	3,693.96
Perinton Ambulance District	2,880.02
Bushnell's Basin Fire Protection District	281.87
Egypt Fire Protection District	81.62
DPW Redevelopment	123,015.20
North End Addition	1,100.00
Trimatec Purchase	260.22
Orchards Sewer Project	2,980.80
Rte 96 Sewer Project	881.28
Boxwood Ext #49	<u>66,983.31</u>
	\$665,165.94 Total

The above items were numbers 325 - 618.

FEBRUARY MANUAL I

General Fund	\$105,276.31
Town Outside of Village	3,887.41
Recreation	62,942.62
Joint Sewer	10,152.60
Midlands Lighting District	423.67
Lake Lacoma Lighting District	14.97
Meadows Lighting District	439.37
Deer Run Lighting District	1,449.09
Misty Meadows Lighting District	<u>114.51</u>
	\$184,700.55 Total

The above bills were paid with checks # 65276 - 65283, 65293 - 65298, 65308, 65584 - 65586.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 9:45 pm.

Respectfully submitted,

Susan C. Roberts  
Town Clerk