

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, September 9, 2009

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	Carolyn H. Saum	Councilperson
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; James A. Donahue, Commissioner of Recreation and Parks; Jennifer A. West, Town Clerk; Carol Johnston, Deputy Town Clerk; T.C. Lewis, Planning Board.

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

Councilperson Havens made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of August 26, 2009 be approved as submitted by the Town Clerk.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

PUBLIC HEARING
SPECIAL USE PERMIT RENEWAL
GREATER ROCHESTER ENRICHMENT FOR KIDS
135 SULLY'S TRAIL SUITE 5

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport East Rochester Post on August 26, 2009; affidavit of posting was August 20, 2009.

Quiang Lou of the Greater Rochester Enrichment for Kids explained that he has rented space from Marshall Cook of North Forest Office Providers for the last year and operated an after school child care center in the space at 135 Sully's Trail, Suite 5. He has had a New York State children and family services permit since April of 2009. Quiang Lou and his wife, Yan Ting Zhao, offer a different program each day in their after school care including art, music, life science and Chinese language training. They would like to modify their existing Special Use Permit to be able to offer weekend birthday parties.

Councilperson Knapp asked if there would be more than 20 students and Mr. Lou said that there would not be more than the current 18 children as specified in their NYS permit. This would limit the number of children at birthday parties as well.

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 LaFay made a motion, seconded by Councilperson Knapp, that, having reviewed Section 208-54 of the Code of the Town of Perinton, the Board approves the renewal application for a Special Use Permit to operate an educated childcare center in the space at 135 Sully's Trail, Suite 5 with the following conditions:

1. The hours of operation will be from 8:30 am to 8:00 pm Monday through Friday, Saturday 8:30 am to 6:00 pm and 9:00 am to 4:00 pm on Sunday.
2. There will be no more than 20 students.
3. The permit will be in place for as long as the business remains on the site.

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

PUBLIC HEARING
SPECIAL USE PERMIT RENEWAL
KIME KARATE-591 MOSELEY ROAD

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport East Rochester Post on August 26, 2009; affidavit of posting was August 20, 2009.

Nina Koski stated that she was seeking renewal of her Special Use Permit to operate a martial arts school at 591 Moseley Road. Ms. Koski explained that the classes go from approximately 4:00 pm to 8:00 pm on week nights and 8:00 am to 1:00 pm on weekends and have no more than 15 students per class. Ms. Koski stated that they would like to modify their Special Use Permit to allow for special events such as birthday parties on the weekends.

Dick Davis, 712 Moseley Road asked about the exact location of Kime Karate and whether there was adequate parking. Ms. Koski stated that they are in the Wegman's plaza and that there is ample parking.

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 Saum made a motion, seconded by Councilperson Havens, that, having reviewed Section 208-54 of the Code of the Town of Perinton, the Board approves the renewal application for a Special Use Permit to operate a martial arts school in the space at 591 Moseley Road with the following conditions:

1. The hours of operation will be from 2:00 pm to 9:00 pm Monday through Friday, Saturday 8:30 am to 5:00 pm and 12:00 pm to 5:00 pm on Sunday.
2. The permit will be in place for as long as the business remains on the site.

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

PUBLIC HEARING
SPECIAL USE PERMIT
CREST MANOR-6735 PITTSFORD-PALMYRA ROAD

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport East Rochester Post on August 26, 2009; affidavit of posting was August 20, 2009.

Al Pardi, the architect retained by Crest Manor Nursing Home began by explaining that he was hired to guide them through the renovation and proposed addition to the nursing home at 6735 Pittsford-Palmyra Road. Mr. Pardi introduced Gary Smith of Parrone Engineering, John Bartholomew II, President of Crest Manor and Dan O'Neill of Pyramid Brokerage.

Mr. Pardi explained that the proposal is to build a 14,000 square foot addition to the existing nursing home and renovate the 38,000 square foot existing facility. Mr. Pardi referred to a drawing and showed that the first floor of the addition will include physical therapy, occupational therapy, treatment and activity rooms. The

second and third floor will include sixteen new private rooms. No new beds will be added to the facility as a whole, as the plan is to convert semi-private rooms to private rooms and move from a hospital feeling to a community style living facility. Spaces will be created to include social areas, private dining facilities, and living rooms for the floor. Mr. Pardi also stated that the building was constructed in the 1970's and has code issues. The addition to the facility will allow Crest Manor to move patients of the existing facility into the newly completed addition and go back and renovate and correct the code issues.

The entrance will be moved to the South side of the building and the parking that currently exists between the building and Route 31 will be moved to the rear of the existing building. Brick and stucco accents will also be added to attempt to give the building a more residential feel.

Gary Smith of Parrone Engineering reviewed the site design for the existing facility and addition. The parking will be increased from 55 current spaces to 66 in the new design to allow for additional traffic with the rehabilitation center. The asphalt of the current parking area will be removed, however the access easement for the Fairview Veterinary Hospital will require that a 24 foot wide strip be left for access from Courtney Drive to the animal hospital. The required set back has been provided off Courtney Drive with an idea to create island areas to take care of storm water quantity and quality. Mr. Smith pointed out a small detention facility on a drawing that would discharge to the existing Town storm sewer on Courtney Drive. Mr. Smith detailed the grading changes on the property and the plan to work with the existing grade and to not have to truck away any dirt. The plan is to discuss the man-made Limited Development District when the engineers have their site walk with the Town of Perinton Conservation Board.

Supervisor Smith asked Mr. Smith to discuss, as there are some neighbors in attendance, the area between the new parking lot and the homes on Moseley Road and the plans for that area. Mr. Smith stated that there is currently a heavy tree and brush area which will remain as there will be no clear cutting of that area and the grading will be limited. Supervisor Smith asked about the topography behind the homes on Moseley Road into the five-acre lot owned by Crest Manor. Mr. Smith stated that there is a change in grade and showed it on his map. Supervisor Smith asked whether there would be an opportunity to provide some screening along the back lot line of those homes at this point in time so that if something should come along for the balance of the site some of the screening would already be accomplished. Mr. Smith said that this would be a possibility.

Councilperson Knapp asked whether there were any plans for the wooded area that fronts on Moseley Road. Mr. Smith stated that at the present time there are no plans beyond what has already been stated. Councilperson Saum asked what the plan was for the current parking lot and Mr. Smith stated that he believed that it would be removed and planted as grass area. Councilperson Havens asked if there was a plan for the existing front of the building, which will become the back. Mr. Pardi stated that the brick may be sandblasted and cleaned and the panels above and below the windows may be replaced with more attractive panels.

Richard Davis, 712 Moseley Road, asked whether it was necessary to make the addition a three-story building given the additional land available for expansion. Mr. Pardi explained that nurses' stations would be necessary to look out over twenty plus rooms and that the added rooms would need to be on the same level as the existing building. John Bartholomew II also added that they looked at many ways to accomplish the renovation and addition and that this was the most cost-effective. Mr. Smith added that in order to make a one story addition, they would have to deal with a grade change at the back of the property, carve into the land and the bottom story addition would be buried.

Mr. Davis also added that the neighbors have been though a grade and drainage issue when The Hammocks was built. He is concerned that any more water forced from the parking lot or buildings will put their properties in a "bowl". Mr. Smith

explained that the grade at the back of the lots on Moseley is a hillock, which comes up and goes back toward the houses and then back down toward Courtney Drive. The new parking lot is five feet lower than the back of the lots on Moseley Road and will be lowered and therefore will have no impact on the neighbor's lots.

Mr. Davis also asked that the developers consider the rest of the property and the possibility of putting in a multi-step care facility to handle a full range of senior care.

Mark Pessin, Director of Fairview Veterinary Hospital, asked whether people would be able to get to the animal hospital while the parking lot is being removed from the Route 31 side of the building. Mr. Smith stated that it would be accessible as the animal hospital has an access easement allowing this to be kept open to be able to operate their business. Mr. Smith stated that it would take approximately one week to take out the parking lot and put grass in its place. Mr. Pessin also asked about the driveway off Moseley Road back to the service area for Crest Manor and Mr. Smith stated that it would remain the same as would the break area for the staff of Crest Manor.

Supervisor Smith stated that if this application goes to the Planning Board, he would like the applicant to consider moving the access road to the veterinary hospital further south so that it would be further away from the corner of Route 31 on Courtney Drive.

Judith McNulty, 647 Thayer Road, stated that she is at Crest Manor weekly and is impressed with the functioning of the facility, feels that it definitely needs more room and hopes that the Town Board will approve the Special Use Permit application.

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 LaFay made a motion, seconded by Councilperson Saum, that the application for a Special Use Permit for Crest Manor Nursing Home be referred to the Town of Perinton Planning Board.

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

ORDER FOR HEARING 2010 BUDGET

Councilperson Saum made a motion, seconded by Councilperson LaFay, that October 14, 2009 at 8 pm at the Perinton Town Hall, 1350 Turk Hill Road, Fairport, NY 14450 be set as the date, time and place for a Public Hearing on the 2010 Town of Perinton budget.

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

An Informational Hearing on the 2009 Budget will be held at the September 23, 2009 Town Board meeting.

APPROVE CHANGES TO THE MEMBERSHIP
OF THE BUSHNELL'S BASIN FIRE ASSOCIATION, INC

A motion was made by Councilperson Knapp, seconded by Councilperson Havens, that the following change in the membership of the Bushnell's Basin Fire Association, Inc. be approved:

Non-Resident Active Firefighter Robert Henry

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

REJECT BID
KREAG ROAD PARK PAVING

Commissioner of Recreation and Parks Donahue explained that he had requested authorization to bid for milling, paving and replacing the curbing in the parking lot at Kreag Road Park at the Town Board meeting on July 8, 2009. The bid was publicized and one bid was received at an amount of \$63,870. The bid amount is 28% higher than anticipated or budgeted. Commissioner Donahue is requesting that the bid be rejected by the Town Board and that the Parks Department proceed with just curbing replacement this year by purchasing off of the Monroe County contract for an estimated cost of \$19,000. Commissioner Donahue would then look at paving Kreag Road Park next year.

Supervisor Smith asked for the name of the contractor supplying the bid and Commissioner Donahue stated that it was Champion Asphalt Maintenance of Williamson, New York.

Councilperson LaFay made a motion, seconded by Councilperson Knapp that the bid received from Champion Asphalt Maintenance of Williamson, New York for the paving of Kreag Road Park be rejected.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

APPOINTMENT OF ASSISTANT BUILDING INSPECTOR

Commissioner of Public Works Beck referred to a memo provided to the Town Board by Mike Doser, Director of the Town of Perinton Code Enforcement and Development (CED) Office in which Mr. Doser asks the Town Board to approve the hiring of an assistant building inspector. This position was vacated by Greg Seigfred when he became the Fire Marshall in January 2009. Several candidates were interviewed over the past six weeks and Mr Doser is recommending the hiring of John Overacker. Mr. Overacker is a life long Perinton resident and the current fire safety officer at Nazareth College. Mr. Overacker is a certified state code enforcement officer and a Fairport volunteer fire fighter. He has an Associate's degree in fire protection technology from Monroe Community College and is dedicated to public safety.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum that John Overacker be appointed to the position of Assistant Building Inspector effective September 23, 2009 at a salary of [].

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

Town Attorney Place requested Town Board approval to amend a conservation easement on the property at 85 Steele Road owned by David and Jean Lanni. The Lanni's are attempting to sell their home and need an amendment of the conservation easement to have the exclusion that not only includes existing structures but the driveway as well. Attorney Place has spoken with Chris Fredette of the Conservation Board and Ms. Fredette says that this is consistent with prior actions.

A motion was made by Councilperson LaFay, seconded by Councilperson Havens that the Conservation easement on the property at 85 Steele Road be amended to this effect.

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

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, that the reports from the Finance Director, Town Clerk and the Code Enforcement and Development Department for the month of August 2009 be approved.

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

Judith McNulty, 647 Thayer Road, expressed concern regarding the property at 65 Steele Road. Ms. McNulty stated that the owner has had a large RV at his home since May and now has had two PODs parked by the road for approximately six weeks. Supervisor Smith stated that the Code Enforcement and Development Office will check on this property.

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:50 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk