

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, August 11, 2010

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

ABSENT	Patricia S. Knapp	Councilperson
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ALSO PRESENT: Robert Place, Esq., Town Attorney; Jennifer A. West, Town Clerk; Michael Doser, Director of Code Enforcement and Development; Carol S. Johnston, Deputy Town Clerk; Chris Fredette, Conservation Board; 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 July 28, 2010 be approved as submitted by the Town Clerk.

Ayes: Smith, Saum, LaFay, Havens

Nays: None

Unanimously approved

CODE ADOPTION
SECTION 208 PUBLIC BUILDINGS AND GROUNDS

Supervisor Smith explained that there was a Public Hearing at the July 28, 2010 Town Board meeting to consider a code change to Section 208-8 of the Town Code regarding Public Buildings and Grounds. This change involves adding language to the Town Code which more clearly defines senior living facilities and to clarify some recreational types of uses and when they would or would not need a Special Use Permit. Any changes to Section 208 of the Town Code require referral to the Town Planning Board for their feedback. The Town Board received a memo dated August 10, 2010 from Jim Brasley, Chairman of the Planning Board, stating their approval of the Code change for Public Buildings and Grounds.

Councilperson Saum made a motion, seconded by Councilperson LaFay, that the changes to Section 208-8 regarding Public Buildings and Grounds be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) based upon the fact that this code change will in no way negatively impact the environment.

Ayes: Smith, Saum, LaFay, Havens

Nays: None

Unanimously approved.

Councilperson Saum made a motion, seconded by Councilperson Havens to accept the following changes to Section 208-8 of the Code of the Town of Perinton citing the recommendation of the Town of Perinton Planning Board and the fact that there was no discussion or opposition to this code change at the Public Hearing.

Ayes: Smith, Saum, LaFay, Havens

Nays: None

Unanimously approved.

The approved revisions to Section 208-8 follow:

§ 208-8. Definitions

PUBLIC BUILDINGS AND GROUNDS –

- A. The words "public buildings and grounds," as used in this chapter, are intended to designate any one or more of the following uses, including grounds and accessory buildings necessary for their use:
- (1) Churches, places of worship, parish houses and convents.
 - (2) Public parks, playgrounds and recreational areas when authorized or operated by a governmental authority.
 - (3) Nursery schools, elementary schools, high schools, colleges or universities having a curriculum approved by the Board of Regents of the State of New York.
 - (4) Golf courses and country clubs when occupying not less than 50 acres, not including, however, clubs whose activities include the maintenance, storage or takeoffs or landings of aircraft.
 - (5) Public libraries and museums.
 - (6) Not-for-profit fire, ambulance, public safety and humane society buildings.
[Amended 10-27-1993 by L.L. No. 11-1993]
 - (7) Proprietary or not-for-profit hospitals for the care of human beings, nursing homes, convalescent homes, homes for adults, homes for the aged or residences for adults as the same are defined under the Public Health Law or the Social Services Law of the State of New York, provided that they are duly licensed by the State of New York. Nursing homes, residential health care facilities, adult homes or residences for adults, all as defined by either the Public Health Law or Social Services Law or 'senior citizen apartments,' as defined by § 208-8.
 - (8) Recreational facilities, either for profit or not for profit, such as swimming, tennis, platform tennis, bowling, hockey, ice skating, karate studio, dance studio or other similar indoor or outdoor sports (except if located within an enclosed mall or shopping center.)
 - (9) Day-care centers approved by the New York State Department of Social Welfare.

SENIOR CITIZEN APARTMENTS – A residential building with units for rent for more than five unrelated adults over the age of fifty-five years. 90% of all of the rental units must be occupied by an adult at least fifty-five years of age.

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 July 2010 be approved.

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

Supervisor Smith stated that at the last Town Board meeting there was a Public Hearing regarding a code addition for Wind Energy. Town Attorney Place reviewed his modifications to the proposed Town Code. He mentioned that comments were made that the code change proposed does not provide for any relief as far as setback requirements. Attorney Place stated that the choices would be to send this to the Zoning Board of Appeals who would most likely apply the standard for area variances or additional criteria would need to be provided to them. Attorney Place stated that there is a precedent for this where an individual comes in with an application that would leave the request for relief to that particular Board. He then stated that since the Town Board wanted to deal with this issue by Special Use Permit, the request could be left in the hands of the Town Board who could then apply the detailed criteria in the Code. Supervisor Smith stated that Attorney Place has sent this recommendation to the Planning and Conservation Boards who will consider this and their recommendation will come back to the Town Board at their next meeting for potential adoption.

Raymond Rosati, 25 Frank Street, shared his enthusiasm for the game of bocce ball with the Town Board and audience. Mr. Rosati shared an article regarding bocce with the Town Board and reviewed the fact that bocce is a game that appeals to all ages and can be played when individuals can no longer play more strenuous sports. He stated that bocce is easy to learn, a great form of relaxation without pressure and creates camaraderie. Mr. Rosati has created a league of bocce teams in Florida that has grown to more than fourteen teams. He reviewed his research into building a bocce court and volunteered to help the Town with all of the research he has collected and is willing to coordinate with the individuals during construction of the courts. He is also volunteering to help residents to create leagues and with clinics to learn the game. Mr. Rosati is proposing that the Town Board consider installing bocce ball courts in Perinton as part of the Town's recreation program. Supervisor Smith stated that he believed there used to be bocce courts in Perinton Park that did not get much use, and also that he believes that there may be bocce courts in a park in East Rochester.

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:20 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk