

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, May 25, 2011

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; Jennifer A. West, Town Clerk; Carol Johnston, Deputy Town Clerk; Michael Doser, Director of Code Enforcement and Development; T.C. Lewis, Planning Board; Stephen Van Vreede, Recreation and Parks Advisory 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 May 11, 2011 be approved as submitted by the Town Clerk.

Ayes: Knapp, Saum, LaFay, Havens
Abstain: Smith
Nays: None
Approved

ORDER FOR HEARING
AMENDMENT TO SECTION 208 OF THE CODE
OF THE TOWN OF PERINTON
ZONING DEFINITIONS

Director of Code Enforcement and Development Doser stated that there have been a number of Planning Board and Zoning Board applications that have raised questions about the definitions of accessory building, building area, structural recreational facility, garage building area, attached residential garage and detached residential garage. Additionally, the Town Codes Committee has determined that the size requirements related to attached and detached garages could be modified and improved.

The proposed amendment to § Section 208 follows:

Add text
Delete text

§ 208-8. Definitions.

ACCESSORY BUILDING – An “accessory building” attached to another building shall be deemed to be part of such building. Living quarters in the dwelling, private garage or “accessory building” for the use of domestic employees of the residents of the dwelling on the same lot are permitted.

ACCESSORY BUILDING -- An ancillary building with a customarily incidental use to a main building and located on the same lot as the main building. An “accessory building” is typically used for storage. An accessory building shall not be used for living purposes/human habitation. (See § 208-14G.)

AREA, BUILDING -- The area taken on a horizontal plane at the main grade level of the building exclusive of storage space, open porches, terraces and steps and, with respect to dwellings, also exclusive of attached or built-in garages and accessory buildings.

AREA, BUILDING -- The cumulative floor area of all levels of habitable space within surrounding exterior walls (or exterior walls and fire walls) as measured from the outside dimension of the wall. Garages, attics, unfinished basements, open porches, terraces and steps are not included in the calculations of building area when associated with one- or two-family dwellings.

STRUCTURAL RECREATIONAL FACILITY -- Private swimming pools, hot tubs, tennis courts, ramps for in-line skates, skateboards or bicycles, basketball courts, hockey rinks, soccer, lacrosse, baseball and similar activities. These shall not include single-goal 1/2 court or similarly reduced-size facilities, ice rinks smaller than 20 feet by 30 feet or ramps less than three feet in height and 64 square feet in area, provided that these facilities are not illuminated. If such facilities are illuminated, they shall comply with the requirements of full-sized facilities.

RECREATIONAL FACILITY -- Equipment or a place designed for sport, amusement or entertainment and generally used by more than a single family. Such facilities shall include but are not limited to the following: playground equipment, pools, tennis courts, ramps for in-line skates or skateboards or bicycles, basketball courts, hockey rinks, soccer fields, lacrosse fields, baseball fields and similar activities. These shall not include the following facilities when associated with one- or two-family dwellings: pools, hot tubs, single-goal, half-court or half-size fields, or similarly reduced-size facilities, ice rinks smaller than 20 feet by 30 feet, or ramps less than three feet in height and 64 square feet in area, provided that these facilities are not illuminated. If such facilities are illuminated, they shall comply with the requirements of full-sized facilities as per Section 208-24 (B).

§ 208-8. Definitions.

GARAGE BUILDING AREA -- The total area taken at the main grade of the garage footprint. Such areas shall be computed by using outside building wall dimensions.

GARAGE, RESIDENTIAL, ATTACHED --A private garage physically attached to a dwelling by other than an open breezeway or other partially open structure. (See § 208-14R.)

GARAGE, RESIDENTIAL, ATTACHED -- A private garage physically attached to a dwelling by other than an open breezeway or other partially open structure used principally for the storage of automobiles. (See § 208-14R.)

GARAGE, RESIDENTIAL, DETACHED --A private one-story garage, not physically attached to a dwelling as defined above, used principally for the storage of automobiles. (See § 208-14R.)

GARAGE, RESIDENTIAL, DETACHED -- A private garage, not physically attached to a dwelling as defined above, used principally for the storage of automobiles. (See § 208-14R.)

§ 208-14R.

On residential properties, garages shall be limited as follows:

(1) Detached garages shall not exceed 600 square feet in size **garage building area** or 20 feet in height.

(2) Attached garages shall not exceed 600 square feet in size or 25% of the total building square footage, including the garage, whichever is greater.

(2) Attached garages shall not exceed 600 square feet in garage building area or one-third (1/3) of the building area exclusive of the horizontal projection of any roof, whichever is greater.

Judith McNulty, 647 Thayer Road, asked whether Roundtree would be grandfathered as a recreational facility. Mr. Doser stated that it was actually defined as a structural recreational facility under the current code and that Roundtree is applying for a Special Permit and variance.

Mr. Doser asked that the Board set a date for a Public Hearing to discuss the proposed changes to the Section 208 of the Code of the Town of Perinton relating to the definitions mentioned above and area requirements relating to garages.

A motion was made by Councilperson Saum, seconded by Councilperson Havens, that 8:00 pm on June 22, 2011 at the Perinton Town Hall, 1350 Turk Hill Road, Fairport NY be set as the time, date and place for a Public Hearing to discuss proposed changes relating to Sections 208-8 and 208-14R of the Code of the Town of Perinton.

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

END ESTOPPEL PERIOD

Supervisor Smith announced that the estoppel period for bonding for construction of the Indian Valley sewer project had ended.

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

AWARD BID INDIAN VALLEY SEWER CONSTRUCTION CONTRACT

DPW Commissioner Beck stated that bids were opened on May 10, 2011 for construction of Extension 58 to the Perinton Consolidated Sewer District No. 8— Indian Valley. Five bids were received for the project ranging from a low bid of \$1,209,315.55 to the high bid of \$1,708,255.00. Macedon Landscaping, Inc. submitted the lowest bid. Commissioner Beck stated that Macedon Landscaping is a reputable local contractor that has been in the construction business for over 20 years and has constructed two of Perinton's past sewer projects. Commissioner Beck also stated that the Town Board has a letter from Bill VanAlst of Larsen Engineers recommending award of the project to Macedon Landscaping. Mr. Beck agreed with this recommendation and recommended that the Board approve the award of the construction contract for the Indian Valley Sewer Project Phase I to Macedon Landscaping Inc. in the amount of \$1,209,315.55.

Councilperson Knapp made a motion, seconded by Councilperson LaFay, that the bid for the construction of the Indian Valley Sewer Project Phase I be awarded as recommended by Commissioner Beck.

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

AUTHORIZE BUDGET AMENDMENT
FOR BANNER PURCHASES

Supervisor Smith explained that the Town is purchasing historic banners for Bushnell's Basin that will be put up on Route 96 in place of the ones currently there. The bill for the banners is \$4,736 and the publicity budget, where these are charged, is currently set at \$3,000. Supervisor Smith recommended increasing the budget for publicity by \$2,000 to \$5,000 and that the offsetting income be recognized by increasing Mortgage Tax revenues by the same \$2,000.

Councilperson LaFay made a motion, seconded by Councilperson Saum to authorize the amendment of the Publicity Budget to \$5,000 and to increase the Mortgage Tax revenues by \$2,000.

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

AUDIT APPROVED

A motion was made by Councilperson Saum, seconded by Councilperson LaFay that Audit #5 for May 2011 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

MAY AUDIT

General Fund	138,475.87
Town Outside of Village	38,084.40
Recreation	37,963.29
Highway General Repair	2,682.61
Highway Snow & Miscellaneous	36,304.94
Joint Sewer	10,178.72
Perinton Ambulance Dist	786.34
Fairmont Hills Maint Dist	320.00
Basin Canal Port	15,418.22
Jefferson Ave Sewer Project	<u>17,716.70</u>
	\$297,931.09 Total

The above items were numbers 81566-81733.

MAY MANUAL

General Fund	80,253.75
Town Outside of Village	5,204.62
Recreation	30,022.37
Joint Sewer	10,091.40
Midlands Lighting Dist	426.74
Lake Lacoma Lighting Dist	14.78
Meadows Lighting Dist	436.79
Deer Run Lighting Dist	1,499.58
Misty Meadows Lighting Dist	<u>115.34</u>
	\$128,065.37 Total

The above items were numbers 81529-81531, 81546-81551, and 81563-81564.

MAY MANUAL 2

General Fund	16,961.15
Recreation	5,052.55
Highway General Repair	390.00
Highway Snow and Misc.	23,293.10
Joint Sewer	6,252.26
Basin Canal Port	155,899.03
Jefferson Ave Sewer Project	<u>1,207.50</u>
	\$209,055.59Total

The above items were numbers 81736-81784.

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

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:15 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk