

PERINTON TOWN BOARD MEETING  
 1350 Turk Hill Road, Fairport, NY 14450  
 Wednesday, August 8, 2012

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson
	Stephen C. Van Vreede	Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Debbie Brown, Deputy Town Clerk; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; Diane Riesenberger, Recreation Director; Stacey Estrich, Parks Director; 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 LaFay, that the minutes of the Town Board meeting of July 25, 2012 be approved as submitted by the Town Clerk.

Ayes: Smith, LaFay, Havens, Van Vreede  
 Nays: None  
 Abstain: Knapp

ORDER FOR HEARING  
 REZONING REQUEST  
 MASON ROAD NORTH OF ROUTE 31  
 RESIDENTIAL B TO PLANNED DEVELOPMENT DISTRICT

Supervisor Smith stated that the process that the Town follows for rezoning requests is to have a presentation before the Town Board giving the Board and public an opportunity to ask questions of the applicant. He further stated that if the Board determines that the proposal is worthy of a Public Hearing, a date and time would be set for that hearing as an outcome of this meeting. At the Public Hearing the developer would then come back and make the presentation again giving the public an opportunity for comment pro and con on the proposal before the Town. Supervisor Smith stated that this is the first step in a many month process.

Lee Sinnebox of Costich Engineering spoke on behalf of Pridemark Development and introduced Pridemark's representatives, Jim Barbato, Jr. and Jim Barbato, Sr. Mr. Sinnebox then reviewed the engineering and technical aspects of the proposed project. He stated that the site is a 39.9-acre L-shaped parcel currently zoned Residential B on the corner of Route 31 and Mason Road and pointed the site out on a map. He further stated that Costich Engineering has done a property survey, a topographic survey, sub-surface explorations, records search of all utilities and features around the site and has engaged a specialist to locate the wetlands and flag them. All public utilities (sewer, water, gas, electric) are available to this site. The NYS DEC wetlands are identified on the map as PR-9 and are about 7 acres of the site. Mr. Sinnebox stated that the first option would be to avoid the wetland area and provide a 100-foot buffer around the wetland. Access to the site would be from both Route 31 (one access) and Mason Road (two accesses) with a main corridor road though the property and sidewalks and trails throughout the system.

Mr. Sinnebox stated that they are obligated to look at storm water runoff when they develop properties and will be designing storm water management plans in

accordance with the NYS DEC Phase 2 regulations. Storm water would be collected from the site with a storm sewer system. He stated that the plan has generous setbacks and buffering for the benefit of the adjacent property owners. Mr. Sinsebox further stated that there are four types of homes in this project. One is a single family one story detached home, the second is a one story ranch townhome, the third is a three story apartment building and the fourth is the “green-style” skilled nursing facility. The project would be phased with the first phase being the access off Mason Road and would include a mix of the four building styles mentioned and the clubhouse. The second and third phase would be to the center part of the property and the last phase would move out towards Route 31.

Jim Barbato, Jr., Pridemark Development, started his presentation by explaining what had happened to their 2008 proposed project. The 2008 proposal included Crest Manor Nursing Home and since that time Crest Manor decided to stay in their current location and Pridemark pulled back due to the economy. Mr. Barbato stated that they believe that the new plan (Creekstone) is consistent with the goals of the Town Comprehensive Plan with the growing 55 and over demographic clearly identified and also with the Egypt Subarea plan. The Egypt subarea plan identifies the parcel with four zoning designations—planned residential low density which Mr. Barbato identified on the map, medium density which would be the center core of the project and planned residential business (along Route 31). Their plan does not have any commercial in it. He further stated that Creekstone is consistent with the subarea plan as far as density per each zone.

Mr. Barbato stated that Pridemark/Creekstone would have a mix of four different product types. The single story bungalows (28 units) would be approximately 1400 to 1600 square feet with a projected rental range from \$1600 to \$1800 per month. There would also be four Green House style nursing homes which would be single story homes of approximately 8000 square feet each and owned and operated by St. John’s Nursing Home. Each Green Home would have ten private bedrooms and bathrooms with one resident in each room. The third type of home would be townhouses (50 units in 11 buildings) of approximately 1300 square feet with a rental range of \$1400 to \$1500 per month. The last type of home proposed would be apartment units of 700 to 1300 square feet with a projected rental range of \$800 to \$1400 per month. 88 apartments (in four buildings) are planned for this project on three floors with elevators in each building. The community center would be 3500 square feet with similar architecture to the residence units including a proposed outdoor pool, exercise facilities, gathering space, lounge area, etc. Mr. Barbato reiterated that there would be sidewalks in the area, walking trails and streetlights making this a pedestrian friendly community. The architecture will be traditional style with Craftsman elements which is consistent with the Egypt Subarea plan.

Mr. Barbato stated that Pridemark hosted an informational meeting for the neighbors in this area and sent out 86 invitations and had an estimated 35 people attend. Concerns were regarding traffic and the access to Route 31 and landscape berm and buffering adjacent to the pond. Mr. Barbato stated that overall the reaction to this proposal was more positive than to previous proposals.

Councilperson Knapp asked about sidewalks. There are sidewalks within the project and on Route 31. There are no sidewalks to connect to on Mason Road. Supervisor Smith added that as part of site plan approval the developer would either be required to build sidewalks or to make a donation to the Town sidewalk fund.

A resident asked whether there would be basements in the proposed homes and Mr. Barbato stated that there would not.

Several residents expressed concerns over the water level in the area, drainage, runoff and the impact to their homes and basements. Mr. Barbato stated that there is a 100-foot buffer however, this is close to the wetland and another reason not to dig basements in this project. A resident stated that he believes that this area will create stormwater runoff problems in the “already taxed” drainage system in the wetlands and asked Mr. Barbato what they were going to do to improve or fix the issue. Mr. Sinsebox

stated that per the DEC the developer is obligated “not to destruct” what is going on in the wetlands and follow the rules and regulations when they design the stormwater management plan for a project like this one. Supervisor Smith stated that one of the Town’s responsibilities in a project like this is to make sure that no adjacent properties are impacted negatively by the development and that the developer brings it back to a zero impact state. A resident also expressed concern regarding making a left turn off Broadmoor onto Route 31.

Supervisor Smith explained that the Comprehensive Plan and Subarea Plans are good references for what development may occur in the future in any community. He further explained that the Planned Development District is a newer designation in the Town Code with a goal of having a development such as this (large piece of property), having the developer propose what they would like to see in detail. If the project moves ahead, it will go through almost all of the Planning Board process allowing residents to follow this along and comment along the way. At the very end of the process, the proposal comes back to Town Board for the final aye or nay. Town Attorney Place also added that the Town Conservation Board would be involved heavily in providing input and guidance to a proposed application like this one.

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp, that 8:00 pm on September 12, 2012 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 the proposed rezoning.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede  
Nays: None  
Unanimously Approved

Supervisor Smith encouraged residents to attend the Public Hearing and reiterate any concerns they might have for the public record.

#### PRESENTATION REGARDING PICKLEBALL

Ray Rosati, 25 Frank Street, presented facts regarding the growth and participation in the sport of pickleball. Several Perinton supporters in attendance reiterated the popularity of the sport stating that they have over 500 people (multi-generation) in the Monroe County area on an informal email list. Mr. Rosati also referenced the website [www.usapa.org](http://www.usapa.org) for more information regarding the sport and requested that the Town consider adding more pickleball courts both indoors and out and improve the existing courts at Potter Park. Another presentation was made by Dick Seils (“Mr. Pickleball”) explaining the game, equipment, court and investment requirements. Mr. Rosati requested that the courts at Potter Park and Fellows Road Park be improved as well as the indoor courts at the Community Center.

Councilperson LaFay asked whether the pickleball net is the same height as a tennis net and Mr. Seils stated that the tennis net is 36 inches all the way across and a pickleball net drops down to 34 inches at the middle of the net.

Supervisor Smith stated that this matter would be sent to the Recreation and Parks Advisory Board for their consideration. That Board advises the Town directionally as far as Recreation and Supervisor Smith stated that there is some funding for pickleball in the 2013 budget proposed from the Recreation and Parks Department.

#### APPROVE MID-YEAR PURCHASES AND AUTHORIZE ADVERTISEMENT FOR BIDS

Supervisor Smith stated that he provided the Board with a memo August 3, 2012 outlining requests from three departments to augment their equipment inventories at mid-year. Supervisor Smith further stated that this offers opportunities, as we now know where we stand with cash flows for 2012 and we are able to do a few minor things at this time. It is also a good time to acquire some of these items due to the vagaries of state bids.

Commissioner of Recreation and Parks Myers has requested to purchase a Ford Escape and a Ford F-250 for his department. They will cost approximately \$55,000 and are available on State contract.

Commissioner Beck would like to trade in and acquire one replacement street sweeper at an estimated cost of \$240,000. \$160,000 of this is in the 2012 Equipment budget and he is requesting an additional \$80,000 to complete this purchase. He would also like permission to put this out to bid.

IT consultant James Donahue requested that approximately \$45,000 be spent to augment the Town's computer server inventory and keep us current.

A motion was made by Councilperson Havens, seconded by Councilperson LaFay, that the Department of Public Works be authorized to acquire a street sweeper for an amount not to exceed \$240,000 and to advertise for same, that the IT Director be authorized to purchase computer hardware/software for an amount not to exceed \$45,000, and that the Recreation and Parks Department be authorized to acquire from State bid a Ford Escape and a Ford F-250 for an amount not to exceed \$55,000.

Councilperson Havens also moved, seconded by Councilperson LaFay, that the budget be amended to increase the appropriations for Parks & Recreation Equipment by \$55,000, increase appropriations for Computer Equipment by \$45,000 and increase the appropriations for Highway Equipment by \$80,000, with an offsetting increase in Landfill Revenues by \$180,000.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede  
Nays: None  
Unanimously Approved

#### APPOINTMENT OF DEPUTY TAX RECEIVER

Town Clerk West stated that with the retirement of Carol Johnston as Deputy Town Clerk and the appointment of Debbie Brown as her replacement, it is now time to replace Debbie in her Deputy Tax Receiver position. Karen Heim, Kevin Spacher and Clerk West have interviewed four candidates for the position and unanimously agreed to recommend Susan Frykholm as Deputy Tax Receiver. Ms. Frykholm has government experience (planning, grant writing, budgeting) working with the City of Rochester, a sparkling personality which will connect with the Town residents and is heavily involved in the community (owns her own business, Fairport Merchants Association, etc.)

Clerk West requested Town Board approval of the appointment of Susan Frykholm as Deputy Tax Receiver at a salary rate of \$[] and approval for an extra week of vacation in her first year of employment as recognition of her work history and experience. If approved, Ms. Frykholm's start date would be August 15, 2012.

Councilperson Knapp made a motion, seconded by Councilperson Havens to approve the appointment of Susan Frykholm as Deputy Tax Receiver as outlined above.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede  
Nays: None  
Unanimously Approved

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

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay, that the following changes in the membership of the Bushnell's Basin Fire Association, Inc. be approved:

Resident Active to  
To Non-Resident Active

Mr. Tom Huber  
26 Engle Place  
Rochester, NY 14620

Exempt to Resident Active  
Firefighter

Mr. Daniel H. Fazar  
604 Pittsford-Victor Road  
Pittsford, NY 14534

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede  
Nays: None  
Unanimously Approved

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay, that the reports from the Finance Director, Town Clerk and the Code Enforcement and Development Department for the month of July 2012 be approved.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede  
Nays: None  
Unanimously approved

#### AUDIT APPROVAL

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay that Audit #8 for August 2012 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

#### AUGUST AUDIT 1

General Fund	35,836.16
Town Outside of Village	68,118.93
Recreation	83,260.13
Highway General Repair	358,794.66
Highway Snow & Miscellaneous	77,074.85
Joint Sewer	65,650.05
Debt Service Sewer	82.00
Fairmont Hills Maint Dist	640.00
Wisteria Grove Maint Dist	1,875.00
O'Connor Rd Relocation Proj	14,874.75
RS&E Ped Bridge Project	69,863.25
Jefferson Ave Sewer Project	3,587.00
Indian Valley Sewer Project	<u>581.69</u>
	780,238.47Total

The above items were numbers 85831-86055.

#### AUGUST MANUAL 1

General Fund	71,619.31
Town Outside of Village	4,259.61
Recreation	15,429.05
Joint Sewer	5,663.25
Deer Run Lighting District	<u>669.94</u>
	97,641.16Total

The above items were numbers 85825-85828.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede  
Nays: None  
Unanimously Approved

Larry Coon, 88 Waterford Way, thanked the Town DPW personnel and NYS Canal Corporation for clearing out the area and improving the drainage behind his property.

There being no further business before the Board and no further questions from the audience, the Board adjourned at 9:40 pm.

Respectfully submitted,

Jennifer A. West  
Town Clerk