

PERINTON TOWN BOARD MEETING
 1350 Turk Hill Road, Fairport, NY 14450
 Wednesday, June 26, 2013

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; John Beck Deputy Director Code Enforcement and Development; Lori Stid, Planning and Zoning Board Secretary; Chris Fredette, Andy Rodman, Conservation Board; T.C. Lewis, Mark Anderson, 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 June 12, 2013 be approved as submitted by the Town Clerk.

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

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

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication for the Public Hearing was given in the Fairport East Rochester Post on June 6, 2013; affidavit of posting was also June 6, 2013.

Supervisor Smith explained that this meeting is the third step in a process that is set forth in the Town’s Planned Development District code. When the Town put this code together its aim was to be inclusive and to maximize public involvement with the process – from beginning to end. On April 24th the developer appeared before the Town Board, in the Community Center, and presented his new proposal for the development of the land in question to the Board and to the public. At the conclusion of that meeting, the Town Board referred the proposal to our Planning, Conservation and Historic Architecture Boards for their feedback on the proposal. The Town Board received that feedback, which was all favorable to proceeding with the process, in May. On May 22nd the Board set the date for the public hearing.

Supervisor Smith further explained that this meeting would be an opportunity for the Developer to present his proposal once again and answer any questions that the public may have. Most importantly, the meeting would be an opportunity for the Board to hear resident/public comments regarding this plan.

He further stated that the Board would not be making any decisions at this meeting and would want an opportunity to digest what would be said tonight. Supervisor

Smith also stated that the Board intended to walk the parcel with the developer and any neighbors who wished to attend and that he would discuss that further after the hearing.

Jim Barbato, Jr. and Jim Barbato, Sr. of Pridemark Homes, Mark Costich of Costich Engineering and Nancy Smyth and Jim Owens of Rochester Presbyterian Homes attended to explain the new proposal.

Jim Barbato, Jr., Pridemark Development started his presentation by explaining key components of the plan and its compatibility with the Comprehensive Plan and Egypt subarea:

- Pridemark owns a 40-acre L shaped parcel north of Route 31 and east of Mason Road.
- The parcel is identified in the Egypt subarea plan to provide a transition from single family homes in Mason Valley and Industrial uses on the corner of Mason Road and Route 31.
- It was identified in the 2011 Comprehensive Plan as medium density residential which is defined as 6 to 8 units per acre. During the development of the plan consideration was given to Mason Valley neighbors and also the transition that Pridemark would have to make from single-family residential to industrial land.
- Pridemark realizes that significant buffering would be required for their future residents to the industrial land.
- Egypt subarea plan recommends four zoning districts on the property-planned residential low density (3-6 units per acre); planned residential medium density (6-8 units per acre); planned residential business and planned residential business or light commercial. Mr. Barbato stated that the densities and land uses on the plan meet the intent of the zoning designations defined in the subarea plan.
- The planned residential low density would be the area adjacent to Broadmoor Trail and Wolfboro and would include 26 detached single family homes (bungalows—2-3 bedroom designs with 2 car attached garages, 1500 sq. ft. renting for \$1700-2000 per month)
- The planned residential medium density would include townhouses located adjacent to Northern Nurseries and the apartments on the plan. This would include 60 ranch townhomes (2 bedroom, 2 bath, attached 2 car garages, 1300-1400 sq. ft. renting from \$1500-1700 per month in 12 buildings with five units each) and 3 apartment buildings (22 units per building with the first floor including 6 garages at either end of each building, 3-story buildings with center elevator allowing Pridemark to cater to empty nesters and seniors in the buildings on all three floors, 700-1300 sq. ft. renting from \$800-1400 per month).
- The subarea plan also includes light commercial/residential business along Route 31 adjacent to Northern Nurseries which is where Pridemark proposes to locate their community center. It would be approximately 5,000 sq. ft. and include an outdoor pool with cabana, bathroom facilities, outdoor and indoor gathering spaces, changing rooms, lounge area, rental office and fitness center. They have designed the community center to fit in with the Hamlet of Egypt, incorporating colonial elements such as the gambrel roof.
- The Greenhouses were relocated away from the residences on Broadmoor to the planned residential business area along Mason Road in response to neighbor comments. The proposal includes greenhouse-style assisted living which will be owned and operated by the Rochester Presbyterian Home. Pridemark owns a similar project in Chili with ranch townhomes for rent and assisted living owned by the Rochester Presbyterian Home. The proposal calls for four greenhouse buildings, 8500 sq. ft. each, very residential with 12 private bedrooms and bathrooms for residents in each with the height of the greenhouse being 29 feet.

Mr. Barbato then reviewed the key area of concern that have been addressed:

- A Traffic Impact Study was completed for the proposed development by SRF Associates and Erdman Anthony has reviewed the study for the Town. Both organizations and the NYS DOT found that “no significant adverse traffic impacts are anticipated at the study area due to the proposed development”.
- The pond areas were re-designed and pulled away from adjacent neighbor’s properties. Barbato will work with the Town’s Engineer and DEC for storm water management and to assure no negative impact to neighbors.

Mr. Barbato stated that they have received comments and input from Chris Lopez, a professional planning consultant, who was involved in the creation of the 2003 Egypt subarea plan. Key changes made by Pridemark from their previous plan include:

- The overall density was reduced from 174 to 160 units, which is approximately an 8% reduction. The current plan is 4 units per acre if the wetland area is included. With wetlands removed, it is 4.9 units per acre.
- The unit reduction was primarily in the apartments. 22 apartments and 2 single-family homes were removed, and 10 townhouses were added.
- The apartment buildings were moved adjacent to the open space wetland area. This creates the most significant buffer from the surrounding neighbors and minimizes the height of the buildings. The finished grade of the apartments will range from 15 to 28’ lower than Mason Road.
- The community was pulled back from Mason Road creating a better buffer to the neighbors across the road.
- They have moved the single family homes and relocated the community center that were fronting on Mason Road. On the previous plan the homes and community center fronting on Mason Road were approximately 100’ back from the property line. On the current plan, the single family homes are 160’ back and the first Greenhouse is approximately 200’ back from the property line.
- They have created an open space area next to the historic cemetery, which they feel respects the cemetery area more than the previous plan. They also plan to create a park setting with a patio area, outdoor seating, bike racks and trail connections. This area will be accessible to residents of the new community, as well as the surrounding area. The plan shows a parking area for use by Perinton residents that want to park and access the Crescent Trail network.
- The alignment of the road and structures were straightened out in accordance with the sub-area plan guidelines.

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. He further stated that Creekstone is consistent with the subarea plan as far as density per each zone. They are also taking into account findings from their own commissioned market analysis and feasibility study. He stated that the report was amended to take into account rentals from the Longwell project and includes future projects that may occur in neighboring communities such as Pittsford and Victor. Key findings from those reports follow:

- They found that housing stock did not cater in the Town of Perinton to the changing demographics of the residents in the subarea plan - Senior and empty nester population need more housing.
- Projected absorption of the community (how long it would take to fill the homes) is approximately two years following the first certificate of occupancy.

- The report also cited a Harvard study which shows a significant shift from home ownership to rental in the 55+ age group, with the shift driven by maintenance free living and financial flexibility.
- The report also stated that there is no market evidence that the development of market rate housing units has a negative impact on nearby single family detached homes and may even have a positive impact.

Mr. Barbato stated that the comments from the Town Conservation Board were positive in that they liked that the developer was avoiding the wetlands and respecting the buffers. He also stated that the Planning Board stated that the Pridemark plan was in conformance with the 2011 Comprehensive Plan and the 2003 Egypt Subarea plan and would conform with many of the Town's long range planning goals.

Mr. Barbato stated that the project would be completed in phases. The first phase would be along Route 31 and that the Presbyterian Home would be an independent project with their goal to start construction in spring of 2014.

Mr. Barbato stated that the target market for this project has not changed and that it is directed at seniors and empty nesters with a pedestrian-friendly community with street lights, walking paths and that they plan to improve the connection to the Crescent trail which runs through their property.

The following individuals commented or had questions at the Public Hearing:

Holly Smith, 20 Tenbury Way
Don DeBrine, 36 Nobleman Court
Joe and Nancy Marchese, 20 Nobleman Court
Susan Wojciechowski, 7 Conover Crossing
Chris Lopez, 250 South Avenue, Rochester
Chris Fredette, Conservation Board
Jim Sulkowski, 49 Broadmoor Trail
Mao and Kim Bautista, 7 Wallingford Rise
William Guche, 39 Broadmoor Trail
Don Burgess, 36 Mason Road
Tom Lucey, 5 Morning View Drive
Darlene and Mike Wisnewski, 41 Boardmoor Trail
Susan Prener, 7 Wolfboro Drive
Beverly Schenker, 5 Conover Crossing
Patrick McCue, 64 Nobleman Court
Judith McNulty, 647 Thayer Road
Jim DeMott, 129 Broadmoor Trail
Amy Hunter, 22 Folkside Lane
Marie Heerkens, 61 Loud Road

Several residents questioned the plan as far as its compatibility with the Egypt Subarea plan relative to density and what the "planned residential business" would be. Chris Lopez, a professional planner and author of the 2003 Egypt Subarea Plan, verified that the developers plan is consistent with the Egypt Subarea plan from a density perspective and gave an explanation of the meaning of "planned residential business." Mr. Barbato stated that the planned residential businesses would be the community center and greenhouses in the plan.

Other residents questioned the rental approach and having apartments in the mix of offerings. Mr. Barbato referred to the marketing study stating that this meets a broader segment of the market and that they are catering to empty nesters and seniors. A resident asked whether this would be like the Pines of Perinton as far as square footage and rental potential and Mr. Barbato stated that they are targeting a different segment of the market. He further stated that the market study has been updated with the Longwell plan impact and is available in the Town Clerk or Code Enforcement and Development Offices for the public to read. A woman asked about the handicapped accessibility of the

facilities in the project and Mr. Barbato stated that the code is different for each type of housing in the plan, some are accessible and some are adaptable.

A gentleman asked about the process involved in a rezoning to Planned Development District and Supervisor Smith reviewed the process. He explained that under the Planned Development District in the Town Code, this is a rezoning, which takes the form of a very exact site plan and subdivision layout. The purpose behind coming up with this type of zoning was to approve exactly what was going to be built so that the community could follow the plan through the Town Board and Planning Board and comment on the exact details. Supervisor Smith also explained that the creation of the Comprehensive Plan and Subarea plans are a public process with residents included as part of the process.

The gentleman also asked about the tax impact of this proposed project and Supervisor Smith stated that there will be no net gain to the Town but that the tax dollars would be spread out over more properties which may result in a few pennies per thousand reduction in an individual's tax rate.

A woman asked about the height of the apartment buildings and Mr. Barbato stated that they would be approximately 45 feet. She asked if this was compatible with the Egypt subarea plan and Chris Lopez stated that there is a 2 ½ story, 35 foot recommended height. Mr. Barbato stated that they went above this recommendation for height so that they could add an elevator. He reiterated that the finished grade of the apartments will range from 15 to 28' lower than Mason Road and the closest home would be approximately 650 feet from the apartments. A resident suggested that a compromise might be to have two story apartment buildings.

Others asked about the impact of traffic on the area and Mr. Barbato reiterated that a Traffic Impact Study was completed for the proposed development by SRF Associates and that Erdman Anthony had reviewed the study for the Town. Both organizations found that "no significant adverse traffic impacts are anticipated at the study area due to the proposed development". Another resident asked whether the impact of the proposed Longwell PDD was considered in the study and Mr. Barbato stated that it was. Supervisor Smith added that the traffic study documents are available for public review in the Town Clerk and Code Enforcement and Development Offices. Another individual expressed concern regarding pedestrians walking on Mason Road with no sidewalks and crosswalks. DPW Commissioner Beck stated that the Town has recently received a grant to study sidewalk and bicycle plans and access on roads such as Mason Road.

The gentleman also asked about the SEQRA process with this proposed project and Town attorney Place stated that there would be a coordinated review with the Town Board acting as lead agent and that this would happen prior to site plan review and that a storm water management plan would be part of that process.

A gentleman asked why the Town was "pushing" rental property. Supervisor Smith stated that the Town government does not control the distinction between rental versus ownership and that zoning does not control it either. Town Attorney Place added that zoning is not stagnant and that for example the land contiguous to industrial zoning would not be zoned residential and that apartments provide a transition between zoning types.

A woman asked whether the Town had a vested interest in moving forward with this plan and Supervisor Smith stated that the subarea plan was created and stated what was acceptable to all stakeholders. Based on that the Town Board has fielded the proposals from Pridemark and is trying to find a balance and transition between the industrial area and single-family homes.

A woman stated that she was concerned about the traffic and density given the approval of the Longwell project.

Residents asked whether the services would be sufficient for this development and the surrounding roads- such as fire, sewer, water and impact on the school system.

A gentleman asked what type of recourse residents have in a representative government if they feel that the wrong decision is being made and Supervisor Smith stated that there is an Article 78 proceeding that can be brought in NYS Supreme Court.

A resident also commended the developer for listening and making changes to try to satisfy the residents. Another stated that the Barbato's seem to build a quality product and is in favor of the greenhouses for seniors.

A woman commented on the applicability of the Harvard study to the Town of Perinton and the relevance of Pridemark's development in Chili. Pridemark's market study is available at the Town Clerk's and Code Enforcement and Development Offices and the Harvard Study is identified in that study.

A woman encouraged the Board to consider all of the apartments that are being built in other Monroe County communities and stated that it seemed to make more sense for people to preserve their wealth with home ownership.

Supervisor Smith stated that the Board had received a letter from Mr. Jabobs on Broadmoor Trail with concerns about the environmental effects of the development and another from Mr. Helmhaug on Mason Road who mentioned many traffic issues.

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

Supervisor Smith invited all interested parties to participate in the site walk on June 27, 2013 at 6:30pm. The meeting spot will be on Mason Road by the cemetery.

APPROVE CHANGES TO THE MEMBERSHIP OF THE EGYPT FIRE ASSOCIATION

A motion was made by Councilperson LaFay, seconded by Councilperson Havens, that the following changes in the membership of the Egypt Fire Association be approved:

Additions to Rolls

Ms. Melissa Miller
6 Bittersweet Road
Fairport, NY 14450

Mr. Josh Young
15 Little Spring Run
Fairport, NY 14450

Mr. Nathan Young
15 Little Spring Run
Fairport, NY 14450

Mr. Kevin Layer
28 Red Post Crescent
Fairport, NY 14450

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede

Nays: None

Unanimously Approved

APPROVE DEPOSIT OF PROCEEDS FROM MUNICIPAL AUCTION
RECREATION AND PARKS DEPARTMENTS

Recreation and Parks Commissioner Myers stated that the Recreation and Parks Departments submitted 14 pieces of equipment to be sold at the Municipal Equipment auction, which took place on May 11, 2013. Commissioner Myers is requesting that \$29,524.50 in proceeds be deposited into the Capital Reserve Account for Parks Equipment and the \$195.00 in proceeds be deposited into the Capital Reserve Account for Community Center Equipment fund.

Councilperson Van Vreede made a motion, seconded by Councilperson Havens to authorize that the \$29,719.50 in proceeds from the May 11, 2013 Municipal Equipment auction be deposited into the Capital Reserve Accounts as outlined by Commissioner Myers above.

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

APPROVE CONVEYANCE OF EASEMENT TO RG&E

DPW Commissioner Beck stated that RG&E is relocating a gas main on Fairport Road and that part of the project is attributable to the Town's O'Connor Road Intersection Relocation Project. RG&E is requesting an 18' by 15' or 270 square foot easement from the Town to relocate and upgrade the existing gas main on an 18' strip of property owned by the Town on Fairport Road, west of and adjacent to O'Connor Road's present intersection with Fairport Road.

Councilperson Knapp made a motion, seconded by Councilperson LaFay to approve the conveyance of the easement to RG&E as Commissioner Beck outlined above.

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 #6 for June 2013 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

JUNE AUDIT

General Fund	55,043.15
Town Outside of Village	179,644.67
Recreation	115,757.45
Highway General Repair	34,390.26
Highway Snow & Miscellaneous	313,685.96
Joint Sewer	56,095.40
Debt Service Sewer	2,451.00
Trust & Agency	699.99
Perinton Ambulance	2,019.40
Fairmont Hills Maint Dist	1,770.00
Wisteria Grove Maint Dist	990.50
Basin Canal Port	1,416.84
O'Connor Rd Relocation Proj	1,400.00

RS&E Pedestrian Bridge	4,108.10
Indian Valley Sewer Project	<u>656,317.24</u>
	\$1,425,789.96 Total

The above items were numbers 90250-90551.

JUNE MANUAL 1

General Fund	88,580.16
Town Outside of Village	4,913.41
Recreation	28,702.26
Joint Sewer	8,125.28
Forest Hills Fire Prot Dist	41,378.50
Midlands Lighting Dist	423.53
Lake Lacoma Lighting Dist	30.71
Meadows Lighting Dist	923.09
Deer Run Lighting Dist	1,571.06
Misty Meadows Lighting Dist	<u>114.47</u>
	\$174,762.47

The above items were numbers 90222-90227, 90229-90231, 90243-90248.

JUNE MANUAL 2

General Fund	<u>838.36</u>
	\$838.36 Total

The above item was number 90249.

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

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 9:50 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk