

PERINTON TOWN BOARD MEETING
 1350 Turk Hill Road, Fairport, NY 14450
 Wednesday, June 11, 2014

PRESENT: Michael G. Barker Supervisor
 Joseph H. LaFay Councilperson
 Peg S. Havens Councilperson
 Steven C. Van Vreede Councilperson
 Ciaran T. Hanna Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Jeff Myers, Commissioner of Recreation and Parks; Michael Doser, Director of Code Enforcement and Development; Kevin Spacher, Finance Director; T.C. Lewis, Planning Board.

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

Councilperson Havens made a motion, seconded by Councilperson Van Vreede, that the minutes of the Town Board meeting of May 28, 2014 be approved as submitted by the Town Clerk.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
 Nays: None
 Unanimously Approved

ORDER FOR HEARING
 REZONING REQUEST
 COMMERCIAL DISTRICT TO MIXED USE DISTRICT OR RESTRICTED BUSINESS
 ZONING
 FAIRPORT ROAD

Director of Code Enforcement and Development Doser stated that the Town is proposing to rezone the following thirty-four properties (approximately 36 total acres) along the Fairport Road corridor from Commercial District zoning to Mixed Use District or Restricted Business zoning:

#	ACRES	TAX ID	ST #	ST_NAM	MUNI	CURRENTLY	REZONED_TO
1	0.52	152.10-1-86	1158	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
2	1.87	152.10-1-87	1200	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
3	0.75	152.11-1-10	2829	Baird Road	Perinton, NY 14450	Commercial	Mixed Use
4	1	152.11-1-11	1220	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
5	1	152.11-1-12.12	1226	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
6	0.37	152.11-1-12.21	2830	Baird Rd	Perinton, NY 14450	Commercial/Industrial	Mixed Use/Industrial
7	1.48	152.11-1-28	1350	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
8	0.4	152.11-1-29	1340	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
9	1.02	152.11-1-30	1334	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
10	0.95	152.11-1-31	1322	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
11	2	152.11-1-33	1304	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
12	1.75	152.11-1-34	1276	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
13	1.49	152.11-1-7	2815	Baird Road	Perinton, NY 14450	Commercial	Restricted Business
14	0.53	152.11-1-8.1	1212	Fairport Road	Perinton, NY 14450	Commercial	Restricted Business
15	0.58	152.11-1-8.2	1212	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use

16	0.26	152.11-1-9	2825	Baird Road	Perinton, NY 14450	Commercial	Mixed Use
17	1.8	152.14-1-43	1177	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
18	0.46	152.15-1-10	1301	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
19	0.61	152.15-1-11	19	Jefferson Ave	Perinton, NY 14450	Commercial	Mixed Use
20	0.35	152.15-1-12	33	Jefferson Ave	Perinton, NY 14450	Commercial	Mixed Use
21	1.57	152.15-1-6.1	1259	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
22	1.62	152.15-1-6.2	1265	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
23	1.07	152.15-1-6.3	39	Jefferson Ave	Perinton, NY 14450	Commercial	Mixed Use
24	1.21	152.15-1-7.1	1253	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
25	1.6	152.15-1-8	1271	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
26	2.2	152.15-1-9	1285	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
27	2.2	152.15-2-11	1407	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
28	0.44	152.15-2-2	30	Jefferson Ave	Perinton, NY 14450	Commercial	Mixed Use
29	0.66	152.15-2-3	36	Jefferson Ave	Perinton, NY 14450	Commercial	Mixed Use
30	1.66	152.15-2-4.1	1333	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use/Commercial
31	0.33	152.15-2-4.2	1333	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
32	0.75	152.15-2-5	1341	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
33	0.68	152.15-2-6	1345	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use
34	0.89	152.15-2-7.1	1355	Fairport Road	Perinton, NY 14450	Commercial	Mixed Use

Mr. Doser stated that specifically, 32 of the properties would be rezoned to Mixed Use District zoning and two of the properties north of Fairport Road and west of Baird Road (area of Island Valley Golf Course) would be rezoned to Restricted Business zoning. He further stated that the proposal complies with the 2011 Town of Perinton Comprehensive Plan, and should help Fairport Road continue its revitalization. Mr. Doser stated that Town Staff met with owners of the prospective properties on November 14th, 2013, and briefed them on the proposed rezoning plan. The attendees were generally positive about the rezoning and felt that it would enhance the Fairport Road corridor.

It is important to note that this proposed rezoning, by itself, will not physically alter Fairport Road. The proposed rezoning is not related to a project currently under consideration by the Town of Perinton. Should the rezoning be approved, specific proposed projects on the newly rezoned properties would still require site plan approval from the Planning Board.

The rezoning is sponsored and led by the Town as the result of the findings and goals from the 2011 Town of Perinton Comprehensive Plan, a plan crafted by professional planners with the help of input from leaders in the public and private sectors, and Town of Perinton property owners. The Town Board accepted the plan in 2011.

Mr. Doser defined Mixed Use Districts as “in a broad sense - any urban, suburban or village development, or even a single building, that blends a combination of compatible uses, where those functions are physically and functionally integrated, and also accommodates driving, walking, and bicycling.” Mr. Doser added that surveys state that people are looking for more active communities where they can walk and bike (car not always needed). Surveys also stated that the uses do not need to be separated and also that the mixed zoning appeals to baby boomers and Millennials (aka Generation Y - born between 1982 and 2000). Mr. Doser showed a diagram of the “look” of mixed use zoning with walkable areas, hamlet-feel, shops/eateries on the ground floor and living/office units on the second floor. He also stated that there would be architectural standards (clear base, mid-section and crown) for the mixed use zoning and that typical “strip commercial” development is avoided under mixed use zoning standards.

Mr. Doser pointed out the areas to be rezoned on a map and added that the properties being considered for rezoning on Fairport Road are currently zoned Commercial. A few of the properties along Baird Road will remain Restricted Business to provide a buffer to the residential area to the north. The proposal is to keep the gas station Commercial zoning.

Mr. Doser showed the traffic numbers for Perinton, specifically Fairport Road has 24,055 vehicle trips per day (per the 2011 Comprehensive Plan). He also added that the Commercial properties on Fairport Road are undersided by Perinton Commercial zoning district standards and that it is unlikely that these properties would be developed without a strong reliance on area or use variances from the Zoning Board of Appeals.

Mr. Doser stated that Mixed Use zoning is a hybrid, flexible type of zoning that fits the size and features of Fairport Road. This area is in close proximity to the Erie Canal, which fits with one of the goals of the 2011 Comprehensive Plan – to leverage the Erie Canal for more tourism and business development.

Mr. Doser stated that the Mixed Use zoning limits the large-scale retail development allowed in Commercial Zoning. He also stated that properties that comply under current zoning standards are permitted to continue as used. He then reviewed some of the key zoning requirements for Mixed Use Districts:

- Sizes of lots permitted in Mixed Use District zoning - between 10,000 and 43,560 square feet (one acre), with a minimum 80-foot width.
- Lot coverage requirements - the lot shall consist of at least 25 percent green space, and total lot coverage, including structures, parking areas and other impervious surfaces shall not exceed 75 percent of the total lot area.
- Buffer between Mixed Use District properties and residential zoning districts - there shall be a buffer of 50 feet.
- Setback requirements - the front setback is between 10 to 30 feet. The side and rear setback is a minimum of 15 feet. Common wall buildings are excluded from side and rear setback requirements.
- Size of building(s) - buildings cannot exceed 10,000 square feet in size. Uses cannot exceed 2,500 square feet in space.
 - Buildings and uses exceeding these thresholds may be approved with a special permit from the Town Board
- Height limitations - buildings should be between 22 and 35 feet in height and ideally two stories.
- Building need to be two stories - No
- May property dimensional requirements be modified - the Planning Board, at its discretion may waive or modify requirements pertaining to dimensional regulations, except for requests for lot areas exceeding one acre (which would require a special permit from the Town Board).
- Provisions for parking - parking should be located in the side or rear property.
 - Property owners may share parking and may have parking requirements reduced by 10 percent if uses do not overlap peak business hours.
 - Bicycle parking is also required to be provided at 10 percent of the motorized vehicle parking or a minimum of two spaces and a maximum of 20 spaces.
- Multi-building development allowed - yes, but buildings should be situated so that they frame the roads and define street edges.
- Landscaping requirements - Setbacks along streets should have a minimum of one shade tree per 40 feet of linear frontage. Setback areas should include ornamental plant materials, such as ornamental trees, flowering shrubs, perennials, and ground covers.

Mr. Doser stated that this is phase 2 of the rezoning proposed by the Town. Bushnell's Basin already had 21 properties rezoned to Mixed Use and the Baird/Whitney area will be phase 3.

Councilperson Van Vreede asked if there were any uses other than a gas station (Commercial zoning) that are not allowed under Mixed Use zoning and Mr. Doser stated that an automobile repair shop or automobile dealer would not be permitted.

Don Tickner, 610 Pittsford-Victor Road asked whether the Village of Fairport had Mixed Use zoning and Commissioner Beck and Attorney Place said that they did and gave examples and added that the Village is a separate municipality. Judith McNulty, 647 Thayer Road, stated that she doesn't see the fit of Mixed Use zoning on Fairport Road like she does in Bushnell's Basin. Mr. Tickner added that he likes the shared parking concept under Mixed Use zoning.

A motion was made by Councilperson Van Vreede, seconded by Councilperson Hanna, that July 9, 2014 at 8:00 pm at the Perinton Town Hall, 1350 Turk Hill Road, Fairport, NY be set as the date, time and place for a Public Hearing to discuss the proposed rezoning request for the properties on Fairport Road to go from Commercial zoning to Mixed Use District or Restricted Business Zoning.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

APPROVE LEAVE OF ABSENCE
ASSESSOR'S OFFICE

Supervisor Barker stated that the Town Board has a memo from Assessor Morabito requesting a leave of absence for Carolyn Insalaco. Carolyn is requesting a leave from July 1, 2014 to August 18, 2014.

Councilperson Havens made a motion, seconded by Councilperson LaFay to approve the requested leave of absence for Carolyn Insalaco from July 1, 2014 to August 18, 2014.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

APPROVE PURCHASE OF FITNESS EQUIPMENT
RECREATION

Commissioner of Recreation and Parks Myers stated that the Perinton Community Center Fitness Area continues to be a very popular and well utilized area, serving a large number of residents and guests in their wellness pursuits. Throughout the years that it has been open, aging fitness equipment has routinely been replaced with new models.

Commissioner Myers is now looking to purchase two new treadmills. One will replace a currently-owned treadmill that was purchased in 2006, and has nearly 38,000 miles on it (very high mileage for a treadmill). The second new treadmill will be added to existing inventory, to minimize wait times for treadmill use.

Commissioner Myers has received a proposal from the fitness equipment vendor for the purchase of two Precor TRM 835 treadmills, for a total cost of \$12,742.00. This fee includes the state contract discount of \$2,124.00 per treadmill, as well as free cardio theatre receivers, extended warranty and ancillary equipment and supplies.

He stated that this purchase would be funded through the Community Center Equipment budget line, which was approved during the budget approval process in the fall of 2013. The state contract number for this purchase is Precor Group #30204, Contract #PC65501.

Councilperson LaFay made a motion, seconded by Councilperson Havens to approve the purchase of two Precor TRM 835 treadmills, for a total cost of \$12,742.00.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

AWARD OF BUSHNELL'S BASIN SIDEWALK
CONSTRUCTION CONTRACT AND TRANSFER OF FUNDS

DPW Commissioner Beck stated that in 2006 the Town was awarded a \$551,000 grant from the NYS Department of State through the Environmental Protection Grant Program to design and construct the canal boat dock and promenade center in Bushnell's Basin. He added that the project was completed under budget, with approximately \$55,065.00 of grant funds remaining.

DPW Commissioner Beck stated that on June 3, 2014, bids for the construction of sidewalks in Bushnell's Basin were opened. The low bid was submitted by Keeler Construction Company, Inc. Keeler is currently in the final phase of the completing the O'Connor Road Relocation Project and reconstructed Lincoln Road and Garnsey Road for Monroe County.

Commissioner Beck recommended that the construction contract of the Bushnell's Basin Sidewalks be awarded to Keeler Construction Company, Inc. in the amount of \$198,946.00.

Finance Director Spacher added that the original budget for the Bushnell's Basin Canal Port project was \$1,050,000 and the Town is \$96,000 under budget for that work. He added that the total cost of the additional work is estimated at \$275,000 and requested that the Town Board increase the project budget by \$180,000 to \$1,230,000. He stated that this will be funded by the cash remaining in the project now, \$96,177; the remaining grant available, \$55,065; and a transfer from the Capital Reserve for Sidewalks of \$123,758. This transfer is subject to permissive referendum.

Councilperson Van Vreede made a motion, seconded by Councilperson Havens to approve the fund transfer and budget increase as outlined by Finance Director Spacher above.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

Councilperson Van Vreede made a motion, seconded by Councilperson LaFay to award the construction contract of the Bushnell's Basin Sidewalks to Keeler Construction Company, Inc. in the amount of \$198,946.00.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

Don Tickner, 610 Pittsford-Victor Road asked about the schedule for the Bushnell's Basin sidewalk project and Commissioner Beck stated that there would be a meeting with Keeler who will now need to get their insurance, bonds and guarantees in place prior to beginning construction. He expects to see them start the job within 3-4 weeks and expects that it could be completed within two months if the weather cooperates. He also added that when a schedule is available, all property owners in the area will be notified.

APPROVE CHANGE TO THE MEMBERSHIP
OF THE EGYPT FIRE ASSOCIATION

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

Addition to Rolls

Mr. Shawn Pulver
6 Kenicott Circle
Fairport, NY 14450

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna

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, Tax Receiver and the Code Enforcement and Development Department for the month of May 2014 and the Court Clerk for the year 2013 be approved.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna

Nays: None

Unanimously Approved

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

Respectfully submitted,

Jennifer A. West
Town Clerk