

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, July 9, 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; Susan Frykholm, Deputy Town Clerk; 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 LaFay, that the minutes of the Town Board meeting of June 25, 2014 be approved as submitted by the Town Clerk.

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

ORDER FOR HEARING
AMENDMENT TO SECTION 208 OF THE CODE
OF THE TOWN OF PERINTON
MIXED USE DISTRICT ZONING

Town Attorney Bob Place stated that this is a request for a Public Hearing to correct a procedural error which occurred when the Code change was originally reviewed for revision in October of 2013.

A motion was made by Councilperson Havens, seconded by Councilperson Van Vreede, that August 13, 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 amendment to section 208 of the Code of the Town of Perinton – Mixed Used District Zoning.

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

DECISION
SPECIAL USE PERMIT
WHITNEY TOWN CENTER, LLC
666 WHITNEY ROAD

Supervisor Barker stated that under Town Code §208-14Q, the Public Buildings and Grounds provision, the Town Board held a public hearing on November 20th, 2013, to consider a special use permit allowing 151 senior citizen apartment units in three buildings on two Whitney Road West properties totaling 18.33 acres (parcel ID152.07-1-20 and 152.07-1-21). The Town Board referred the application to the Planning Board and Conservation Board for general input, and specific insight into the State Environmental

Quality Review (SEQR) declaration associated with the proposed project. Under SEQR protocol, the Town Board declared itself lead agent for the project on February 26th.

Councilperson Van Vreede made a motion, seconded by Councilperson Hanna to adopt the following SEQRA resolution:

WHEREAS, Whitney Town Center, LLC has requested a special permit and site plan approval for three apartment buildings with 151 units and the redevelopment of an existing commercial building fronting on Whitney Road; and

WHEREAS, the Town Board is reviewing this project utilizing coordinated review and referred this application to the Town's Conservation Board for an environmental review; and

WHEREAS, the Conservation Board recommended granting this project a SEQR declaration in their memo to the Town Board, dated January 30, 2014; and

Whereas, the Town Board concurs with the Conservation Board's recommendation specifically finding that:

- 1) The project will not impact state jurisdictional wetlands or the regulated adjacent area.
- 2) The project will not impact steep sloped areas, as identified by the Town of Perinton's Limited Development District.
- 2) The project will not impact any Federally-listed or State-listed threatened or endangered animal/plant species, significant natural communities or other significant or critical environmental habitats.
- 3) Although the project will impact a 1/10th of an acre of federal jurisdictional wetland, the project will mitigate for that impact by purchasing wetland credits at a ratio of 2:1.
- 4) The project will have no adverse effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.
- 5) The project is not located within an element occurrence boundary of an archeologically sensitive site. Therefore, it is unlikely that this project will impact any buried artifacts of historic significance.
- 6) With the traffic mitigation and access treatments identified; for example, shoulder widening on Whitney Road to allow for a through vehicle to pass a turning vehicle, as well as the primary access drive that will include two exiting lanes, and a single entering lane and the inclusion of a secondary access point to function as service and emergency access to the site, the project will not have any adverse traffic impacts to Whitney Road.
- 7) The project's proposed stormwater management facilities and the bio-retention areas coupled with other run-off reduction techniques, which meet the design standards of the Town of Perinton and NYSDEC Phase II Stormwater Regulations, will provide post development run-off rates that will be at or below existing run-off rates. The Stormwater management facilities have been designed to treat run-off from the proposed development for water quality prior to its discharge to the natural environment.
- 8) The proposed project will not produce additional light beyond the property boundary that exceeds 0.5-foot candle.
- 9) The project displays consistency with the 2011 Perinton Comprehensive Plan Update, by encouraging the redevelopment and new development of residential property that maintains a diversity of housing types in a wide range of prices and styles that is considerate of all ages and socioeconomic means.

THEREFORE, BE IT RESOLVED, that this proposed project be granted a negative SEQRA declaration.

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

Councilperson Havens made a motion, seconded by Councilperson LaFay to adopt the following Special Use Permit resolution for 666 Whitney Road West:

WHEREAS, the application for the proposed use of 666 Whitney Road West (parcel ID 152.07-1-20 and parcel ID 152.07-1-21) was heard by the Town Board on November 20th, 2013, and was referred to the Planning Board and Conservation Board; and

WHEREAS, the applicant's proposed use was reviewed by the Conservation Board on January 14th, 2014, and the Conservation Board issued a letter recommending a negative SEQR declaration, dated January 30th, 2014; and

WHEREAS, the applicant's proposed use was heard by the Planning Board on January 15th, 2014, and received a letter of unanimous support, dated January 21st, 2014; and

WHEREAS, the applicant's proposed use is consistent with the following objectives of the 2011 Town of Perinton Comprehensive Plans:

1. Employing land use policies that ensure a diversity of housing choices for current and prospective residents.
2. Encouraging redevelopment and new residential development that maintains a diversity of housing types in a wide range of prices and styles that is considerate of all ages and socioeconomic means.
3. Monitoring the changing demographic profile of the Town to ensure appropriate development and programming is meeting the needs of all residents.
4. Attracting commercial development in existing centers, including opportunities for infill, redevelopment and senior/family housing;

THEREFORE, BE IT RESOLVED, that the requested special use permit is consistent with §208-54 of the Town Code of Perinton and that a permit be issued for the allowance of senior citizen apartment units for 666 Whitney Road West (parcel ID 152.07-1-20 and parcel ID 152.07-1-21) under the following conditions:

1. The site plan is to resemble the general layout of the concept plan that was submitted to the Town on Oct. 29, 2013.
2. The senior citizen apartments are to be limited to ages 55 and older, by a filed deed restriction.
3. The senior citizen apartments are to be limited to three buildings and are not to exceed 151 total units.
4. Building A is not to exceed three stories.
5. Building B is not to exceed three stories.
6. Building C is not to exceed two stories.
7. The senior citizen apartment buildings are to implement the architectural standards of the anticipated Mixed Use District zoning.
8. Existing Building 1 is to implement the uses and architectural standards of the anticipated Mixed Use District zoning.
9. The northern portion of the property should be rezoned to Residential B, with the zoning line extending from the rear property line of 644 Whitney Road West across parcel ID 152.07-1-20 in a straight line.

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

REQUEST FOR RELEASE OF EASEMENT
351 JEFFERSON AVENUE

Town Attorney Place located the property at 351 Jefferson Avenue on a map and stated that it is near the corner of Brentwood Lane and part of the Sharp subdivision. When the property was developed it was uncertain whether there would be access onto Jefferson Avenue, and as Mr. Sharp could not give an easement to himself, the Town requested that Mr. Sharp grant an easement to the Town to permit access through his lot onto Jefferson Avenue. This is no longer required and the lot is being sold, therefore, Mr. Sharp needs a release of the access easement. Attorney Place stated that he recommends at this time that the Town release the easement.

Councilperson Hanna made a motion, seconded by Councilperson Van Vreede to release the easement for 351 Jefferson Avenue.

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

Nays: None

Unanimously Approved

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

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

Active Member
To Inactive Exempt Member

Mr. David Carpenter
37 Southcross Trail
Fairport, NY 14450

Mr. Lorenzo Decesare
29 Smallwood Drive
Pittsford, NY 14534

Resident Active to
Non Resident Active

Mr. James W. Lackey
3 Hanningfield Circle
Fairport, NY 14450

Mr. Jordan Leshner
3 Hanningfield Circle
Fairport, NY 14450

Mr. Joseph Nicolay
46 Bucklebury Hill
Fairport, NY 14450

Resigned from the Department

Ms. Hannah DeMarco
3 Salem Court
Fairport, NY 14450

Mr. Scott Frederick
56 Manorshire Drive, Apt. #6
Fairport, NY 14450

Mr. Paul Hansen
10 Crow Hill Drive
Fairport, NY 14450

Ayes: Barker, LaFay, 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 June 2014 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 8:15 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk