

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter of the Establishment of
EXTENSION No. 68 to PERINTON
CONSOLIDATED SEWER DISTRICT No. 8

HEARING
MINUTES &
DETERMINATION

(Whitney Road East Subdivision)

At a hearing before the Town Board of the Town of Perinton, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, on February 12, 2020 at 7:30 p.m., local time, there were

PRESENT: Supervisor Ciaran Hanna; Councilpersons Peg S. Havens, Seana Sartori, David Belaskas and Meredith Stockman-Broadbent

ABSENT: None

ALSO PRESENT: Jennifer West, Town Clerk, Jason Kennedy, P.E., Commissioner of Public Works, Joseph LaFay, Town Attorney

The Supervisor called the hearing to order and stated that the purposes thereof was to consider the establishment of Extension No. 68 to Perinton Consolidated Sewer District No. 8 to include the Whitney Road East Subdivision.

The Supervisor called for the presentation of documentary evidence necessary for the Town Board to make the investigations and determinations required by statute. The following documents were submitted in evidence.

1. The original Petition, pursuant to Article 12 of the Town Law for the creation of Extension No. 68 to Perinton Consolidated Sewer District No. 8, dated December 3, 2019 to include the area described in said Petition as hereinafter set forth signed by the owners of taxable property situate in the proposed Extension.
2. A Petition map dated November 26, 2019 prepared by BME, competent engineers, duly licensed by the State of New York, showing the area of the proposed extension to Perinton Consolidated Sewer District No. 8.
3. Assessor's Certificate of Wayne Pickering, Assessor, Town of Perinton, dated December 9, 2019 certifying the total assessed valuation represented by the Petition and by the signature to the Petition as stated herein.
4. The Order for this hearing made by the Town Board on January 8, 2020.

5. The Affidavit of Publication of the Perinton-Fairport Post showing publication of a certified copy of the Order for Hearing on January 23, 2020.
6. The Affidavit of Jennifer West, showing that a copy of the Order for Hearing was posted on the Sign Board maintained by the Town Clerk on January 23, 2020.
7. The Whitney Road East Subdivision project was granted a negative declaration under SEQR by the Planning Board on September 19, 2018 as part of subdivision approval, which are made a part of these Hearing Minutes and Determination recommending that the Town Board register and file a negative environmental declaration for this project.

The Supervisor directed that the foregoing documentary evidence, if not already filed, be filed with the Town Clerk and considered a part of the record of this hearing.

The Supervisor explained the procedure necessary for information of the extension.

The Supervisor asked if there were any questions in regard to the formation of the Extension. There were none. The Supervisor declared the hearing closed and directed the Town Board to consider the statements made at the hearing and after thorough discussion and due deliberation, the following Resolution was offered by Councilperson Belaskas and was seconded by Councilperson Havens:

WHEREAS, the Board has examined the statements made in the Petition, the signature and acknowledgments and maps attached thereto, the Certificate of the Assessor as to the assessed valuation involved in the proposed Extension, the proofs of posting and publication, and has considered all other documents and statements presented to it and has examined into whether all of the property to be benefited by the proposed Extension was included therein and whether any property has been included therein which would not be benefited, and

WHEREAS, the Petition is signed by the owners of taxable real property situate in the proposed Extension owning in the aggregate more than fifty (50%) of the assessed valuation of all taxable real property located within the area of the proposed Extension as the same is shown on the latest completed Assessment Roll for said Town, and

WHEREAS, there are no resident owners of taxable real property situated in the proposed Extension.

NOW THEREFORE, IT IS DETERMINED AS FOLLOWS:

1. The Petition for the creation of Extension No. 68 to Perinton Consolidated

Sewer District No. 8 to include the real property described herein, dated December 3, 2019, is signed by, acknowledged or approved as required by law and is otherwise sufficient.

2. All the property and property owners within the proposed Extension are benefited thereby.

3. All the property and property owners benefited are included within the limits of the proposed Extension.

4. It is in the public interest to grant all of the relief sought in the Petition without amendment or modification.

5. All expenses of the district, including all extensions heretofore or hereafter established, shall be a charge against the entire area of the district as extended.

6. The Petition is signed by the owner of the taxable real property situated in the proposed extension owning in the aggregate more than fifty (50%) of the assessed valuation of all taxable real property located within the area of the proposed extension as the same is shown on the latest completed Assessment Roll for said Town.

7. That there are no resident owners of taxable real property located within the area of the proposed Extension.

8. The proposed action will not have a significant effect on the environment and will not require environmental review under Part 617 of the NYSEQR regulation, Article 8.

9. The area determined to be created as Extension No. 68 to Perinton Consolidated Sewer District No. 8 is described as follows:

**Sanitary Sewer Extension No. 68 to Perinton Consolidated S.D. No. 8
Whitney Road East Subdivision**

ALL THAT TRACT OR PARCEL OF LAND containing 5.711 acres more or less, situate in the Phelps and Gorham Purchase, Township 12, Range 4, Town Lot 29, Town of Perinton, County of Monroe, and State of New York, as shown on the drawing entitled "Whitney Road East, Sanitary Sewer District," prepared by BME Associates, having drawing number 2225-32, dated November 26 2019, being more particularly bounded and described as follows:

Beginning at the intersection of the easterly boundary line of lands now or formerly of Darin & Jennifer Mantell (T.A. No. 153.02-1-7) with the centerline of Whitney Road East – County Road 17 (Right-of-Way Varies); thence

1. N 89°11'10" E, a distance of 172.01 feet to a point; thence
2. S 01°20'30" E, a distance of 221.83 feet to a point; thence
3. N 89°20'19" E, a distance of 208.64 feet to a point; thence
4. S 01°20'30" E, a distance of 405.70 feet to a point; thence
5. S 89°11'10" W, a distance of 527.81 feet to a point; thence
6. N 01°42'40" W, a distance of 378.18 feet to a point; thence
7. N 89°17'26" E, a distance of 150.00 feet to a point; thence
8. N 01°25'59" W, a distance of 250.21 feet to the Point of Beginning.

Being and hereby intending to describe Sanitary Sewer Extension #68 to Perinton Consolidation District #8, having an area of ±5.711 acres, as shown on the sanitary district extension map entitled "Whitney Road East, Sanitary Sewer District" as prepared by BME, dated November 26, 2019, with a drawing number 2225-32.

The foregoing described land is shown on a map entitled "Whitney Road East Sanitary Sewer District" dated November 26, 2019, made by BME, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Extension No. 68 with existing sanitary sewers belonging to Perinton Consolidated Sewer District No. 8 and indicating the transmission of said sewage through existing mains to the Irondequoit Interceptor sewer for transmission to the Van Lare Sewage Treatment Plant which is operated by the Monroe County Pure Waters Agency. There is an existing contract between the Town of Perinton and the Monroe County Pure Waters Agency for transmission and treatment of sewage.

10. That a final Order creating Extension No. 68 to Perinton Consolidated Sewer District No. 8 will not be adopted until all legal and engineering costs and necessary disbursements for creation of said Extension have been paid to the Town of Perinton.

On roll call by the Town Clerk the following votes were recorded:

AYES: Hanna, Havens, Sartori, Belaskas, Stockman-Broadbent

NAYS: None

Whereupon the Supervisor declared the foregoing determination and resolution of approval of the creation of Extension No. 68 to Perinton Consolidated Sewer District No. 8 is adopted.