

Lori Stid

From: Janelle Reed
Sent: Friday, January 19, 2024 10:12 AM
To: Ciaran Hanna; edbelaskas@rochester.rr.com; Meredith Stockman-Broadbent; Alexandra Cimino; Mike Folino; Jason Kennedy; Joe LaFay; Mike Doser; Lori Stid
Cc: Shelley O'Hern; Chris Mueller
Subject: Memo-1361 Marsh Road
Attachments: Revised Site Plan Redistribute Memo 2024.pdf

Good morning,

Attached is a memo regarding the re-opening of a Public Hearing for 1361 Marsh Road.

Have a good day!

Janelle

Janelle Reed
Town Clerk
Town of Perinton
1350 Turk Hill Road
Fairport, NY 14450
(585)223-0770 x 1110

Memo

To: Ciaran Hanna
Town Board
Jason Kennedy
Joe LaFay
Mike Doser
Jim Brasley
Ken Rainis (electronic via Lori)
Lori Stid

From: Janelle Reed

Date: January 19, 2024

Re: Special Use Permit /Revised Site Plan: 1361 Marsh Road -- Basin Landing

This is a redistribution of the memo that accompanied the revised site plan, that complies with the draft of the Erie Canal Overlay District for 1361 Marsh Road that was distributed on 11/27/23.

The original submitted materials for review for obtaining a Special Use Permit were distributed on 5/25/23 for the development of 11.3 acres and includes 2 parcels (tax id #'s: 179.05-4-10.12 and 179.05-4-10.11). The proposed project is for the redevelopment of the Burgundy Basin property for mixed-use consisting of apartments, for sale townhomes and retail.

Due to the length of time since the original Public Hearing, we are going to re-open the Public Hearing for this application. An Order for Hearing is scheduled for 1/24/24 and a Public Hearing will be scheduled for 2/28/24.

The initial Public Hearing was held on 6/14/23.

Memo

Involved & interested

NYSCanal- Mike OK

To: Ciaran Hanna
Town Board
Jason Kennedy
Joe LaFay
Mike Doser
Jim Brasley
Ken Rainis (electronic via Lori)
Lori Stid

From: Janelle Reed

Date: November 27, 2023

Re: Special Use Permit /Revised Site Plan: 1361 Marsh Road – Basin Landing

Attached is the letter of intent and revised site plan that complies with the draft of the Erie Canal Overlay District for 1361 Marsh Road.

The original submitted materials for review for obtaining Special Use Permit was distributed on 5/25/23 for the development of 11.3 acres and includes 2 parcels (tax id #'s: 179.05-4-10.12 and 179.05-4-10.11). The proposed project is for the redevelopment of the Burgundy Basin property for mixed-use consisting of apartments, for sale townhomes and retail.

The Public Hearing was held on 7/12/23.

6/14/23

November 22, 2023

Town of Perinton
Attn: Supervisor Hanna
Town Board
1350 Turk Hill Road
Fairport, NY 14450



Re: The Burgundy Basin
1361 Marsh Road (179.05-4-10.12 and 179.05-10.11)
Letter of Intent – Special Use Permit

Dear Supervisor Hanna:

On behalf of our client, Basin Landing Partners, we respectfully submit a revised site plan for our special use permit application to allow a mixed-use development at 1361 Marsh Road. We have revised the plan to comply with the draft canal overlay district regulation. We are requesting to be on the next available Town Board meeting agenda.

Existing Conditions

The Burgundy Basin site is +/- 11.3 acres and includes two parcels (currently in process to combine into one property, administratively) located on the south side of Marsh Road between Routes 96 to the south and 31 to the north. The Erie Canal and Erie Canal Heritage Trail run along the rear property line, across from the hamlet of Bushnell's Basin, and there is a single-family residential community located opposite Marsh Road. The Erie Canal path is over 30 feet higher than the Burgundy Basin property. As a result of the slope, the first floor of the buildings sit well below the canal path elevation.

Marsh Road is two lanes wide, with an historic one-lane bridge that traverses the Erie Canal not more than 1/8 mile away. There are no sidewalks, curbs, or gutters on the entire stretch of Marsh Road or in the residential community across the street, and runoff from the street is conveyed to the roadside swales and ditches.

The Erie Canal is listed on the State and National Registers of Historic Places, and it is also a National Landmark. Great care will be given to protect and provide public access to this community asset.

Comprehensive Plan

The current zoning classification, CO Commercial, permits uses such as banks, medical offices, hotels and motels, and drive-through facilities as-of-right. Uses such as movie theaters and auditoriums, vehicle sales, gas stations, dry-cleaning plants, mini warehouse and mixed uses are permissible by special permit.

The permitted and specially permitted uses in the CO district are vehicle-centric, which tends to be less multi-modal friendly, and can contribute to traffic congestion, as well as pedestrian/vehicular conflicts. See attached for the CO regulations.

The Burgundy Basin property is the only CO zoned property on Marsh Road, which has served the event venue well for over six decades. However, this zoning district acts as a barrier between the residential community to the east and the Erie Canal and path to the west, and it allows for a host of uses that are not compatible with the neighboring residential character of the neighborhood.

The Special Use permit is requested to facilitate redevelopment of the site with a mixed-use development consisting of apartments, townhomes, and small-scale retail sales and service. The proposed project will result in less traffic and less impact on the neighbors compared to a other commercial uses listed above. The proposed for sale townhomes along Marsh Road provide a better residential feel and look than commercial properties. They also provide a better transition from single family to for sale townhomes to multifamily apartments. The site will be bicycle and pedestrian friendly and will encourage public access and use of the canal path by providing a designated public parking area.

An added benefit is the significant reduction in traffic from other CO uses. The Burgundy Basin events began and ended at the same time generating 500+ vehicles. Traffic modeling for as-of-right development with hotels, retail, and restaurants generated similar traffic during peak times (+/-499 vehicle trips).

The proposed apartment/townhouse and retail development has an hourly peak of 39 AM trips and 60 PM trips.

The proposed project is less auto-oriented, more pedestrian-friendly, and offers a park-once opportunity to visit multiple locations in a single visit.

The granting of the special use permit is in conformance with the policy areas, goals and objectives of the Town of Perinton Comprehensive Plan Update (2021), as follows:

Policy Area 1, Land Use & Community Character:

The Town of Perinton maintains land use patterns preserving the residential nature of the community, retaining open landscapes, protecting environmental systems, and allowing commercial and employment centers to thrive.

Goal 1 – Protect the long-term viability of residential areas in the Town.

- Promote infill development of single-, two- and multi-family residential homes in character and scale within existing neighborhoods, where feasible through zoning code updates. We are providing for sale townhomes and multi-family residential options.
- The project will also extend public sanitary sewers down Benedict Rd bringing public sewers to many residences in the neighborhood.

Goal 2 – Encourage the development of a range of housing types enhancing access and choice to support a diverse and inclusive population.

- Promote the installation of amenities and retention of open spaces within new housing developments to support individuals, families, and children. We are providing for sale townhomes and multi-family options to support the diverse population.

Goal 4 – Encourage development in mixed-use areas to improve walkable access to services and commerce.

- Review and implement zoning amendments to encourage a greater mix of uses, such as commercial and residential development, in areas depicted in the Future Land Use Plan. The proposed project with direct access to the canal path provides walkable and bikeable access to many areas.

Policy Area 3, Quality of Life & Healthy Living:

The Town of Perinton provides healthy living opportunities to its residents, regardless of age or ability, through its unique interconnected park network and access to healthcare services. The Town prioritizes recreational programming and amenities to enhance resident quality of life and create spaces for visitors to enjoy.

Goal 6 – Enhance recreational access to the Erie Canal for all residents and visitors.

- Encourage the installation of small craft boat launches, such as kayaks and canoes, at regular intervals along the Erie Canal to create a unique experience for users. The proposed project is proposing direct access to the canal path as well as a kayak launch to the Erie Canal.

State Environmental Quality Review (SEQR)

The Erie Canal is listed on the State and National Register of Historic Places (2014) and it is a National Landmark (2017). In accordance with sections 617.4(b)(9) and (10) of the SEQR regulations, any Unlisted action that exceeds 25% of any threshold for Type I actions established in section 617.4, occurring wholly or partially within, or substantially contiguous to any site listed on the State and National Register of Historic Place, or which is a National Landmark, respectively, is a Type I Action. The thresholds are set forth in Section Part 617.4(b), and include:

- (3) the granting of a zoning change, at the request of an applicant, for an action that meets or exceeds one or more of the thresholds given elsewhere in this list; and
- (5) construction or new residential units that meet or exceed the following threshold:

(iii), in a city, town or village having a population of 150,000 persons or less, 200 units to be connected to existing community or public water and sewage systems including sewage treatment works.

Note: The population of the Town of Perinton is 46,462 at the 2010 census. 25% of 200 units = 50 units. Therefore, because this project exceeds the threshold of 50 units, it is a Type I action. Therefore, the Town must seek designation of a lead agency by the various involved agencies, so that a coordinated SEQR review can be conducted.

In support of our application attached please find enclosed:

- (12) Letters of Intent (1 Original, 11 Copies)
- (12) Concept site plan (1 Original, 11 Copies)
- (12) Response to Conservation Board comments (1 Original, 11 Copies)

We look forward to presenting the petition to obtain a Special Use Permit from the Town Board meeting scheduled for the next available meeting. Please do not hesitate to contact me at dcox@passero.com or 585-325-1000.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Cox', is positioned above the printed name.

David Cox, PE, MBA
Senior Associate | Civil Department Manager

November 22, 2023

Town of Perinton
Attn: Chairman Rainis
1350 Turk Hill Road
Fairport, NY 14550



Re: Burgundy Basin Redevelopment Project - Comments from the Conservation Board

Dear Chairman Rainis:

This letter is responding to the comments we received, for the above-mentioned project. The comments are in the order received and our responses are in bold italics.

1. Canal Embankment Development Impacts

The PCB recommends keeping all proposed structures at least 50 feet away from the canal embankment toe of slope as it exists today on the property. We believe not disturbing this portion of the canal system is critical in maintaining canal embankment integrity for existing downstream residents as well as future residents of the Burgundy Basin development property. The 50 foot distance ensures all new structures are well outside the established Canal Corporation Embankment Zone 5 area as outlined in the Embankment Inspection and Maintenance Guide Book (*Figure 6.2-1*).

Since all stormwater from the proposed impervious areas must be handled on site to minimize existing conditions (i.e. no discharge to canal overflow channel to the west) for all storm events, additional groundwater will be directed to the aquifer adjacent to the canal embankment. As such, the PCB recommends the proposed stormwater management area be located as far from the canal embankment as possible. The design team should assess the impact of this saturated soil, on the stability of the canal embankment.

The PCB also recommends that the Canal Corporation provide a statement or correspondence to the Town that the proposed development layout and all components (e.g. buildings, parking areas, ponds, walkways, etc.) will not have an impact on the canal embankment.

Response: The Embankment Inspection and Maintenance Guide Book gives some recommendations as well as it states, "For land not currently owned by canals but where best practices dictate that the work on the property is recommended (vegetation clearing, filter and toe drainage installation, etc.), Canals will endeavor to work with those land owners to accomplish the dam safety best practices to the greatest degree practical." We agree to work with the Canal Corporation on best practices. We are not proposing to impact the canal embankment at all except for sidewalk connection to the canal path. All of the proposed stormwater management facilities are designed as far from the embankment as possible. This is a site plan concern not necessarily a Special Use Permit issue. We will continue to work through this if we make it to the Site Plan approval stage.

2. Marsh Rd Pedestrian and Bicyclist Safety Improvements

The PCB recommends that sidewalk and/or additional shoulder width be constructed on the north side of Marsh Road between Peachtree Lane and the Canal bridge.

The project is located within a Pedestrian Zone as noted in Town Code § 208-28B (Park PED Zone #2). Furthermore, the proposed project will increase the number of vehicles in the corridor during the morning and evening peak periods, which will result in a corresponding increase the number of potential conflicts with the existing pedestrians that walk along the narrow Marsh Rd pavement. Although residents of the development will have an alternate route to the Marsh Rd crossing via an internal canal trail connection, a designated space within the right of way will provide the general public with a safer connection to the only canal crossing in the area.

Response: *Marsh Road already has a curb and an asphalt path between the curb and guiderail that can be used for pedestrians (see attached picture). To make this wider would require removing the guiderail, filling the bank and removing vegetation. This would be a costly expense and would remove some of the vegetated buffer for the homes along Peachtree Lane.*

3. Canal Bridge Signal Option

The PCB recommends a traffic signal be explored in more detail as a safer way to control the alternating two way operation of vehicles over the canal bridge. As such, PCB would like direct correspondence from NYSDOT stating definitively that they have analyzed the operation of a traffic signal option over the single lane canal bridge and provide explanation as to why it will not work (e.g. it will cause more issues than it solves, etc.).

Response: *We have forwarded the Conservation Board comments as well as the traffic study to the NYSDOT and asked for comment. We have not received official comments yet, but in discussions with them they relayed they have told the Town many times they will not be putting in a signal light.*

4. Canal Bridge Pedestrian and Bicyclist Safety Improvements

The PCB recognizes the replacement of the existing canal bridge to provide a two lane bridge with safer pedestrian and bicycle access to the Basin is not possible as part of the project. However, PCB recommends exploring with NYSDOT installation of enhanced pedestrian safety countermeasures (e.g. pavement markings, signage, safe-hit delineators, etc.) to provide as safe an experience as possible for the existing and future residents wishing to cross this bridge on foot.

Response: *We have requested NYSDOT comment on this.*

Sincerely,



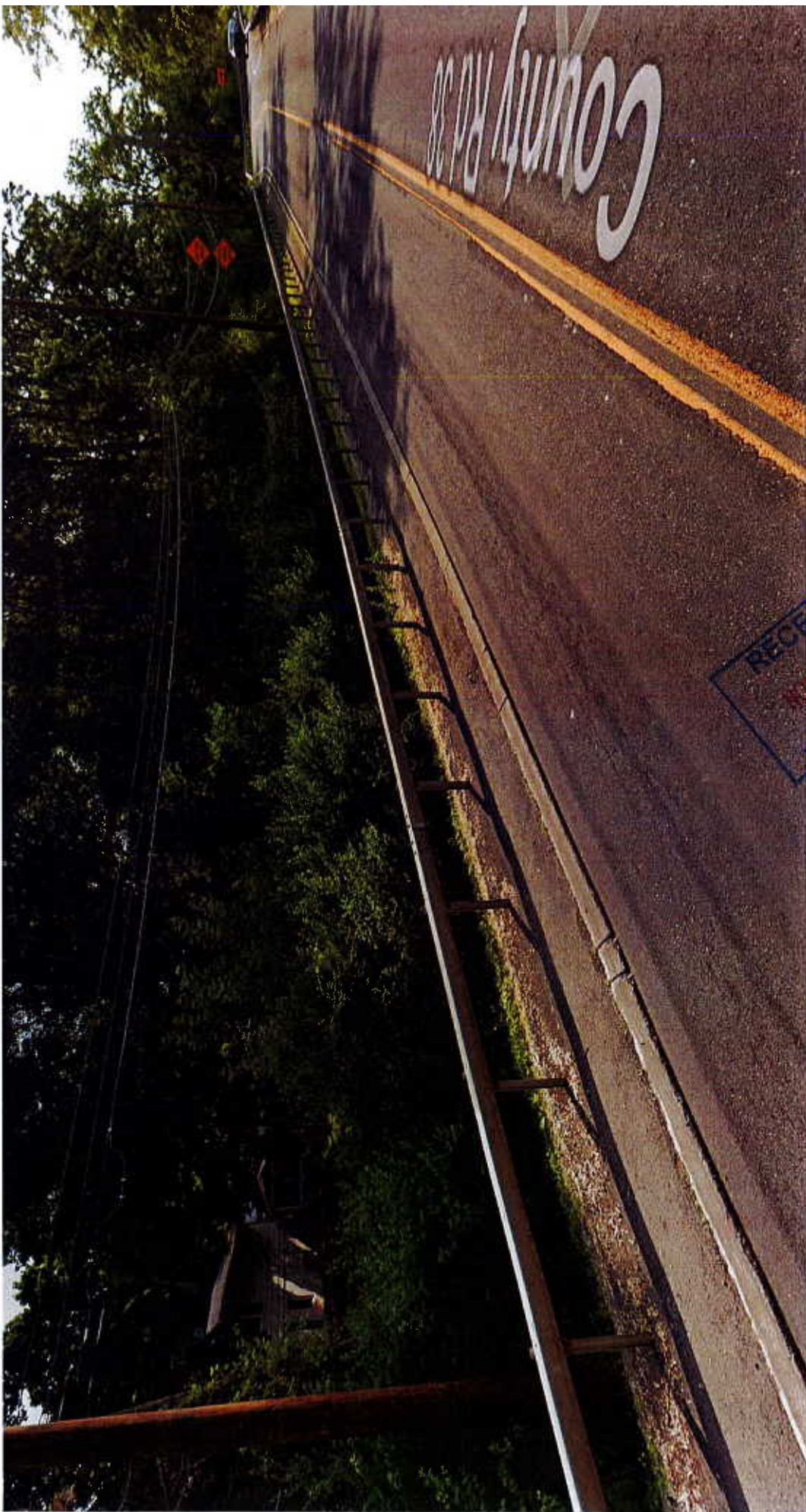
David L. Cox, PE MBA
Senior Associate/Civil Department Manager

DLC:paf

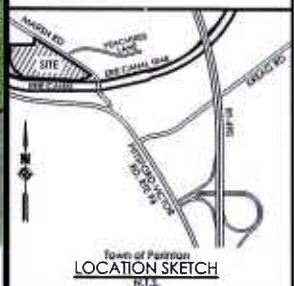
CC: File
K. Rainis

Page 2 of 2

PA



RECEIVED
JUN 22 2023
TOWN OF PERINTON



Client:
TAYLOR THE BUILDERS
2580 BAIRD ROAD
PENFIELD, NY 14526

PASSERO ASSOCIATES
342 West Main Street Suite 100
Rochester, New York 14620
Principal in Charge: Jess Sudol, PE
Project Manager: David Cox, PE
Designed by: Carole Harvey



Revisions			
No.	Date	By	Description
1			

SITE PLAN
BURGUNDY BASIN INN
1361 MARSH ROAD
Town/City: PERINTON
County: MONROE State: NEW YORK
Project No.: 20182652.0002
Drawing No.: C 102 Sheet No.: 2
Scale: 1" = 40'
Date: OCTOBER 2023
NOT FOR CONSTRUCTION

SITE DATA

- TAX ACCOUNT NUMBER: 179.06-4-10.12
- PARCEL ADDRESS: 1361 MARSH RD.
- TOTAL PARCEL AREA: 17.26 ACRES OR 490,624 S.F.
- EXISTING ZONING: COMMERCIAL (CO)
- PROPOSED ZONING: MIXED USE (MU)
- EXISTING USE: EVENT CENTER
- PROPOSED USE: MIXED USE
- BLUE AREA REQUIREMENTS
- SETBACKS
- GREEN SPACE
- PARKING STALLS
- TOWNHOMES 20 UNITS (2/UNIT)
- RETAIL (7,000 SF)
- MAXIMUM REQUIREMENTS
9. THERE ARE NO FEDERALLY REGULATED WETLANDS ON THIS PARCEL ACCORDING TO THE US FISH AND WILDLIFE SERVICE'S NATIONAL WETLAND INVENTORY.
10. THERE ARE NO STATE REGULATED WETLANDS ON THIS PARCEL ACCORDING TO NYSDC WETLAND INVENTORY.
11. THERE ARE NO FLOOD PLAINS ON THIS PARCEL PER FIRM MAP COMMUNITY PANEL NO. 3408SC0278G DATED 8/27/2008.
12. THERE ARE NO RARE PLANTS OR ANIMALS IN THE VICINITY OF THIS PARCEL ACCORDING TO NYSDC ENVIRONMENTAL RESOURCES MAPPER.
13. ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE CURRENT DEVELOPMENT STANDARDS AND SPECIFICATIONS OF THE TOWN.

LEGEND	
	PROPOSED BOUNDARY
	PROPOSED BUILDING
	PROPOSED PARKING LOT
	PROPOSED DOG PARK
	PROPOSED OPEN SPACE
	PROPOSED STORMWATER MANAGEMENT AREA
	PROPOSED CANAL BOAT LAUNCH
	PROPOSED SETBACK
	PROPOSED 50' SETBACK

APPROVED BY: _____ DATE: _____
PLANNING BOARD CHAIRMAN
APPROVED BY: _____ DATE: _____
TOWN ENGINEER
APPROVED BY: _____ DATE: _____
FIRE CHIEF
APPROVED BY: _____ DATE: _____
COMMISSIONER OF PUBLIC WORKS
APPROVED BY: _____ DATE: _____
TOWN ATTORNEY

RECEIVED
NOV 2 2023
TOWN OF PERINTON