

**Minutes of the Town of Perinton
Planning Board Meeting of May 7, 2014**

Planning Board Members Present

Mark Anderson, Chairman
T.C. Lewis
James P. Brasley
Ken O'Brien
Craig Antonelli
Norm Gardner
Sandra Neu

Conservation Board Members Present

Ken Rainis
Chris Fredette

Town Officials Present

Robert Place, Town Attorney
Thomas Beck, Commissioner, DPW
Michael Doser, Director Code Enforcement & Development (CED)
Lori Stid, Planning Board Clerk

Absent

Robert Kozarits, Town Engineer

Mr. Anderson called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures. Mr. Anderson states that Wegmans will not be heard tonight and has rescheduled for 5/21/14 and 775 Pannell Road has withdrawn from tonight's agenda and will rescheduled for a future meeting.

New Application(s):

Wegmans – 6604 Pittsford Palmyra Road – 31,300 SF expansion. Art Pires, Project Manager Wegmans Development Group, as agent for Wegmans Food Markets, Inc., owner of property located at 6604 Pittsford Palmyra Road, (tax id #165.20-3-53.2 - 11.39 acre parcel, tax id #165.20-3-53.1 - .78 acre parcel & tax id#166.17-2-33 - 10.3 acre parcel), requesting preliminary and final site plan approval for a 31,300 sq ft expansion to the existing food market and associated site improvements including improvements to the existing food market's front facade and reconfiguration of the food market's existing parking lot.

Presenter: Art Pires, Wegmans Development Group
Zoned: Commercial

Arctic Glacier – 900 Turk Hill Road - Building Improvements. DDS Companies, as agent for Arctic Glacier, USA, Inc., owner of property located at 900 Turk Hill Road, (tax id #153.14-1-18.1), requesting preliminary and final site plan approval for building improvements.

Presenter: John Clarke, DDS Companies
Zoned: Industrial

Mr. Clarke presents the application to the Board as per letter of intent as shown below:

March 28, 2014

Town of Perinton
Planning Board
1350 Turk Hill Road
Fairport, NY 14450
Attn: Gary Kleist



orig

Re: **Arctic Glacier U.S.A., Inc.**
Building Improvements
Site Plan Approval

The subject property is located at 900 Turk Hill Road and is approximately 6.05 acres in size and resides within the Industrial District (IND) as described in the Town of Perinton Code. The site currently contains two (2) existing buildings. The first is located on the western portion of the lot and is approximately 11,680sf and the second is to the east and is approximately 52,500sf. These buildings are primarily used as offices, production areas and storage areas for the industrial business conducted by Arctic Glacier U.S.A., Inc. The owner is interested in improving a portion of the production space located within existing 52,500sf building. Approximately 15,000sf of this building is a "cold production" area. This portion of the building is in need of desperate repair as the structural stability of the walls and roof are failing. As the production in this area is vital to the overall business it must remain operational at all times. In order to satisfy this requirement the intent of this project is to construct a new, roof and structural wall support system around the portion of the existing building that needs repair. Once the new support system and roof are in place, the existing portion of roof will be removed from within. This will allow production in this area to operate seamlessly through the building improvements. There are no other improvements proposed for this project. All existing utilities are currently in place and will sufficiently serve the new area and no new site improvements are proposed.

It is our understanding that the existing 11,680sf building to the northwest is in need of both front and side setback variances for the pre-existing non-conforming location of the building. Likewise, the existing 52,500sf building will require a side setback for the pre-existing non-conforming location of the building. We intend to submit for the May 19, 2014 ZBA meeting in order to obtain these variances.

We would like to respectfully request placement on the agenda at the regularly scheduled Planning Board meeting on May 7, 2014, for the purpose of presenting this project and request for preliminary and final site plan approval.

Mr. Clarke states that with him is Ann VerHague from Torchia Structural Engineers and John Ritz and Harvey Fleming, both from Arctic Glacier. They are appearing before the Zoning Board of Appeals on May 19, 2014 requesting the following variances of the Town of Perinton Zoning Ordinance Section 208-42 D, to allow the existing building # 1 to set 5 feet from the front property line instead of 85 feet and further to allow existing building #1 to set 2 feet from the side property line and building # 2 to set 10 feet from the side property line instead of 30 feet. They are not proposing any other improvements. He acknowledges receipt of comments from Monroe County and DPW/CED and feels that they can work through all of these. There are a number of old ice machines stored outside that are used for parts. He has spoken with Mr. Doser and feels that they can work this out. There is fill on the back of the site where Kiehler Construction is storing fill back there until May 30. He has spoken with Mr. Beck and feels that they can work this out.

Ann VerHague, Torchia Structural Engineering explained the elevations to the Board and audience. There will be windows and doors in the façade that weren't shown on the plans submitted to the Town.

Mr. Anderson states that this is a Type 2 SEQR and no determination is required.

Mr. Anderson asked for questions or comments from the Conservation Board.

Mr. Rainis inquired if there may be an issue with any cooling units during construction phase that could pose a hazard during construction phase. Harvey Fleming, plant manager, states that he doesn't believe there will be any issue. Mr. Rainis inquired if the removal of the interior walls will impact any of the cooling units. Mr. Fleming says there will be no impact. Mr. Rainis states that based on these answers the Conservation Board does not have any environmental concerns.

Mr. Anderson asked for questions or comments from CED. Mr. Doser states that CED issued comments as follows:

CED Comments:

1. The applicant is scheduled to appear before the Zoning Board of Appeals on May 19, 2014, for preexisting front and side setbacks. Provide the date of approvals on the site plan.
2. There is a large number of old ice machines stored to the rear of the property that should be removed or stored inside.
3. On a recent site visit, it was determined that fill had been placed near the rear portion of the property. Please clarify the intent of this activity.

He states that CED is willing to work with the applicant to have these machine stored inside existing building or build a structure to store them inside.

Mr. Anderson states that outside storage is not a permitted use in an Industrial District.

Mr. Anderson asked for questions or comments from the DPW. Mr. Beck states that the DPW issued comments as follows:

DPW Comments:

General

1. Show the location for the existing septic system on the site plan, and provide a note that leach fields shall be protected during construction.

Mr. Anderson asked for questions or comments from Attorney Place, and there were none.

Mr. Anderson inquired why only one section of the building has structural deterioration and inquired what the status of the rest of the building is. Ms. VerHague states that this portion of the building has a flat roof and is more prone to leakage. This is the oldest part of the building. Mr. Fleming states that from room 7 and east is an addition to the building. Everything west of room 7 is a concrete structure. The wood is what is deteriorating. Mr. Anderson expresses concern about the ice machine stored outside as it is not a permitted use. Mr. Fleming states that they can look at moving them inside the existing building or they may have to build something; perhaps a pole barn. Mr. Anderson asks if there is room inside the existing building and Mr. Fleming states no. Mr. Anderson states that this will be a condition of approval as this is not a permitted use. He also states that the height of the structure they are proposing cannot be higher than 40' without a variance. He is prepared to go forward.

Mr. Lewis states that the plans show 38' 7 1/2" and asks what that is measuring to. Ms. VerHague states that is to the flooring. There is another 2 1/2' to grade. Mr. Lewis states that will be higher than 40'. Ms. VerHague states that they could adjust this if they needed to. Mr. Lewis states that he could support a variance for this height increase.

Mr. Brasley supports the request and feels that the applicant has explained it well. He inquired if the lighting will change. Mr. Fleming states that the lighting will remain the same. Mr. Brasley states that if anything changes or is added it is required to be shown on elevations of plans submitted for final signatures. He states that they mentioned tonight they were adding some windows and doors that were not shown on submittal. This needs to be shown on final plans submitted for signature. He would support a variance for height increase; this is an isolated location and will not impact the neighborhood. IF they don't wish to seek a variance, they need to lower the height so it meets code.

Mr. O'Brien supports the proposal. He inquires if he understood that only the roof structure will be removed and the walls will still stay. Ms. VerHague states that is correct.

Mr. Antonelli inquires if the flat roof has equipment on it. Mr. Fleming states no. Mr. Antonelli supports the request.

Mr. Gardner supports the proposal. He inquires how they will connect into the existing storm sewer on the north side with gutters. He inquires where the drainage goes today. Mr. Clarke states that they could not locate where it was to connect to existing. They understand that it has to happen and they will locate it and connect to it. Mr. Gardner would like this shown on final plans submitted for signature.

Ms. Neu inquired if the re-siding will only be in the middle portion. Ms. VerHague states that is correct. Ms. Neu inquired if there will be down time for productivity. Mr. Fleming states that there will be significant down time. They are proposing all new equipment inside. It will be down for about 5 months from November through the following April. Ms. Neu inquired why they are doing it this way; building first and then demolishing. Mr. Fleming states because of sustaining the temperature.

Mr. Anderson states that this is a Type 2 action and no SEQR determination is required.

Mr. Brasley made a motion to grant preliminary site plan approval for building improvements for plans received by the Town on 3/28/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The applicant shall identify the location of the existing septic system on the plans and provide a note on the final plans submitted for signature that the leechfield shall be protected during construction.
3. Applicant shall obtain all necessary variances from the Zoning Board of Appeals, and list the variances and the date(s) received on the final plans submitted for signature.
4. The applicant shall work with staff in the Code Enforcement office and Department of Public Works to resolve the issue of outside storage of ice machines by either removing the machines from the site, enclosing them in the existing building, or building a new building for them, subject to the satisfaction and approval of Department of Public Works and Code Enforcement & Development.
5. The final plans submitted for signature shall identify the maximum roof height above grade to the highest point of the roof. If the height is over 40', then the applicant must either lower the height or request and obtain another variance from the Zoning Board of Appeals.
6. Applicant to identify any changes that are proposed to exterior building lights on the final plans submitted for signature.
7. Applicant to identify how the new building gutters connect to the existing underground storm system, especially on the north side of the building on the final plans submitted for signature.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

Mr. Brasley made a motion to grant final site plan approval for building improvements for plans received by the Town on 3/28/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The applicant shall identify the location of the existing septic system on the plans and provide a note on the final plans submitted for signature that the leechfield shall be protected during construction.

3. Applicant shall obtain all necessary variances from the Zoning Board of Appeals, and list the variances and the date(s) received on the final plans submitted for signature.
4. The applicant shall work with staff in the Code Enforcement office and Department of Public Works to resolve the issue of outside storage of ice machines by either removing the machines from the site, enclosing them in the existing building, or building a new building for them, subject to the satisfaction and approval of Department of Public Works and Code Enforcement & Development.
5. The final plans submitted for signature shall identify the maximum roof height above grade to the highest point of the roof. If the height is over 40', then the applicant must either lower the height or request and obtain another variance from the Zoning Board of Appeals.
6. Applicant to identify any changes that are proposed to exterior building lights on the final plans submitted for signature.
7. Applicant to identify how the new building gutters connect to the existing underground storm system, especially on the north side of the building on the final plans submitted for signature.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

775 Pannell Road - re-subdivision of Lot 3 of the Bumpus Subdivision. Shelley Associates, PE, LS, PC, Sorbello Brothers, LLC, owner of property located at 775 Pannell Road (tax ID: 29-01-1-13.13), requesting preliminary and final subdivision approval to re-subdivide Lot 3 of the Bumpus Subdivision into 4 lots. **Withdrawn - to be rescheduled at a later date**

Presenter: Shelley Associates, PE, LS, PC
Zoned: RT 2-5

Discussion:

ZBA – 5-19-14

The Board discussed the Arctic Glacier – 900 Turk Hill Road request and will write comments to the ZBA.

Minutes – 4/16/14

Mr. O'Brien made a motion to approve the minutes of 4/16/14 as amended.
 Mr. Lewis seconds the motion.
 Motion carries 7 – 0.

There being no further business before the Board, the meeting adjourned at 8:05 PM.

Respectfully Submitted,

Lori L. Stid, Clerk