

**Minutes of the Town of Perinton
Planning Board Meeting of June 18, 2014**

Planning Board Members Present

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

Conservation Board Members Present

Ken Rainis

Town Officials Present

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

Mr. Anderson called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures.

CVS – 1304 Fairport Road

Doug Merritt, Icon, the national sign vendor for CVS Corp. presented the application to the Board from submittal to the Town on 5/15/14. The signs are individual letters that is pin mounted on the building. They will use LED light source. There are only two internally illuminated signs per frontage. He acknowledges receipt of comments from CED. They have removed the ground mounted signage after discussing with Town staff.

Mr. Anderson asked for questions or comments from CED.

Mr. Doser states that CED issued comments on this application as follows:

CVS PHARMACY– FAIRPORT ROAD & O'CONNOR ROAD

Reference Code: Commercial District Section 174-9 D (2) states: Building-mounted signs shall not exceed 1 1/2 square feet of area for each linear foot of the first 100 linear feet of building frontage, plus one square foot of sign area for each linear foot over 100 linear feet of building frontage. No such sign shall exceed 200 square feet in area.

1. The CED Dept. supports this sign application.
2. The CED sign calculations are:

Fairport Road Building Frontage: 100 feet, total signage allowed 150 sq. ft.

O'Connor Road Building Frontage: 120 feet – total allowed 175 sq. ft.

- 100 feet x 1.5 = 150 sq. ft.
- 25 feet x 1 = 25 sq. ft.

Total allowed signage for the building = **325 sq. ft.**

Proposed Signs: (Fairport Road)

1. Sign B1 – CVS pharmacy = 17.09 sq. ft.
 2. Sign B - CVS Pharmacy = 102.4 sq. ft.
 3. Sign B 3 – Drive thru Pharmacy = 28. sq. ft.
- TOTAL 147.49 sq. ft.

Proposed Signs (O'Connor Road)

1. Sign 13 – Window /Door Sign – not calculated in signage
 2. Sign B - CVS Pharmacy = 102.4 sq. ft.
 3. Sign B2 – Drive thru Pharmacy – 26.46 sq. ft.
- TOTAL 130.86 sq. ft.

Proposed Signs Rear Portion of Building:

1. Sign B14 – Receiving Entrance - not calculated in signage
2. Sign B7-8 – Drive thru Clearance – 2.33 sq. ft.
3. Sign B10 – Pharmacy pickup/ Drop Off – 1.67 sq. ft.

Total signage proposed entire building = 282.35 sq. ft.

Total signage allowed entire building = 325 sq. ft.

**282.35 < 325 therefore the sign package proposed meets the sign code.

Mr. Anderson asked for questions or comments from the audience, and there were none.

Ms. Neu inquired if the lettering on the drive-thru is illuminated. The applicant states that the drive thru is non-illuminated. The canopy is red, but the lettering is non-illuminated. The verbiage is red. The color package is accurate.

Mr. Gardner states that the sign B3 is a drive thru pharmacy sign that is directly in front of the drive-thru pharmacy. People will try to drive down the one way street long before they see the do not enter sign and there is a potential for vehicle conflict.

Mr. Antonelli inquires if the directional signs are illuminated and the applicant states no. Mr. Antonelli would like to see them on the plan. Mr. Antonelli supports the sign application as submitted. The applicant states that the directional signs will be on their property. They will work closely with Town staff to make sure that the site plan is property marked.

Mr. O'Brien would like to see where the directional signs are. The applicant states that they would like to have one on O'Connor Road and in other locations (pointing on Mr. O'Brien's copy of the application). Mr. O'Brien agrees with Mr. Gardner and feels that the sign on the building for the drive-thru is misleading. This will invite people to drive the wrong one down a one way street.

Ms. Neu would like substitute B3 for C1. The applicant states that they would like to have the drive-thru pharmacy sign. They want this on the most prominent position on the building.

Mr. Brasley thanks the applicant for working with Town staff to attempt to meet code. He inquires if the number 1304 is on the building anywhere. The applicant states yes; directly on the glass at the entrance. Mr. Brasley inquires what signs are lit. The applicant states that the two primary façade signs are internally illuminated, and everything is unlit. The canopy will be lit with canister fixtures. They will work with Town staff on the canopy lighting. Mr. Brasley states that there aren't residences nearby and will have no negative impact on the neighborhood.

Mr. Lewis agrees with Mr. Brasley. Mr. Lewis feels that sign B3 should say drive-thru pharmacy with an arrow to the right or replace it with C1 with an arrow to the right. As it stands, there will be a lot of confusion with a car going down the wrong way. Either of those solutions would be ok.

Mr. Anderson thanks the applicant for working with Town staff to attempt to meet code. Perhaps the sign should be moved over one bay towards CVS or on the drive-thru pharmacy with the arrow. Mr. Anderson states that the first thing you will see when coming in off of Fairport Road will be drive thru pharmacy and will be confusing. The applicant states that they will move the drive-thru pharmacy wall sign over one bay and that will minimize any confusion for the motorists.

Mr. Lewis made a motion to grant sign approval for sign application submitted to the Town on 5/15/14, subject to the following conditions:

1. The only signs that are lit will be the CVS/pharmacy signs on the building.
2. Move B3 (drive-thru pharmacy sign) over one more bay to the right (facing Fairport Road)
3. The property number "1304" is to be displayed prominently on the building.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

Lollypop Farm Campus – 99 Victor Road

Mr. Anderson called for the applicant, and no one was present. He will call for the applicant again at the end of the meeting.

Pended 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 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

Mr. Pires presented the application to the Board as per letter of intent as shown below. With him is Garth Winterkorn, Costich Engineering.

WEGMANS FOOD MARKETS, INC.
DEVELOPMENT DEPARTMENT
1500 BROOKS AVENUE, BOX 844
ROCHESTER, NEW YORK 14603-0844

ARTHUR P. PIRES
PROJECT MANAGER
WEGMANS DEVELOPMENT GROUP

Phone: (585) 720-5791
Fax: (585) 783-4255
Email: appires@wegmans.com

12 June 2014

Town of Perinton
1350 Turk Hill Road
Fairport, NY 14450



Attention: Mr. Mike Doser c/o Ms. Lori Stid
Director, Code Enforcement & Development

RE: Site Plan Application Letter of Intent
Proposed Food Market Expansion
6604 Pittsford – Palmyra Road (NYS Rte. 31)

Dear Mr. Doser:

Please find updated site and landscaping plans*, last revised 6/3/14, per Planning Board comments of 5/21/14, and subsequent input from Town DPW and Engineering departments. :

More specifically, the central north / south landscaped island has been shifted to the east, sidewalk added along the western service road (from Rte. 31 to the store) and pedestrian access pavement markings have been added at the northeastern end of the store's front service road.

Trusting that all is in order, we request that this application be heard at the Planning Board's June 18th meeting .

Please do not hesitate to call me should you have any questions or require any additional information.
Thank you.

Respectfully,

Arthur Pires

Enclosures:
xc: File

* 16 copies

He states that on May 21, the Planning Board:

The Planning Board declared that the three tax id #'s:
#165.20-3-53.2 - 11.39 acre parcel,
#165.20-3-53.1 - .78 acre parcel
#166.17-2-33 - 10.3 acre parcel

that make up the Wegmans Plaza at 6604 Pittsford-Palmyra Road be declared a Development Area according to Town Code Section 208-42A, as this parcel does meet all of the definitions of a Development Area in the Code.
Motion carries 4 – 0.

The Planning Board granted preliminary 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, 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. Expansion not to exceed 31,300 sf for a grand total of the completed store not to exceed 122,000 sf.
3. Applicant shall move the center north/south arterial landscape island in the middle of the parking lot to the east or the west as has been recommended by the DPW tonight to avoid the sanitary sewer easement underneath, and consider providing pedestrian access along it.
4. Applicant shall provide improved pedestrian access from Route 31 to the store entrance, perhaps along that center aisle or along one of the sides of the main parking lot as per the discussion tonight.
5. Signage is a separate application and no signs are being approved tonight. Applicant shall return to a future Planning Board meeting for all exterior signage.

6. Any unenclosed dumpsters anywhere on the site shall be removed from the property or enclosed with a proper dumpster enclosure to the satisfaction of CED/DPW.
7. Applicant shall show the location of the emergency generator on the final plans and add a note as to the type of generator on the final plans.
8. Applicant shall add the variances and the date(s) granted by the Zoning Board of Appeals to the final plans.
9. Applicant shall add the Special Use Permit and the date granted by the Town Board to the final plans.
10. Any rooftop mechanicals must be removed from the roof or provided with rooftop mechanical screening according to the Town Code and to be shown on the final elevations.
11. Applicant shall add a standard signature block to the final plans.
12. The green space for this project, at approximately 24% shall remain the same at approximately 24%, which is beneath Code, however the Planning Board is waiving that as a part of the Development Area with the justification that the applicant is improving the environmental conditions on the site as described by the Conservation Board this evening. Applicant to add a note to the final plans with this information.

Motion carries 4 – 0.

The Planning Board deferred 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, for plans received by the Town on 3/28/14, subject to the following conditions:

1. Until such time as the conditions of preliminary are satisfied.

He acknowledges receipt of the most recent set of comments from the DPW, and he reviewed how he feels that their conditions have been met, as well as conditions of approval from the Planning Board. He acknowledges that signage is a separate application; they will also require variances, due to size and setback. They met with Town staff and site plan review committee in person/phone to discuss sidewalk. He understands that Mr. Gardner feels that the sidewalk could be better than what they are proposing. He states that dumpsters in the back of Wegmans are self enclosed and there is no need for enclosures. The generator location is noted and is a gas generator. He states that the rooftop mechanicals are already screened by parapets on the west, south, and east. From the north, from at least the 2nd story of Georgetown homes; there is no way to hide the roof and therefore no way to hide the units. The green space shall remain the same. He submits into the record a smaller version of the site and pavement marking plan that is marked up and rooftop sight line sections. The intent is to show how the rooftops are screened by the parapets. He reviewed this information with the Board.

Mr. Anderson asked for the height of AA, and the applicant states 8' in height. Mr. Anderson feels that will be seen. Mr. Pires states that it is set far back. Mr. Anderson inquires if the penthouses are going, and the applicant states yes.

Mr. Anderson asked for questions or comments from the Conservation Board, and there were none. Mr. Rainis thanks the applicant for their cooperation.

Mr. Doser asks the applicant to describe the self-contained dumpster unit. The applicant states that there are two; one is a compactor and the other is a dumpster. It is a box; enclosed on the top; the outside end, and two sides. They back a trailer up to the door and you don't see anything in the store. Mr. Doser asked if there is any possibility of debris coming out of there, and the applicant states no. Mr. Doser states that it seems to meet the requirements of the Code for shielding and screening. As to rooftop mechanicals that are required to be screened from ground view; he asks the applicant if it is contention that they are screened on all sides. The applicant states yes; with the exception of the north side as it is a higher elevation. There is landscaping to help break it up. Mr. Doser inquires how much protrudes out. The applicant states it does not protrude out. Mr. Doser states that it seems to meet the spirit of Town Code for rooftop mechanicals. CED is satisfied with pedestrian access.

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

DPW Comments:

General

1. A Letter of Credit estimate needs to be reviewed by the DPW. The approved amount needs to be provided in a Letter of Credit prior to obtaining final approval signatures.
2. The applicant has acknowledged that a Stormwater Maintenance Agreement must be signed for the subsurface storage facility being proposed for this project.
3. Confirm landscape plantings at the ends of parking aisles will allow visibility of driving corridors along storefront and along Route 31.
4. Revised handicap parking signage to say "Permit Required".
5. Label the proposed paving limits on the site plan.
6. Confirm that the proposed water quality unit has the ability to bypass the higher design storm events and not wash out trapped solids (SWPPP calculations propose a higher maximum design flow than the unit can handle according to the information supplied.)

CED Comments:

1. No further comments.

He thanks the applicant for working with Town staff to improve water quality and quantity. DPW is prepared to move forward.

Mr. Beck also thanks the applicant for working with Town staff.

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

Mr. Anderson asked for questions or comments from the audience. Mary Wagner, 26 Beacon Hill, inquired if the rooftop units' placement is similar to what exists today. Mr. Pires states that they will all be replaced and will be quieter than what exists today and will be located further away than they are today. Ms. Wagner inquired if the refrigeration units that run behind the store will keep running all the time. The applicant states that the turkey trailers are available as electric and they will do that, as they are quieter. The standard units are not electric. They are committed to the drivers turning off the cab engine and get in and out as quickly as possible. The long term units that sit there for a while are the turkey trailers and they will be electrical which are quiet. Ms. Wagner inquires about landscaping. The applicant states that a landscaping plan has been submitted to the Town which is on record. There is a mix of deciduous and evergreens. They are about 6' – 8'. Mr. Anderson states that the landscape plan is on file in the Town Hall and is available for public review.

Maureen Dell, 55 Georgetown Lane, states that in the past she has written a letter to the Board expressing concern over the noise coming from the loading docks. She inquires if the trash compactor and a dumpster will be additional to what exists today. The applicant states that the existing green unit will be replaced with this unit that will be pushed up against the building and fed from within the building, so that eliminates the opening and closing from the exterior. Ms. Dell inquires when it will be emptied; that will have to be from the outside. Mr. Pires states that they will be emptied during the day and not at night. Ms. Dell states that the trucks run all the time; not just during holiday time. The applicant states that should not be happening. He urges her to call him directly or call the Town to report when that happens and he will correct it. She thanks Wegmans for being a good neighbor in general. Mr. Pires states that the night deliveries will be reduced to 3 or 4 from 6. He means overnight from midnight to 6 AM. They are committed to that being reduced to 3 or 4 and may have already started that; if not it will be very soon.

Judith McNulty, 647 Thayer Road states that she feels that lane reduction is a big mistake and will cause a lot of problems.

Mr. Anderson supports the project. He feels that Wegmans is a strong corporate citizen and he looks forward to this expansion of Wegmans. Improvements to the parcel include noise mitigation and is a big improvement to what exists today. The work on the watershed drainage improvement is a big benefit to the Town. He counted over 97 trees and 500 shrubs proposed on the landscaping plan. He states that Town Code requires that rooftop mechanicals be screened. He is concerned about the view from Georgetown. He feels that removing the two penthouse units will be a big improvement as those are big eyesores. He understands that putting a fence in front of it will still show the fence. He feels that the pedestrian access that is being proposed is a big improvement. This is an existing business on the site, and if it was new and there was no building on the site, they would do things differently, but have to work with the site the way it stands today. It is not perfect, but does allow pedestrians to get to the site. Crossing Route 31 is a big barrier. He is prepared to go forward. He feels that this is in the spirit of the Comp. Plan.

Mr. Lewis feels that the trees break up the massiveness of the parking lot. He likes the sidewalk along Valley Creek. Mr. Pires states that they have narrowed the pavement to 30' from 35'. Mr. Lewis is prepared to go forward.

Mr. Brasley supports the project and is prepared to go forward.

Mr. O'Brien thanks the applicant. He likes the project, however does not support the clock tower. He doesn't feel it is necessary.

Mr. Antonelli supports the project. He feels that pedestrian access is adequate; not ideal, but ok. He is ok with the explanation for not having rooftop screening. He inquires where the generator is on the site plan. Mr. Pires points it out. Mr. Antonelli would like to see dumpster detail. Mr. Pires states that Town staff has it. Mr. Antonelli expresses concern with narrowing the drive aisles; he understands it meets Code, but doesn't like it.

Mr. Gardner feels that pedestrian access should be addressed now while Wegmans is in front of the board. This is not a big request in the scheme of things. He expresses concern about the access road by Wendy's. It is not safe now; and the Town should look at making it safer. He feels that the Town should insist on this. People will walk the way they walk; where are people coming from and where are they going. The Town Comprehensive plan calls for this. There are large trees there now that make it unsafe for pedestrians. Wegmans Healthy Steps program calls for walking. It is not cumbersome or unjustified for the Town to ask for this. There are 70 units going in across the street and this site should be pedestrian friendly. They would just need to make some minor adjustments for a major improvement for pedestrian safety and access to the site. Mr. Gardner states that 5' – 6' Colorado spruce trees going in by Georgetown are not going to be significant in height for 20 years, and feels that would benefit Georgetown residents.

Ms. Neu questioned how they could hold to the green space if they are adding sidewalks. The applicant states that landscaped islands count as green space. Ms. Neu inquires where the elevations are. The applicant states that he will work with Town staff offline on those; they are still working on them. Mr. Anderson states that site plan approval requires approval of elevations; all four sides. It can be a condition of approval to work with the site plan sub-committee. Mr. Place states that if no consensus is given at that time, the applicant will have to come back to the Planning Board for site plan approval for the elevations. He asked when the elevation would be finalized. The applicant states that it will be this week. Mr. Doser states that the Town Board approved elevations as part of Special Use Permit. Mr. Anderson states that it will need to be finalized elevations of all four sides that the Planning Board review.

Mr. Pires states that Monroe County Pure Waters won't sign off because the plumbing plan is not complete yet. They are willing to proceed at their own risk and asks the Town to allow them to proceed at their own risk.

Mr. Anderson asked for questions or comments from the audience, and there was nothing further.

Mr. Anderson made a motion to grant 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, for plans received by the Town on 6/12/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.

2. Expansion not to exceed 31,300 sf for a grand total of the completed store not to exceed 122,000 sf.
3. Signage is a separate application and no signs are being approved tonight. Applicant shall return to a future Planning Board meeting for all exterior signage.
4. Applicant to include details for any new and/or improved dumpsters and/or trash compactors to the final plans to the satisfaction of CED/DPW.
5. Applicant shall add the variances and the date(s) granted by the Zoning Board of Appeals to the final plans.
6. Applicant shall add the Special Use Permit and the date granted by the Town Board to the final plans.
7. Applicant shall add a standard signature block to the final plans.
8. Applicant shall contact the Town to establish a meeting with the Planning Board site plan sub-committee to review the final building elevations and to obtain approval from the sub-committee. Final elevations to be submitted to the Town with the final plans.
9. The green space for this project, at approximately 24% shall remain the same at approximately 24%, which is beneath Code, however the Planning Board waived that as a part of the Development Area at the time of preliminary site plan approval on 5/21/14.
10. The applicant to work with the Town staff and adjoining neighbors to review landscaping plan and make any adjustment necessary to ensure optimal screening be achieved as soon as possible by either additional landscaping or changes in size of the specimens being proposed.

Mr. Brasley seconds the motion.

Motion carries 6 – 1, with Mr. Gardner opposed.

Sign

Lollypop Farm Campus – 99 Victor Road

Mr. Anderson again called for the applicant, and no one was present. Mrs. Stid states that the applicant was unsure if they would be able to make this meeting or not tonight and understood that the next available date for meeting would be on 7-16-14.

Mr. Brasley made a motion to defer decision for sign application submitted to the Town on 5/23/14 until such time as the applicant can appear at the meeting. This application is tentatively scheduled for 7-16-14, providing the applicant is able to appear at this meeting.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

Discussion:

ZBA – 6/23/14

The Board reviewed the requests before the ZBA and Mr. Antonelli will write written recommendation to the ZBA based on the discussion.

Minutes:

5/21/14

Mr. Brasley made a motion to approve the minutes of 5/21/14 as submitted.

Mr. Lewis seconds the motion.

Motion carries 4 – 0, with 3 abstentions due to absence of Messrs. Anderson, O'Brien and Antonelli.

6/4/14

Mr. Lewis made a motion to approve the minutes of 6/4/14 as submitted.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

There being no further business before the Board, the meeting adjourned at 9:05 PM.

Respectfully Submitted,

Lori L. Stid, Clerk