

**Minutes of the Town of Perinton
Planning Board Meeting of December 4, 2013**

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

Robert Salmon
Andrew Rodman

Town Officials Present

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

Absent

Thomas Beck, Commissioner, DPW

Mr. Anderson called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures. He states that Be Walters Retail application has been rescheduled to 1/15/2014.

New Application(s):

Hynes Accessory Garage. Eric Hynes, owner of property located at 388 Loud Road, requesting preliminary and final site plan approval to construct a 50 X 50 accessory garage in a Residential Sensitive District.

Presenter: Eric Hynes
Zoned: Residential Sensitive

Mr. Hynes presented his application to the Board. He is proposing a 50' X 50' accessory garage on his property of 4.86 acres. He states that he received approval from the Zoning Board of Appeals on 4/22/13 (see below)

The Zoning Board of Appeals has granted a variance of the Town of Perinton Zoning Ordinance Section 208-38 B (1) and Section 208-14 R (1), to allow to allow a second garage (detached) on the property instead one garage, and further to allow the second garage to be 2500 sq. ft. instead of 600 sq. ft. and 33' 4" in height instead of 20 feet, subject to the following conditions:

- 1. Subject to the applicant receiving site plan approval from the Planning Board.**
- 2. A building permit is to be issued with one year of site plan approval. . If you do not obtain your building permit prior to this date, the variance is null and void. If you decide that you are no longer going through with the proposal that required the variance on the property, please notify the Town (Zoning Board of Appeals Clerk) in writing of your decision, and we will mark the variance null & void.**
- 3. This structure is to be used for storage only and not as living space.**
- 4. Applicant to build as per elevations submitted.**
- 5. Flow of downspouts to be determined at time of site plan approval.**

He states that he plans to use the building for storage and to work on restoring cars. It is located on the south side of his property with the garage doors facing the existing garage doors. He has no plans at this time to use this building for any residential purpose.

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

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Salmon states that the location is flat. The only question that they have is the treatment of stormwater, and it is their understanding that it will be directed to a swale which will direct it to a pond. The applicant states that it may go right to the pond.

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

- 1. The application does not show any bathroom facilities to be provided within the proposed two story structure. If any are to be provided it should be so noted and shown on the Site Plan**
- 2. Roof drains should be directed to the swale along the driveway draining towards the pond.**
- 3. Show silt fence to be installed down slope of the area which will be disturbed when digging the foundation.**
- 4. Any proposed changes to the existing grades needs to be shown on the Site Plan.**

The applicant states that there are no plans for a bathroom. He will add silt fence on the westerly side just before the pond.

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

1. **On April 22nd, 2013, applicant received two variances to add a second garage that is oversized.**
2. **Garage should be principally used for storage and not for living space.**

Mr. Anderson asked for questions or comments from Attorney Place. Mr. Place states that this is considered a type II SEQR action. The applicant received the necessary area variance in April 2013, conditioned on constructing the garage according to the elevations he provided and limiting the use of the garage to storage.

Ms Neu has no questions or comments.

Mr. Gardner asks if there will be any floor drains. The applicant states maybe. He understands that he would need to be an oil separator in for that. This will all be determined on cost. He is not putting a floor in right now, other than a stone floor.

Mr. Antonelli has no questions or comments and supports the request.

Mr. O'Brien supports the request.

Mr. Brasley feels it will look very nice and he is in favor of this request. There is plenty of land for a structure this size.

Mr. Lewis states that there is plenty of land and it sits back as far as the house. He supports the use of storage and the applicant working on cars.

Mr. Anderson feels it will be very attractive. This is a large lot and can support a structure of this size. He inquires if the applicant is proposing any residential use. The applicant states that he has no plans for that right now. Mr. Anderson states that if the applicant changes his mind and wishes to use it or a part of it as residential, that would require Town approval. No SEQR is required as this is Type 2.

Mr. Lewis made a motion to grant preliminary site plan approval to construct a 50 X 50 accessory garage in a Residential Sensitive District for plans received by the Town on 10/30/2013, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. This structure; neither the 1st floor nor the 2nd floor is to be used as living space.
3. Roof drains should be directed towards the pond.
4. The existing plans do not show any floor drainage. If the applicant decides that he wishes to put in floor drainage in the future, it is subject to review and approval by CED/DPW.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

Mr. Lewis made a motion to grant final site plan approval to construct a 50 X 50 accessory garage in a Residential Sensitive District for plans received by the Town on 10/30/2013, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. This structure; neither the 1st floor nor the 2nd floor is to be used as living space.
3. Roof drains should be directed towards the pond.
4. The existing plans do not show any floor drainage. If the applicant decides that he wishes to put in floor drainage in the future, it is subject to review and approval by CED/DPW.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

Pended Application(s):

Be Walters Retail Development. Parrone Engineering, as agent for Mamason's Perinton, LLC (Le Thi Be Walters), owner of properties located at:

721 Pittsford-Victor Road - 179.10-1-44
725 Pittsford-Victor Road - 179.10-1.43;
735 Pittsford-Victor Road- 179.10-1.42;
741 Pittsford-Victor Road - 179.10-1.41;
747 Pittsford-Victor Road - 179.10-1.40;
751 Pittsford-Victor Road - 179.10-1.39;
6 Laird Lane - 179.10-1.45,

requesting final site plan approval for the conversion of the single family residence at 721 Pittsford Victor Road to office space, the existing Subway building to remain unchanged, the church building to be lowered with a rear addition to facilitate handicap access to the building, construction of a 2,577 s.f. restaurant facility with a pick-up window and seasonal outdoor seating area for 9 patrons, and construction of a 2,740 s.f. building for office/retail use.

Presenter: Edward Parrone, Parrone Engineering
Zoned: Commercial

rescheduled to 1/15/14

Discussion:

ZBA – 12/23/13

The Planning Board has no comments on the applications on this agenda.

Mr. Anderson states that the Planning Board meeting for 12/18/13 is cancelled. The Planning Board will next meet on 1/15/14.

Mr. Brasley made a motion to approve the minutes of 10/16/13 as submitted.

Mr. Lewis seconds the motion.

Motion carries 7 – 0.

There being no further business before the Board, the meeting adjourned at 7:43PM.

Respectfully Submitted,

Lori L. Stid, Clerk