

TOWN OF PERINTON    MONROE COUNTY    NEW YORK

In the Matter  
of

**HEARING MINUTES &  
DETERMINATIONS**

EXTENSION NO. 65 to PERINTON CONSOLIDATED SEWER  
DISTRICT NO. 8  
(Sunny Brook, Sandy Hill, White Oak Sanitary Sewers)

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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 January 24, 2018 at 7:30 p.m., local time, there were:

PRESENT:                    Supervisor Michael G. Barker; Councilpersons, Peg S. Havens,  
Joseph LaFay, Steven C. Van Vreede and Ciaran Hanna

ABSENT:                    None

ALSO PRESENT:        Jennifer A. West, Town Clerk, Eric Williams, Commissioner of  
Public Works and Robert Place, Town Attorney

The Supervisor called the hearing to order and stated that the purpose thereof was to consider the establishment of Extension No. 65 to Perinton Consolidated Sewer District No. 8 to include lands located along Sunny Brook Lane, Sandy Hill Drive and White Oak Lane in the northwest quadrant of the Town of Perinton. He stated that on January 3, 2018 he mailed letters to each of the residences in the proposed extension, advising them of the proposed extension and tonight's public hearing. Attached to that letter was the formal statement of estimated costs.

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. Report from Eric M. Williams, Commissioner of Public Works, recommending the creation of a new sewer district extension so that the lands along Sunny Brook Lane, Sandy Hill Drive and White Oak Lane in the northwest quadrant of the Town of Perinton could become part of Perinton Consolidated Sewer District No. 8.
2. Map, plan, and report, prepared by MRB Group dated November 2017 showing the location of each residence.

3. The Order for Hearing made by the Town Board on December 13, 2017.
4. The Affidavit of Publication of the The Post Serving Brighton, East Rochester, Fairport, Henrietta, Pittsford showing the publication of a certified copy of the Order for Hearing on January 11, 2018.
5. The Affidavit of Jennifer A. West, showing that a copy of the Order for Hearing and Estimated Costs were posted on the Sign Board maintained by the Town Clerk on January 11, 2018.
6. The report of Michael G. Barker, Supervisor, stating that on November 20, 2017 and January 3, 2018 he mailed to each resident, a letter advising them of the public hearing and enclosed a statement of Estimated Costs and a copy of the Order for Hearing.
7. A letter from Robert M. Place, Town Attorney, dated January 5, 2018 mailing a certified copy of the Order for Hearing to NYS Office of State Comptroller, as required by the rules and regulations of the State of New York, and enclosing a copy of the estimated costs for the proposed extension.

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 that this proceeding is on motion of the Town Board pursuant to Article 12-A of the Town Law. The adoption of a resolution for the creation of the sewer district extension will be subject to a permissive referendum, if such referendum is requested by proper petition filed with the Town Clerk within 30 days after the date of adoption of this resolution.

The Supervisor asked if there were any questions in regards to the formation of the District. There were none. The Supervisor declared the hearing closed and directed the Town Board to consider the evidence produced at the hearing and to take action on the map, plan and reports.

The members of the Town Board then examined the documents presented in evidence and considered the statements made at the hearing and after thorough discussion and due deliberation, the following Resolution was offered by Councilperson LaFay and was seconded by Councilperson Van Vreede.

WHEREAS, the Board has examined the map, plan and report prepared by MRB Group, the proofs of posting and publication, the recommendation of the Perinton Conservation Board 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 Town has reviewed the potential environmental effects of the project and has complied with the requirements of the State Environmental Quality Review Act (SEQRA),

NOW THEREFORE, IT IS DETERMINED AS FOLLOWS:

1. The Order for Hearing was posted and published as required by law.
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's interest to establish said Extension as described in the map, plan, and report.
5. That the maximum amount to be expended for the construction of said sewer system with all necessary appurtenances for the operation thereof is estimated to be \$2,100,000 and that the cost of construction of said improvements by the issuance of bond anticipation notes and bonds, the principal and interest of which are to be repaid in annual installments by the entire are comprising Perinton Consolidated Sewer District No. 8.
6. The proposed Extension was processed as an Unlisted SEQRA action. The temporary disturbance of soils and vegetation will be more than offset by the long term benefits of eliminating septic systems on developed lots.
7. The area to be established as Extension No. 65 to Perinton Consolidated Sewer District No. 8 is described as follows:

**EXTENSION No. 65  
TO  
PERINTON CONSOLIDATED SEWER DISTRICT No. 8  
TOWN OF PERINTON, MONROE COUNTY, NEW YORK**

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Perinton, County of Monroe and State of New York, as shown on a map entitled " Extension No. 65 to the Town of Perinton, Consolidated Sewer District No. 8, Map and Plan" prepared by MRB/group and dated 10/2017, and bounded and described as follows:

**PARCEL 1**

Beginning at the intersection of the existing easterly boundary of Tax Map Parcel 165.07-1-74 with the existing southerly boundary Tax Map Parcel 165.05-2-74; thence.

1. Westerly, along the last mentioned southerly boundary a distance of 1388.7'± to a point at its intersection with the existing westerly boundary of Tax Map parcel 165.07-1-63; thence
2. Southerly, along the last mentioned westerly boundary and also along the existing westerly boundaries of Tax Map Parcels 165.07-1-93, 165.07-1-91 and 165.07-1-92 a distance of 552.4'± to a point at its intersection with the existing southerly boundary of Tax Map Parcel 165.07-1-92; thence
3. Easterly, along the last mentioned southerly boundary and also along the existing southerly boundary of Tax Map Parcels 165.07-1-90, 165.07-1-89, 165.07-1-88, 165.07-1-87, 165.07-1-86, 165.07-1-85, 165.07-1-84, 165.07-1-83, 165.07-1-82, and 165.07-1-81, a distance of 1276.3'± to a point at its intersection with the existing westerly boundary of Tax Map Parcel 165.07-1-80; thence
4. Northerly, along the last mentioned existing westerly boundary a distance of 254.4'± to a point at its intersection with the existing southerly boundary of White Oak Lane; thence
5. Easterly, along the last mentioned southerly boundary a distance of 104.7'± to a point at its intersection with the existing easterly boundary of Tax Map Parcel 165.07-1-80; thence
6. Northerly, crossing the existing right of way of White Oak Lane a distance of 61.6'± to a point at its intersection with the existing northerly right of way of White Oak Lane said point also being the existing southeasterly corner of Tax Map Parcel 165.07-1-74; thence
7. Northerly, along the existing easterly boundary of Tax Map Parcel 165.07-1-74 a distance of 236.0'± to the point and place of beginning.

## **PARCEL 2**

Beginning at the intersection of the existing westerly boundary of Tax Map Parcel 152.19-2-26 with the existing southerly highway boundary of Sandy Hill Drive; thence

1. Southerly, along the last mentioned westerly boundary a distance of 255.8'± to a point at its intersection with the existing southerly boundary of Tax Map Parcel 152.19-2-26; thence
2. Easterly, along the last mentioned southerly boundary and also along the existing southerly boundary of Tax Map Parcels 152.19-2-25, 152.19-2-24, 152.19-2-23,

152.19-2-22, 152.19-2-21, 152.19-2-20 and 152.19-2-19 a distance of 854.8'± to a point at its intersection with the existing easterly boundary of Tax Map Parcel 152.19-2-19; thence

3. Northerly, along the last mentioned easterly boundary and also along the existing easterly boundary of Tax Map Parcel 152.19-2-18 a distance of 414.3'± to a point at its intersection with the existing northerly boundary of Tax Map parcel 152.19-2-18; thence
4. Westerly, along the last mentioned existing northerly boundary and also along the existing northerly boundary of Tax Map Parcels 15.19-2-17, 152.19-2-16 and 152.19-2-15 to a point at its intersection with the existing easterly highway boundary of Sunnybrook Lane; thence
5. Northerly, along the last mentioned existing easterly highway boundary a distance of 491.5'± to a point at its intersection with the existing southerly boundary of Tax Map Parcel 152.15-2-14; thence.
6. Along the last mentioned existing southerly boundary of Tax Map Parcel 152.15-2-14 the following five (5) courses and distances.
7. Easterly, a distance of 64.0'± to a point; thence
8. Southerly, a distance of 35.0'± to a point; thence
9. Easterly, a distance of 10'± to a point; thence
10. Northerly, a distance 18.9'± to a point; thence
11. Easterly, a distance of 12.8'± to a point at its intersection with the existing easterly boundary of Tax Map Parcel 152.15-2-14; thence
12. Northerly, along the last mentioned existing easterly boundary a distance of 142.5'± to a point at its intersection with the existing northerly boundary of Tax Map Parcel 152.15-2-14; thence
13. Westerly, along the last mentioned existing northerly boundary a distance of 318.8'± to a point at its intersection with the existing westerly boundary of Tax Map Parcel 152.15-2-14; thence
14. Southerly, along the last mentioned existing westerly boundary a distance of 126.8'± to a point at its intersection with the existing northerly boundary of Tax Map Parcel 152.19-2-13; thence

15. Westerly, along the last mentioned existing northerly boundary a distance of 5.0'± to a point at its intersection with the existing westerly boundary of Tax Map Parcel 152.19-2-13; thence
16. Southerly, along the last mentioned westerly boundary and also along the existing westerly boundary of Tax Map Parcels 152.19-2-12, 152.19-2-11, 152.19-2-10 and 152.19-2-9 a distance of 486.1' to a point at its intersection with the existing northerly boundary of Tax Map Parcel 152.19-2-7; thence
17. Westerly, along the last mentioned existing northerly boundary a distance of 65.5'± to a point at its intersection with the existing westerly boundary of Tax Map Parcel 152.19-2-7; thence
18. Southerly, along the last mentioned existing westerly boundary a distance of 103.3'± to a point at its intersection with the existing northerly boundary of Tax Map Parcel 152.19-2-7; thence
19. Westerly, along the last mentioned existing northerly boundary a distance of 14.4'± to a point at its intersection with the existing northerly highway boundary of Sandy Hill Drive; thence
20. Southwesterly, crossing the existing highway right of way a distance of 67.2'± to a point at its intersection with the existing southerly boundary of Sandy Hill Drive, said point also being the point and place of beginning

The foregoing described lands are shown on a map entitled Extension No. 65 to Perinton Consolidated Sewer District No. 8, prepared by MRB Group, competent engineers duly licensed by the State of New York showing the boundaries of the proposed Extension No. 65 to Perinton Consolidated Sewer District No. 8, and providing for the transmission of sewage 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. The proposed map shows whether sewer service is provided to neighboring lots to the proposed extension.

8. That Extension No. 65 to Perinton Consolidated Sewer District No. 8 is hereby established, as of this date, to include the real property described in paragraph 7 above.
9. That pursuant to the requirements of Section 90 of the Town Law, that within ten (10) days after the adoption by the Town Board of this resolution establishing said Extension the Town Clerk shall give notice thereof, at the expense of the Town, by the publication of a notice in

The Post Serving Brighton, East Rochester, Fairport, Henrietta, Pittsford, a newspaper regularly published in Monroe County and having general circulation within the proposed Extension. In addition, the Town Clerk shall post, or cause to be posted, on the bulletin board in her office a copy of such notice. Such notice shall set forth the date of adoption of the resolution and contain an abstract of such resolution, describing the general terms, the proposed Extension and that such resolution was adopted subject to a permissive referendum.

On roll call, directed by the Supervisor, the following votes were recorded:

AYES:           Barker, LaFay, Havens, Van Vreede, Hanna

NAYS:           None

Whereupon the Supervisor declared the foregoing determination and resolution of approval of the creation of Extension No. 65 of to Perinton Consolidated Sewer District No. 8 is adopted.