

FINAL REPORT

LAND USE STUDY

FOR

PORTION OF BUSHNELL'S BASIN

TOWN OF PERINTON, NY



D.J. Parrone & Associates, P.C.

Consulting Engineers • Land Surveyors • Planners

400 Whitney Road; Penfield, New York 14526 • Phone: (716) 586-0200 Fax: (716) 586-6752

December 18, 2001

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I. INTRODUCTION

The "Bushnell's Basin" hamlet, which is located in the southwestern part of the Town of Perinton, has had a noticeable change over the past eighteen years, since the Basin Community plan was adopted in February of 1983. Over these past years, the hamlet has grown into a "charming canal early 19th Century" center for business and commerce. Many of the developments have met the expectations of the Basin Plan.

The purpose of this study is to take "a fresher" look at parcels that may need to be rezoned and/or rethought in order for them to fulfill the original plan to complete the area as a thriving business center.

Planned growth has not been as difficult to achieve in Bushnell's Basin development as once was perceived. An example is the recently approved reconstruction project for the C-store at the intersection of Marsh Road and Route 96. In order to complete the plan for a successful community, it is essential to have a program to identify the major actions that need to be taken. These actions can be carried out by the proper infusion of private investment and the enactment of appropriate zoning for the area.

II. INVENTORY AND ANALYSIS

A. STUDY AREA:

The Bushnell's Basin area is located in the southwestern portion of the Town of Perinton, refer to Figure 1. Despite its geographic location at one corner in the Town, the Basin has become a neighborhood center for residences and businesses in Perinton and neighboring Pittsford.

This study is primarily restricted to parcels on both sides of NYS. Route 96 south of Kreag Road and the Steamer Parcel off Kreag Road.

B. EXISTING DATA ON PARCELS UNDER STUDY:

Property Owner	Address	Tax Acct. No.	Zoning	Area	Structures
Richard Steamer	Kreag Rd.	179.100-0001-008	L.C.	4.48 acres	vacant
Newcomb Prop. LLC	672 Kreag Rd.	179.100-0001-026	R.B.	.30 acres	vacant
Krym, Victor & Jean	716 Pittsford-Victor Rd.	179.100-0001-027	R.B.	.26 acres	
Babigian, Haroutum & Alice	720 Pittsford-Victor Rd.	179.100-0001-028	R.B.	.50 acres	
WFT Cape LLC	732 Pittsford-Victor Rd.	179.100-0001-029	R.B.	.50 acres	
Heinle, Ronald N.	740 Pittsford-Victor Rd.	179.100-0001-030	R.B.	.50 acres	
Brace Yourself L.L.C.	748 Pittsford-Victor Rd.	179.100-0001-031	R.B.	1.20 acres	
Walters, Joseph W Jr.	751 Pittsford-Victor Rd.	179.100-0001-039	C	.30 acres	1550 SF
Walters, Joseph W Jr.	747 Pittsford-Victor Rd.	179.100-0001-040	C	.25 acres	1290 SF
Walters, Joseph W Jr.	741 Pittsford-Victor Rd.	179.100-0001-041	C	.25 acres	1020 SF
Walters, Joseph W Jr.	735 Pittsford-Victor Rd.	179.100-0001-042	C	.42 acres	
Walters, Joseph W Jr.	725 Pittsford-Victor Rd.	179.100-0001-043	C	.50 acres	
Newcornb Properties LLC	721 Pittsford-Victor Rd.	179.100-0001-044	C	.25 acres	1178 SF

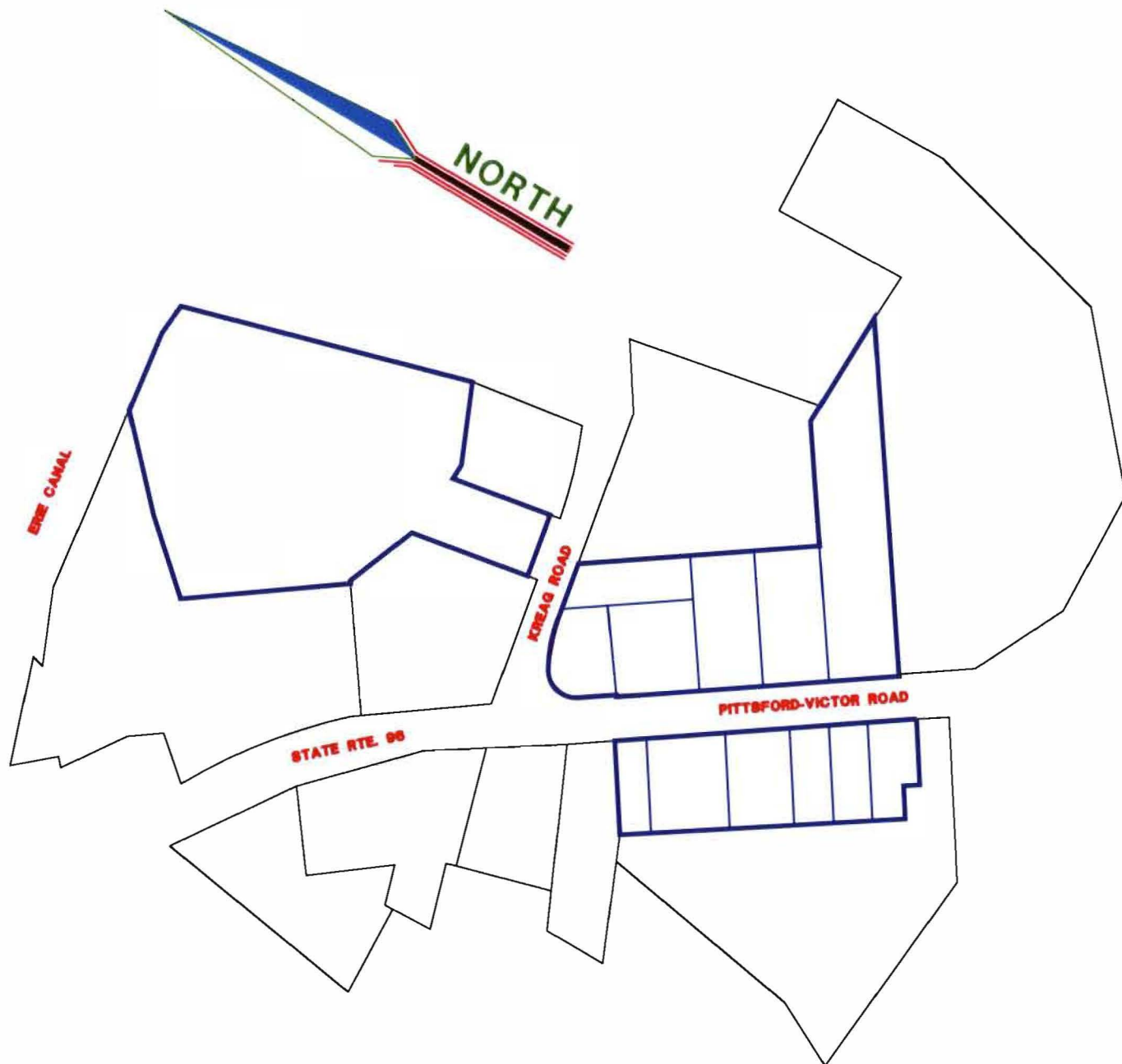


FIGURE 1
STUDY AREA
FOR:
PROPERTIES WITHIN THE
BUSHNELLS BASIN HISTORICAL DISTRICT

SITUATE IN:
TOWN OF PERINTON MONROE COUNTY NEW YORK
SCALE: 1" = 200'± DATE: SEPT. 19, 2001



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C. EXISTING ZONING REQUIREMENTS:

Within the study area there are three existing zoning classifications, which include the following size requirements:

<u>Classification</u>	<u>Lot Size</u>	<u>Setbacks</u>			<u>Lot Coverage</u>
		<u>Front</u>	<u>Side</u>	<u>Rear</u>	
Restricted Business	40,000SF min lot width 200'	85'	30'	30'	30%
Commercial	40,000SF min lot width 200'	85'	30'	30'	30%
Limited Commercial	20,000SF min lot width 100'	70'	30'	30'	75% (all features)

Refer to appendix A Perinton zoning code for uses allowed in each district.

D. UTILITIES:

The study area is presently served by Monroe County Water Authority, Rochester Gas & Electric, Town of Perinton Sanitary Sewers and Frontier Telephone. There is adequate capacity for any anticipated development. Storm sewers are limited and storm drainage will need to be addressed as projects come forward for development.

E. COMMUNITY APPEARANCE:

Community appearance was a very important issue in the 1983 study and it remains an important neighborhood issue of identity and image. Indeed, first impressions often determine if motorists or pedestrians will stop to do business. The basin's vitality has proven very positive and therefore the parcels under study must be given an opportunity for development to maintain that positive impression.

The Bushnell's Basin area has refaced itself many times over and presents itself as a clean, robust, thriving business community. It also provides for a friendly atmosphere in a human scale. With further development of this study area, *these characteristics should be retained.*

III. GOALS AND OBJECTIVES

In order to set a recommendation for rezoning of these parcels under study, it is necessary to explicitly identify the goals and objectives of the study.

A. GOALS:

As valid as they were eighteen years ago, the goals are:

Goal 1: Enhance the charming attractiveness of Bushnell's Basin area and create a "center."

Goal 2: Improve the physical environment of the Bushnell's Basin area.

B. OBJECTIVES:

The objectives below provide more explicit direction on what should be done to attain each goal for rezoning.

Goal 1: Enhance the charming attractiveness of Bushnell's Basin to create a "center."

1. Encourage a mixture of retail, professional and service uses which are mutually complementary.
2. Preserve those resources, which combine to give the Bushnell's Basin area its unique character.
3. Protect the integrity of the historic resources of the Bushnell's Basin area where possible.
4. Encourage the adoption of zoning changes that respect the specific characteristics of the Basin.
5. Insure proper screening and/or buffering from residential districts.

Goal 2: Improve the physical environment of the Bushnell's Basin area.

1. Provide proper storm drainage facilities to improve water quality in the area.
2. Rehabilitate deteriorated structures for business purposes where possible.
3. Provide effective barriers or landscaping to delineate the road pavement from walkways and parking.

IV. RECOMMENDED ZONING CHANGES

A. CONCLUSIONS:

The thirteen parcels under consideration for rezoning range in size from 0.25 acres to 4.48 acres and they currently fall in three zoning classifications (Restricted Business, Limited Commercial and Commercial). With the exception of the 4.48 acre parcel owned by Mr. Richard Steamer off Kreag Road, all the parcels would need area variances of some kind in order for them to be developed under their present zoning classification.

There is no provision for pedestrian access along Pittsford-Victor Road and Kreag Road. Each parcel has its own drive access, which will cause traffic safety impacts if the parcels are developed to their fullest capabilities.

Some of the existing buildings, especially those at the eastern end on the south side of Pittsford-Victor Road, do not meet the community appearance and historical significance that the Basin exemplifies.

The existing traffic moves relatively unimpeded during most of the day. There are some delays during peak commuting times of 7-9 AM and 4-6 PM daily. It is our opinion that the improvements made to Pittsford-Victor Road (Route 96) and turning lanes at the intersections of Route 96 and Marsh Road, and Route 96 and Kreag Road, have been very beneficial.

B. RECOMMENDATIONS:

The Tax account parcel 179.100-001-008, which is owned by Mr. Richard Steamer, should remain limited commercial but we recommend that the conditions for the rezoning back in 1990 should be removed. Specifically, the rezoning conditions included specific uses for each building and area size requirements for each building. We make this recommendation because the original concept has been abandoned and we believe that the existing Limited Commercial zoning requirements allow for the goals and objectives in the Bushnell's Basin plan to be met.

The remaining twelve parcels in the study area are presently zoned restricted business or commercial. Based on our analysis and conclusions, we are recommending a new zoning classification that would be labeled "Neighborhood Commercial" for the remaining twelve parcels. This new zoning classification would be very similar to Limited Commercial but would be more aligned to the goals listed previously and would reduce the amount of variances needed for each parcel. The following would be the new classification:

1. The intent would be same as Limited Commercial.
2. Uses permitted the same as Limited Commercial.

3. Restrictions the same as Limited Commercial with the following modifications:

- a. Lotsize: minimum width 60 feet and minimum area 11,000 square feet.
- b. Setbacks: 50 feet front; 5 feet one side, total 30 feet side; rear setback 30 feet.
- c. Total lot coverage of impervious surfaces shall be a maximum of 75%.
- d. Parking:

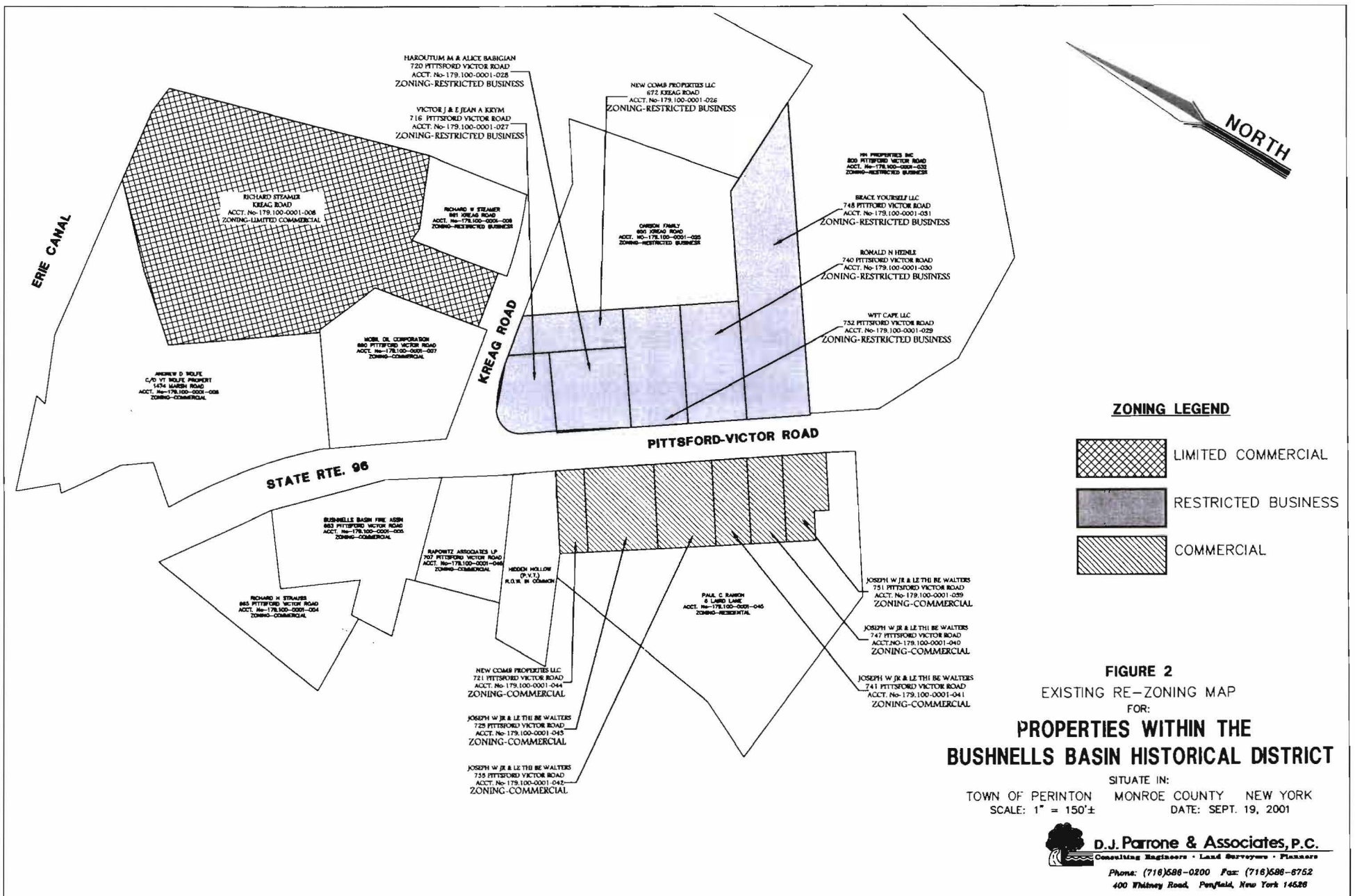
commercial and office space	1 space / 250 GLFA
restaurant	1 space / 3 patrons.

4. Design Guidelines:

During the review of the site plan by the Planning Board, the following design guidelines shall be considered and may be made conditions of the approval, where applicable:

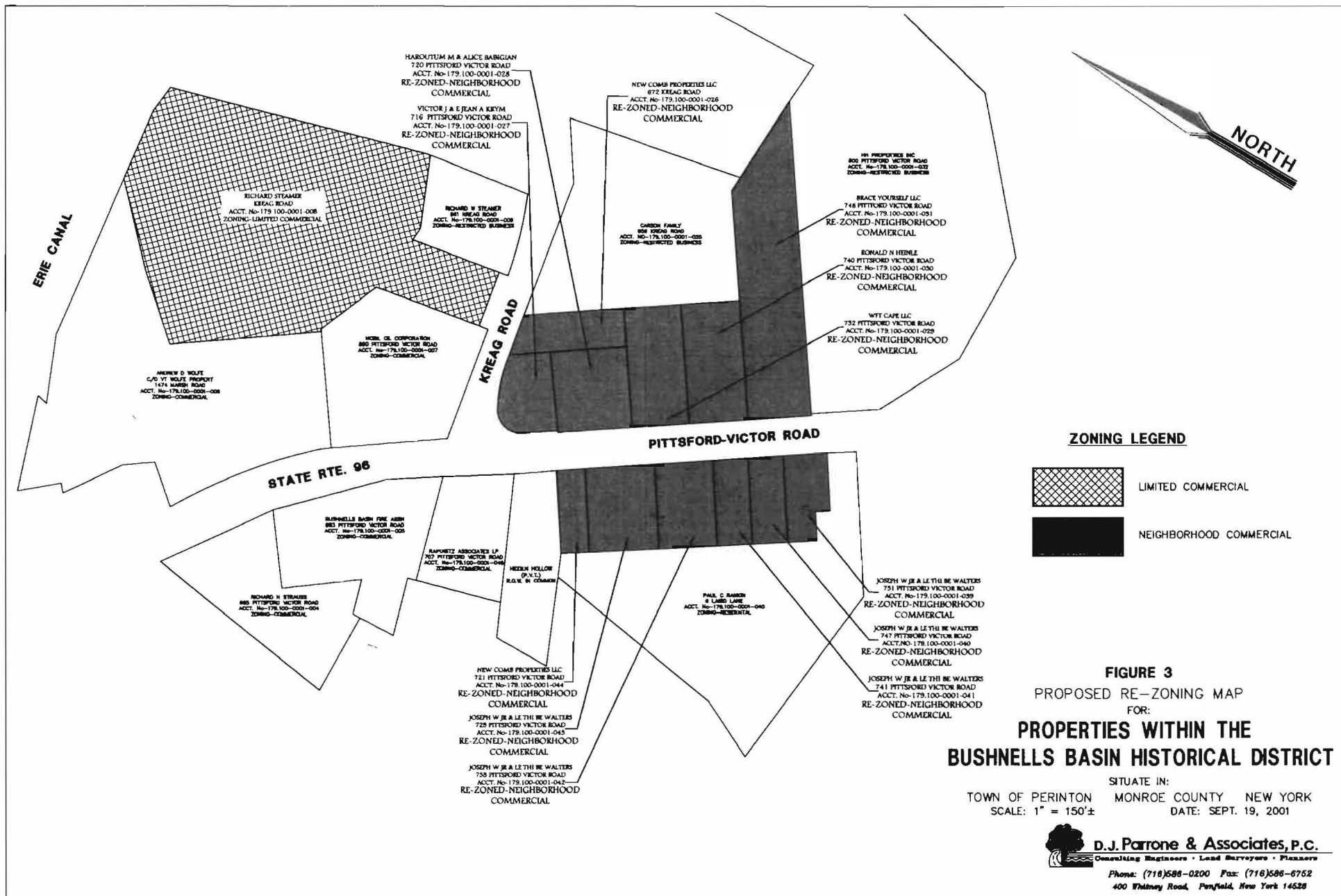
- a. Joint access with contiguous parcels shall be encouraged. Access points to the public highways shall be spaced no closer than 150 feet (edge to edge).
- b. Sidewalks shall be provided along highway and shall meet the Town of Perinton's design specifications and the appropriate easements shall be conveyed to the Town.
- c. No nonresidential use shall be established by the conversion of any structure or premises originally designed for a residential use unless the existing residential character of the building shall be retained. This applies to structures that are deemed historically significant by the Perinton Historic Commission.

We believe, with the rezoning of these parcels to this new classification, Bushnell's Basin has a great opportunity to be completed as originally planned, as a "Charming Center" for business to the surrounding neighborhood.



SEE "LAND
USE STUDY"
APPENDIX
A-1 FOR
FULL SIZE
MAPS





APPENDIX A

- (3) Any construction requiring an area variance, except that a variance for an accessory building not more than 400 square feet will not require a site plan. **[Amended 8-11-1993 by L.L. No. 10-1993]**
 - (4) Any construction or activity which will encroach upon a Limited Development District.
 - (5) Construction of a deck or addition to an existing deck when the new construction is greater than 500 square feet.
- I. Preexisting nonconforming lots. Nonconforming lots in existence or having received preliminary subdivision approval by the Planning Board shall be eligible for development. The setbacks applied to these lots shall be those of the residential district lot size which most closely approximates the size of the preexisting nonconforming lot.³

ARTICLE VII

Restricted Business, Industrial and Commercial Districts

§ 208-39. Restricted Business District.

- A. **[Amended 10-26-1994 by L.L. No. 7-1994; 9-23-1998 by L.L. No. 2-1998]** Uses permitted in the Restricted Business District. The following uses shall be permitted when conducted within a completely enclosed building:
- (1) Administrative, banking, professional or executive offices, but not including retail sales, manufacturing or servicing of merchandise upon the premises and not including any use first permitted in any Commercial or Industrial District. Banks are permitted to have drive-in tellers if at least 10 reservoir spaces are provided for each drive-in teller's window.
 - (2) The following uses for treatment and care of human beings, including but not limited to medical buildings consisting of offices or clinics for physicians, osteopaths, dentists, chiropractors, chiropodists, podiatrists, opticians and optometrists.
 - (3) Public buildings and grounds. (See § 208-8, Definitions.)
 - (4) Meeting rooms for private clubs, lodges or fraternal organizations.
 - (5) Fire station and/or ambulance service headquarters.
 - (6) Hotels or motels (see § 208-45.)
 - (7) As an accessory use to any of the above, a restaurant, newsstand, barbershop, hairdresser, pharmacy, storage or other incidental personal service in connection with a permitted use, but only when conducted and entered from within the building, provided that no exterior display or advertising shall be made of such use.
 - (8) As an accessory use to any of the above, a club swimming pool, provided that such pool is located entirely within an enclosed building. Outdoor pools may be granted by

³ Editor's Note: Former Subsection J, Preexisting nonconforming lots, which duplicated the provisions of Subsection I and which followed this subsection, was repealed 2-12-1992 by L.L. No. 1-1992.

the Board of Appeals upon application for a special permit. The Board shall apply the provisions of § 208-54 hereof as well as any other standards deemed necessary or proper to protect neighboring properties.

- (9) Veterinary office, provided that there is no outside keeping of animals and adequate soundproofing is provided so that the ambient sound level at the property boundaries is not elevated more than 10 decibels on the a-weighted scale as measured at a fast response with an instrument satisfying the requirements of American National Standards Institute (ANSI) S1.2-1983 and a special permit is granted by the Board of Appeals. The Board shall apply the provisions of § 208-54 hereof as well as any other standards deemed necessary or proper to protect the neighboring properties.

B. Regulation of permitted uses shall be as provided in § 208-42 of this chapter.

§ 208-40. Industrial District.

A. Uses permitted. The following uses shall be permitted in the Industrial District:

- (1) Customary and ordinary industrial uses which are conducted wholly within the enclosed walls of a building, including warehousing, are permitted. Those uses of lands, buildings, structures or processes which may or shall be noxious, injurious or in any way harmful to persons or property by reason of the production or emission of dust, smoke, refuse, odor, gas fumes, noise, radiation, vibrations or similar circumstances or conditions are expressly prohibited. [Amended 2-8-1984 by L.L. No. 1-1984]
- (2) Hotels or motels. (See § 208-45.) [Amended 2-12-1992 by L.L. No. 1-1992]
- (3) All uses first permitted in a Restricted Business District.
- (4) [Added 8-28-1991 by L.L. No. 6-1991] A solid waste facility may be permitted upon obtaining a permit from the Zoning Board of Appeals as provided in § 208-21 of this chapter, provided that it meets the following criteria:
 - (a) The parcel is greater than 100 acres in size.
 - (b) The facility and related improvements are set back greater than 100 feet from any property line.
 - (c) Appropriate measures are taken to minimize the visual impact of any operational activities and equipment and dropoff facilities are provided along adjacent public roads.
- (5) Veterinary office, provided that there is no outside keeping of animals and adequate soundproofing is provided so that the ambient sound level at the property boundaries is not elevated more than 10 decibels on the A-weighted scale as measured at a fast response with an instrument satisfying the requirements of American National Standards Institute (ANSI) S1.2-1983. [Added 2-12-1992 by L.L. No. 1-1992]
- (6) Adult uses. [Added 7-26-1995 by L.L. No. 5-1995]

- B. Design criteria. The architectural treatment and general appearance of all buildings and grounds shall be of such quality of design as to be a visual asset to the area in which they are located. Such determination shall be made by the Planning Board. [Amended 10-13-1977 by L.L. No. 7-1977; 2-12-1992 by L.L. No. 1-1992]
- C. Landscaping. The front yard of all lots and the exterior side yard of a corner lot shall be landscaped and shall include the provision of vegetation of suitable levels of maturity to protect and enhance the overall quality of the environment. In the case of through lots where the rear or side yard is also visible from public highways or residential areas, similar requirements shall be imposed wherever appropriate.

§ 208-41. Commercial District. [Amended 10-13-1977 by L.L. No. 7-1977; 8-22-1984 by L.L. No. 2-1984; 9-14-1988 by L.L. No. 5-1988; 3-28-1990 by L.L. No. 2-1990; 8-28-1991 by L.L. No. 6-1991; 2-12-1992 by L.L. No. 1-1992; 10-26-1994 by L.L. No. 7-1994; 7-26-1995 by L.L. No. 5-1995; 9-23-1998 by L.L. No. 2-1998]

- A. Uses permitted. The following uses shall be permitted in the Commercial District:
- (1) Any use first permitted in a Restricted Business or an Industrial District, except solid waste facilities and adult uses.
 - (2) The following uses when conducted within a completely enclosed building:
 - (a) Stores and shops for the conducting of any retail business.
 - (b) Personal service establishments, i.e., barbershops, beauty parlor, shoe repair, laundromat, dry cleaning or laundry pickup stations.
 - (c) Restaurants, coffee shops or other places serving food or beverages. In addition to any other applicable provisions for special permits, the Board of Appeals may grant a permit for drive-in eating or drinking establishments upon requiring the owner and/or operator to take all reasonable precautions to ensure that all food and beverages shall be consumed inside the building or shall be removed therefrom in take-out containers. Preparation of food for catering purposes for consumption off the premises is permitted as an incidental use.
 - (d) As an accessory use, shops for the manufacture or processing of articles incidental to the conduct of a retail business lawfully conducted on the premises, provided that:
 - [1] All such articles manufactured or processed are sold at retail on the premises.
 - [2] Not more than four persons are engaged in such manufacturing or processing at any one time in any one establishment.
 - [3] Such activity shall not produce offensive odors, noise, vibration, heat, glare or dust.
 - (e) Vending machines, only when located wholly within the main building, except that public telephones and newspaper vending machines may be located outside of a building.

- (f) Veterinary office, provided that there is no outside keeping of animals and adequate soundproofing is provided so that the ambient sound level at the property boundaries is not elevated more than 10 decibels on the a-weighted scale as measured at a fast response with an instrument satisfying the requirements of ANSI S1.2-1983.
- (3) The following uses, when conducted outside of an enclosed building:
 - (a) Outdoor display and storage of plants and accessories on the same parcel of land as a garden store, hardware store or landscape gardener which is situate in a permanent structure.
- (4) The following uses, upon obtaining a special permit from the Town Board as provided in § 208-54 of this chapter. If a special permit is granted, it will be necessary for the applicant to obtain site plan approval from the Planning Board.
 - (a) Hotels or motels. (See § 208-45.)
 - (b) Motion-picture theaters, theaters and auditoriums for the performing arts. Drive-in theaters are not permitted.
 - (c) New or used motor vehicle sales.
 - (d) Gasoline service stations or public garages, provided that entrances and exits are aligned with the center lines of existing intersecting public rights-of-way or are located more than 100 feet from the closest edge of a street intersection and that no service appliance is installed within 50 feet of any street or lot line. For additional requirements, see § 208-44.
 - (e) Limited-use gasoline stations which have just gasoline pumps and a building for shelter of personnel constructed as an integral part of a shopping center. The station shall not have direct access to or from public highways, nor shall there be a garage, lubrication facilities or sale or lease of parts, accessories, vehicles or trailers associated with them.
 - (f) Minimarts associated with gas stations. (See § 208-44).
 - (g) Car washes, provided that no entrance or exit drive shall be located within 100 feet of any street intersection and provided that there are at least 30 reservoir spaces as defined herein for the first wash rack or wash lane and 20 reservoir spaces for each additional wash rack or wash lane.
 - (h) Monument sales, provided that all cutting and engraving processes are conducted within an enclosed building.
 - (i) Boat or marine sales or service.
 - (j) Laundry or dry-cleaning plants.
 - (k) Custom shops, including but not limited to electrical, heating, printing, plumbing or woodworking shops.
 - (l) Miniwarehouses.

(m) The following uses, provided that they are conducted within a completely enclosed building or within an area enclosed by a suitable solid fence or wall:

[1] Building materials supply, including incidental millwork.

[2] Machine or tool sales, rental or service.

(n) Farm implement dealer.

(o) Funeral homes.

B. Regulation of permitted uses. Regulation of permitted uses shall be as provided in § 208-42 of this chapter.

§ 208-42. Regulations applicable to all Restricted Business, Industrial and Commercial Districts.

The following regulations shall apply to all Restricted Business, Industrial and Commercial Districts:

A. Development area. [Amended 3-28-1990 by L.L. No. 2-1990; 7-26-1995 by L.L. No. 4-1995]

(1) In order to prevent strip-type development, to produce more harmonious appearance and to promote public safety by reducing access cuts to and from public highways, all development must take place in areas which have a minimum frontage of public highways of 400 feet and a minimum size of 10 acres. Ownership need not be in one owner but adjacent owners similarly zoned may apply jointly if their aggregate holdings meet these requirements and agree to a coordinated development plan. Individual lots may be used within a development area. Adjacent property owners will be required to give mutual easements for vehicular traffic across their properties to permit vehicles to get to limited points of access to and from public highways.

(2) The frontage, area restrictions and setbacks defined below may be modified by the Planning Board if the owner can show that such modification is consistent with the intent of this section.

B. Size of lot.

(1) In a development area. The minimum width of a lot shall be 200 feet and the minimum area 40,000 square feet.

(2) Not in a development area. The minimum width of a lot shall be 300 feet and the minimum area 60,000 square feet.

C. Size of building or unit. There shall be no minimum size requirements.

D. Setbacks. The minimum front setback shall be 85 feet, the minimum side setback 30 feet and the minimum rear setback 30 feet, except as provided in § 208-25 of this chapter.

E. Lot coverage. All buildings, including accessory buildings, shall cover not more than 30% of the lot area.

- F. Residential uses. No residential uses are permitted except as living quarters in part of a building having a permitted use herein where such residential use is incidental to the permitted use of said building. Said living quarters shall have a minimum area of 800 square feet.
- G. Access. Access points to public highways shall be minimized and spaced no closer together than 350 feet and entrances and exits shall be aligned with the center lines of existing intersecting public rights-of-way or be located more than 100 feet from the closest edge of a street intersection. **[Amended 3-28-1990 by L.L. No. 2-1990]**

(Cont'd on page 20859)

- H. Landscaping. The front setback shall include an area at least 50 feet in depth along the highway or highways bordering the lot, which shall be suitably landscaped and maintained by the owner. Owners of all existing developed lots shall have three years from the effective date of this chapter to plant similar landscaped areas. Shrubs, hedges, berms, fences or walls shall be planted or constructed so as to screen parking areas from highways wherever topography will feasibly permit such screening.
- I. Architectural treatment. The design of structures must be of uniform architectural style and treatment. Signs should be of a uniform style in both lettering and design. Clear, legible directional signing is encouraged. Such determinations shall be made by the Planning Board. [Amended 10-13-1977 by L.L. No. 7-1977; 2-12-1992 by L.L. 1-1992]
- J. Site plan approval. No site preparation or construction shall commence until plan approval has been granted by the Planning Board and permits have been issued by all governmental agencies involved.
- K. Use. The following use may be conducted in any of said districts: a landscape architect or garden nursery situated in a permanent structure. Said use shall include the outdoor planting, display and storage of plants, trees and accessories, but shall not include retail sales unless in a commercial district. [Added 5-25-1977 by L.L. No. 5-1977]

§ 208-43. Limited Commercial District. [Added 3-28-1990 by L.L. No. 2-1990]

- A. Intent. The intent of this district is as follows:
 - (1) To limit the possible uses in such an area to lower-intensity commercial uses in smaller structures than the General Commercial District allows.
 - (2) To provide areas within the town for location of commercial uses serving the day-to-day convenient shopping and personal service needs of a neighborhood area and to assure the compatibility of such areas with nearby residential development.
- B. Uses permitted. The following uses shall be permitted in the Limited Commercial District:
 - (1) All uses first permitted in Restricted Business District with the exception of banks, hotels and motels, provided that such uses do not exceed 6,000 square feet in area, and are part of an existing or proposed commercial site.
 - (2) The following uses, when conducted within a completely enclosed building. Such uses are not to exceed 2,500 square feet in total area.
 - (a) Grocery store.
 - (b) Apparel store.
 - (c) Drugstore.
 - (d) Antique and/or consignment store.
 - (e) Bookstore.
 - (f) Laundromat.
 - (g) Beauty parlor, barbershop.

- (h) Apparel repair and alteration.
 - (i) Bakery.
 - (j) Florist shop.
 - (k) Commercial schools.
 - (l) Artist studio.
 - (m) Restaurants, coffee shops or other similar places principally serving food for inside consumption, provided that occupancy does not exceed 90 persons.
 - (n) Sporting goods store.
 - (o) Bicycle sales and repair.
 - (p) Continuance of a preexisting residential use in the portion of a building not used for other permitted uses.
 - (q) Dwelling units accessory to primary permitted uses, provided that no more than 50% of the primary structure is dedicated to residential use and no more than two dwelling units are permitted in any structure.
 - (r) Rental store. [Added 2-12-1992 by L.L. No. 1-1992]
- (3) [Amended 2-12-1992 by L.L. No. 1-1992; 10-26-1994 by L.L. No. 7-1994] The following uses, upon obtaining a special permit from the Town Board as provided in § 208-54:
- (a) Veterinary office, provided that there is no outside keeping of animals and adequate soundproofing is provided so that the ambient sound level at the property boundaries is not elevated more than 10 decibels on the A-weighted scale as measured at a fast response with an instrument satisfying the requirements of ANSI S1.2-1983.
 - (b) Public buildings and grounds.
 - (c) Permitted uses exceeding the thresholds established in Subsection B.
 - (d) Uses which are consistent with the intent of this district (see § 208-43A) and which are similar to uses permitted in § 208-43B(2).

C. Restrictions.

- (1) Lot size. The minimum width of a lot shall be 100 feet, and the minimum area shall be 20,000 square feet, unless part of a development area as described in Subsection D.
- (2) There shall be no minimum size requirements for buildings or structures.
- (3) Setbacks (unless part of a development area as described in Subsection D) shall be as follows:

Yard	Setback for Principal and Accessory Structures (feet)
Front, from right-of-way	
Arterial or collector	70
Local or internal	50
Side, abutting nonresidential	30
Rear, abutting nonresidential	30
Side and rear, abutting residential	50

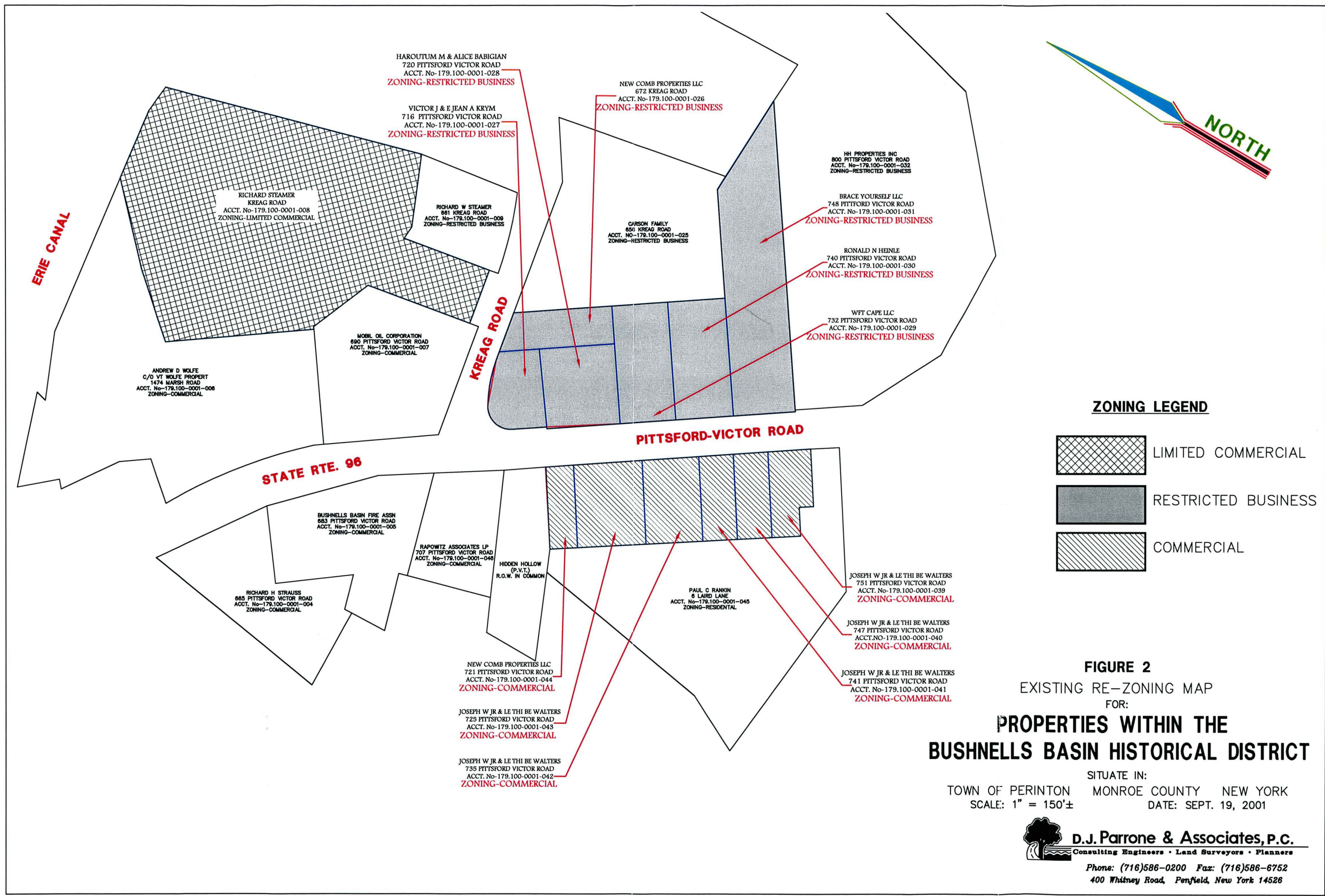
- (4) Maximum overall building height is not to exceed 35 feet or two stories.
 - (5) Lot coverage. Total lot coverage, including structures, parking areas and other impervious surfaces shall not occupy more than 75% of the total lot area. The remainder of the lot shall be landscaped area.
 - (6) All principal and accessory uses shall be conducted within completely enclosed structures, except for an outdoor eating area of no more than four tables associated with a restaurant, provided that:
 - (a) There shall be no outdoor entertainment.
 - (b) All structures and uses are contained within the setbacks.
 - (c) Total outdoor seating is limited to 16 seats.
 - (7) No business establishment in any Neighborhood Commercial Zone shall be open to the public, except during the hours of 5:00 a.m. to midnight.
 - (8) Landscaping. The front setback shall include an area at least 30 feet in depth along the highway or highways bordering the lot, which shall be suitably landscaped and maintained by the owner.
 - (9) No more than three delivery vehicles shall be used in the operation of said business.
 - (10) Parking, landscaping, buffering, signing and other special provisions shall be established per other sections of this chapter and constructed in accord with the design criteria and construction specifications of the Town of Perinton.
- D. Design guidelines. During the review of the site plan by the Planning Board, the following design guidelines shall be considered and may be made conditions of the approval, where applicable:
- (1) Maximum lot area one acre, unless in conformance with Subsection D(4).
 - (2) Joint access with contiguous parcels shall be encouraged. Access points to public highways shall be spaced no closer than 150 feet (edge to edge).

- (3) The design of the structure and signs shall be of a compatible architectural style and treatment with surroundings.
- (4) Development areas. In order to prevent strip-type development, to produce more harmonious appearances and to promote public safety by reducing access cuts to all public highways, the Town Board may require that neighborhood commercial areas are designed as development areas. All development must take place in areas which have a minimum frontage on public highways of 300 feet and a minimum size of two acres. Ownership need not be in one owner but adjacent owners similarly zoned may apply jointly if their aggregate holdings meet these requirements and agree to a coordinated development plan. Individual lots may be used within a development area. Adjacent property owners will be required to give mutual easements for vehicular traffic across their properties to permit vehicles to get to limited points of access to and from public highways. These frontage and area restrictions may be modified by the Planning Board if the owner can show that such modification is consistent with the intent of this section.
 - (a) In a development area, the minimum width of a lot shall be 80 feet and the minimum area 8,000 square feet.
 - (b) Setbacks. The minimum front setback shall be 50 feet, the minimum side setback five feet on one side and 30 feet total of both sides and the minimum rear setback 30 feet, except as provided in § 208-25 of this chapter. Common wall buildings are encouraged.
 - (c) Access. Access points to public highways shall be minimized and spaced no closer together than 250 feet.
- (5) No nonresidential use shall be established by the conversion of any structure or premises originally designed for a residential use unless the existing residential character of the building shall be retained. No design or structural changes, additions or extensions shall be made to the front of any such structure, except as necessary to provide required means of ingress, egress, light and ventilation. No additions or extensions shall be made to the side(s) of any such existing residential structure unless the residential character of the whole shall be retained and upon approval of a detailed site plan.

§ 208-44. Service stations. [Added 3-28-1990 by L.L. No. 2-1990]

The following regulations shall apply to gasoline service stations within the Town of Perinton:

- A. Where located. Gasoline service stations may be located in the Commercial District.
- B. Special permit. Permission to construct a gasoline service station may be secured only by application to Town Board for a special permit under § 208-54 of this chapter. **[Amended 10-26-1994 by L.L. No. 7-1994]**
- C. All gasoline or motor vehicle service stations shall sell or dispense gasoline to the public in compliance with all applicable health and safety regulations, including but not limited to



HAROUTUM M & ALICE BABIGIAN
720 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-028
ZONING-RESTRICTED BUSINESS

VICTOR J & E JEAN A KRYM
716 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-027
ZONING-RESTRICTED BUSINESS

NEW COMB PROPERTIES LLC
672 KREG ROAD
ACCT. No-179.100-0001-026
ZONING-RESTRICTED BUSINESS

HH PROPERTIES INC
800 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-032
ZONING-RESTRICTED BUSINESS

BRACE YOURSELF LLC
748 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-031
ZONING-RESTRICTED BUSINESS

RONALD N HEINLE
740 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-030
ZONING-RESTRICTED BUSINESS

WTF CAFE LLC
732 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-029
ZONING-RESTRICTED BUSINESS

RICHARD STEAMER
KREG ROAD
ACCT. No-179.100-0001-008
ZONING-LIMITED COMMERCIAL

RICHARD W STEAMER
861 KREG ROAD
ACCT. No-179.100-0001-009
ZONING-RESTRICTED BUSINESS

CARSON FAMILY
856 KREG ROAD
ACCT. No-179.100-0001-025
ZONING-RESTRICTED BUSINESS

MOBIL OIL CORPORATION
690 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-007
ZONING-COMMERCIAL

ANDREW D WOLFE
C/O VT WOLFE PROPERTY
1474 MARSH ROAD
ACCT. No-179.100-0001-006
ZONING-COMMERCIAL

STATE RTE. 96

BUSHNELLS BASIN FIRE ASSN
683 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-005
ZONING-COMMERCIAL

RAPOWITZ ASSOCIATES LP
707 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-046
ZONING-COMMERCIAL

RICHARD H STRAUSS
665 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-004
ZONING-COMMERCIAL

HIDDEN HOLLOW
(P.V.T.)
R.O.W. IN COMMON

PAUL C RANKIN
6 LAIRD LANE
ACCT. No-179.100-0001-045
ZONING-RESIDENTIAL

JOSEPH W JR & LE THI BE WALTERS
751 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-039
ZONING-COMMERCIAL

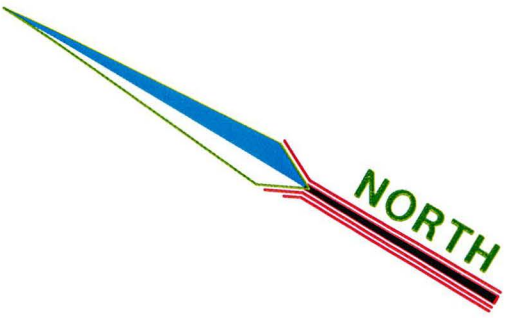
JOSEPH W JR & LE THI BE WALTERS
747 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-040
ZONING-COMMERCIAL

JOSEPH W JR & LE THI BE WALTERS
741 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-041
ZONING-COMMERCIAL

NEW COMB PROPERTIES LLC
721 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-044
ZONING-COMMERCIAL

JOSEPH W JR & LE THI BE WALTERS
725 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-043
ZONING-COMMERCIAL

JOSEPH W JR & LE THI BE WALTERS
735 PITTSFORD VICTOR ROAD
ACCT. No-179.100-0001-042
ZONING-COMMERCIAL



ZONING LEGEND

-  LIMITED COMMERCIAL
-  RESTRICTED BUSINESS
-  COMMERCIAL

FIGURE 2
EXISTING RE-ZONING MAP
FOR:
**PROPERTIES WITHIN THE
BUSHNELLS BASIN HISTORICAL DISTRICT**

SITUATE IN:
TOWN OF PERINTON MONROE COUNTY NEW YORK
SCALE: 1" = 150'± DATE: SEPT. 19, 2001

