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article, a PUD shall achieve the following objectives:

1. A maximum choice in the types of environment, occupancy tenure (e.g., cooperatives, individual ownership, condominium, leasing), types of housing, lot sizes and community facilities available to existing and potential Town residents at all economic levels;
2. More usable open space and recreation areas;
3. More convenience in location of accessory commercial and service areas;
4. The preservation of trees, outstanding natural topography and geologic features and prevention of soil erosion;
5. A creative use of land and related physical development which allows

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- an orderly transition of land from rural to urban uses;
6. An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing costs;
 7. A development pattern in harmony with the objectives of the Master Plan;
 8. A more desirable environment than would be possible through the strict application of other articles of this Ordinance.

SECTION 00-2 - GENERAL REQUIREMENTS FOR
PLANNED UNIT DEVELOPMENTS

- A. Minimum Area: Under normal circumstances, the minimum area required to qualify for a Planned Unit Development District shall be one hundred (100) contiguous acres of land. Where the applicant can

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demonstrate that the characteristics of his holdings will meet the objectives of this article, the Planning Board may consider projects with less acreage.

- B. Ownership: The tract of land for a project may be owned, leased or controlled either by a single person, or corporation or by a group of individuals or corporations. An application must be filed by the owner or jointly by owners of all property included in a project. In the case of multiple ownership, the Approved Plan shall be binding on all owners.
- C. Location of PUD District: The PUD District shall be applicable to any area of the Town where the applicant can demonstrate that the characteristics of his holdings will meet the

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objectives of this article.

D. Permitted Uses: All uses within an area designated as a PUD District are determined by the provisions of this section and the approved plan of the project concerned.

1. Residential Uses: Residences may be of any variety of types. In developing a balanced community, the use of a variety of housing types shall be deemed most in keeping with this article. However, at least thirty-five percent (35%) of the total number of dwelling units within any PUD shall be in single-family, detached structures.*

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2. Accessory Commercial, Service
and Other Non-Residential Uses:

Commercial, service and other non-residential uses may be permitted (or required) where such uses are scaled primarily to serve the residents of the PUD. The following proportions are deemed to be in keeping with this intent under normal circumstances:

* EDITOR'S NOTE: This figure is based purely on subjective considerations, the desire to preserve a "suburban character". Ideally, no figure would be necessary, and this particular element, as all PUD elements, should be accepted or rejected on the merits of the submitted plan. The insertion, alteration, or deletion of this particular provision should be determined solely by the Town involved, based on its own development goals.

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- a. Where the PUD contains one hundred (100) or more dwelling units, a maximum of twenty-four hundred (2,400) square feet of floor area for every one hundred (100) dwelling units may be used for limited commercial and/or service uses. Such commercial or service area may be in separate buildings or incorporated within two-family or multi-family structures or in suitable combinations of these alternatives.
- b. Where the PUD contains five hundred (500) or more dwelling units, a maximum of one acre of land for every one-hundred (100) dwelling units may be used for commercial and/or service

purposes.

- c. Where the PUD contains one thousand (1,000) or more dwelling units, five (5) acres of land for each one hundred (100) dwelling units may be used for compatible industry in addition to the permitted commercial and service uses.
 3. Customary accessory or associated uses, such as private garages, storage spaces, recreational and community activities, churches and schools shall also be permitted as appropriate to the PUD.
- E. Intensity of Land Use: Because land is used more efficiently in a PUD, improved environmental quality can often be produced with a greater number of dwelling units per gross building acre than usually permitted in traditionally zoned districts. The Town

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Board shall determine in each case the appropriate land use intensity or dwelling unit density for individual projects. The determination of land use intensity ratings or dwelling unit densities shall be completely documented, including all facts, opinions and judgments justifying the selection of the rating or density.

Common Property in the PUD: Common property in a PUD is a parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the individual building sites. When common property exists, the ownership of such common property may be either public or private. When common property exists in private ownership, satisfactory arrangements must be made for the

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improvement, operation and maintenance of such common property and facilities, including private street, drives, service and parking areas and recreational and open space areas.

SECTION 00-3 - PLANNED UNIT DEVELOPMENT
APPLICATION PROCEDURE AND
ZONING APPROVAL PROCESS

A. General

Whenever any Planned Unit Development is proposed, before any permit for the erection of a permanent building in such Planned Unit Development shall be granted, and before any subdivision plat of any part thereof may be filed in the office of the Monroe County Clerk, the developer or his authorized agent shall apply for and secure approval of such Planned Unit Development in accordance with the following procedures.

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B. Application for Sketch Plan Approval

1. In order to allow the Planning Board and the developer to reach an understanding on basic design requirements prior to detailed design investment, the developer shall submit a sketch plan of his proposal to the Planning Board. The sketch plan shall be approximately to scale, though it need not be to the precision of a finished engineering drawing; and it shall clearly show the following information:
 - a. The location of the various uses and their areas in acres;
 - b. The general outlines of the interior roadway system and all existing rights-of-way and easements, whether public or private;

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- c. Delineation of the various residential areas indicating for each such area its general extent, size and composition in terms of total number of dwelling units, approximate percentage allocation by dwelling unit type (i.e., single-family detached, duplex, townhouse, garden apartments, high-rise), and general description of the intended market structure (i.e., luxury, middle-income, moderate-income, elderly units, family units, etc.); plus a calculation of the residential density in dwelling units per gross acre (total area including interior roadways) for each such area.
- d. The interior open space system;
- e. The overall drainage system;
- f. If grades exceed three percent

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(3%), or portions of the site have a moderate to high susceptibility to erosion,* or a moderate to high susceptibility to flooding and ponding,* a topographic map showing contour intervals of not more than five (5) feet of elevation shall be provided along with an overlay outlining the above susceptible soil areas, if any;

- g. Principal ties to the community at large with respect to transportation, water supply and sewage

* NOTE: Maps showing soil areas and classification for the Towns of Monroe County have been prepared by the Monroe County Planning Council and the Soil Conservation Service. These maps designate general soil characteristics, and are available for inspection at the Town Hall and the County Office Building. Where a potentially significant development problem exists, a special on-site investigation should be conducted.

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disposal;

- h. General description of the provision of other community facilities, such as schools, fire protection services, and cultural facilities, if any, and some indication of how these needs are proposed to be accommodated;
 - i. A location map showing uses and ownership of abutting lands.
2. In addition, the following documentation shall accompany the sketch plan:
 - a. Evidence of how the developer's particular mix of land uses meets existing community demands;*
 - b. Evidence that the proposal is compatible with the goals of the official Master Plan, if any;

*NOTE: Evidence as to demands may be in the form of specific studies or reports initiated by the developer or in the form of references to existing studies or reports relevant to the project in question.

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- c. General statement as to how common open space is to be owned and maintained;
- d. If the development is to be staged, a general indication of how the staging is to proceed. Whether or not the development is to be staged, the sketch plan of this section shall show the intended total project;
- e. Evidence of any sort in the applicant's own behalf to demonstrate his competence to carry out the plan and his awareness of the scope of such a project, both physical and financial.*

Note: The developer should be aware that at all subsequent stages, plans must be prepared by professionally competent site planners. Thus, he is advised to engage such persons at the earliest necessary time.

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3. The Planning Board shall review the sketch plan and its related documents; and shall render either a favorable report to the Town Board or an unfavorable report to the applicant. The Planning Board may call upon the County Planning Council, the Soil Conservation Service, and any other public or private consultants that they feel are necessary to provide a sound review of the proposal.
 - a. A favorable report shall include a recommendation to the Town Board that a public hearing be held for the purpose of considering PUD Districting. It shall be based on the following findings which shall be included as part of the report:
 - (i) The proposal conforms to the Master Plan.
 - (ii) The proposal meets the intent

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and objectives of Planned Unit Development as expressed in Section 00-1.

- (iii) The proposal meets all the general requirements of Section 00-2.
 - (iv) The proposal is conceptually sound in that it meets a community need and it conforms to accepted design principals in the proposed functional roadway system, land use configuration, open space system, drainage system, and scale of the elements both absolutely and to one another.
 - (v) There are adequate services and utilities available or proposed to be made available in the construction of the development.
- b. An unfavorable report shall state clearly the reasons therefor and, if appropriate, point out to the

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applicant what might be necessary in order to receive a favorable report. The applicant may, within ten (10) days after receiving an unfavorable report, file an application for PUD Districting with the Town Clerk. The Town Board may then determine on its own initiative whether or not it wishes to call a public hearing.

4. The chairman of the Planning Board shall certify when all of the necessary application material has been presented; and the Planning Board shall submit its report within sixty (60) days of such certification. If no report has been rendered after sixty (60) days, the applicant may proceed as if a favorable report were given to the Town Board.

C. Application for PUD Districting

1. Upon receipt of a favorable report from the Planning Board, or upon its own determination subsequent to an appeal from an unfavorable report, the Town Board shall set a date for and conduct a public hearing for the purpose of considering PUD Districting for the applicant's plan in accordance with the procedures established under Section 264 and Section 265 of the Town Law or other applicable law, said public hearing to be conducted within forty-five (45) days of the receipt of the favorable report or the decision or appeal from an unfavorable report.
2. The Town Board shall refer the application to the County Planning

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Council for its analysis and recommendations; and the Town Board shall also refer the application to the Town Engineer for his review.

- a. The Town Board shall give the County Planning Council at least thirty (30) days to render its report; and within forty-five (45) days after the public hearing, the Town Board shall render its decision on the application.
- b. The Town Engineer shall submit a report to the Town Board within thirty (30) days of the referral duly noting the feasibility and adequacy of those design elements under his sphere of interest. This report need only

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concern itself with general conceptual acceptance or disapproval, as the case may be, and in no way implies any future acceptance or rejection of detailed design elements as will be required in the later, site plan review stage. The Town Engineer may also state in his report any other conditions or problems that must be overcome before consideration of acceptance on his part.

D. Zoning for Planned Unit Developments

1. If the Town Board grants the PUD Districting, the zoning map shall be so notated. The Town Board may, if it feels it necessary in order to fully protect the public health, safety, and welfare of the community, attach to its zoning

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resolution any additional conditions or requirements for the applicant to meet. Such requirements may include, but are not confined to, visual and acoustical screening, land use mixes, order of construction and/or occupancy, circulation systems both vehicular and pedestrian, availability of sites within the area for necessary public services such as schools, fire houses, and libraries, protection of natural and/or historic sites, and other such physical or social demands. The Town Board shall state at this time its findings with respect to the land use intensity or dwelling unit density as called for in Section 00-2-E.

2. PUD Districting shall be conditional upon the following:

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- a. Securing of final site plan approval in accordance with the procedures set forth in Section 00-4, supra.
- b. Compliance with all additional conditions and requirements as may be set forth by the Town Board in its resolution granting the PUD District.

SECTION 00-4 - SITE PLAN APPROVAL PROCESS

A. Application for Preliminary Site Plan Approval

Application for preliminary site plan approval shall be to the Planning Board and shall be accompanied by the following information prepared by a licensed engineer, architect and/or landscape architect:

1. An area map showing applicant's entire holding, that portion of the applicant's property under

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consideration, and all properties, subdivision, streets, and easements within five hundred (500) feet of applicant's property.

2. A topographic map showing contour intervals of not more than five (5) feet of elevation shall be provided.
3. A preliminary site plan including the following information:
 - a. Title of drawing, including name and address of applicant.
 - b. North point, scale and date.
 - c. Boundaries of the property plotted to scale.
 - d. Existing watercourses.
 - e. A site plan showing location, proposed use and height of all buildings, location of all parking and truck-loading areas, with access and egress drives

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thereto; location and proposed development of all open spaces including parks, playgrounds, and open reservations; location of outdoor storage, if any; location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences; description of method of sewage disposal* and location of such facilities; location and size of all signs; location and proposed development of buffer areas; location and design of lighting facilities; and the amount of building area proposed for non-residential uses, if any.

*NOTE: All methods of sewage disposal must conform to the Monroe County Pure Waters Master Plan and meet all other State and County requirements.

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4. A tracing overlay showing all soils areas and their classifications, and those areas, if any, with moderate to high susceptibility to flooding, and moderate to high susceptibility to erosion. For areas with potential erosion problems the overlay shall also include an outline and description of existing vegetation.

B. Factors for Consideration

The Planning Board's review of a preliminary site plan shall include, but is not limited to the following considerations:

1. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, channelization structures and traffic controls.

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2. Adequacy and arrangement of pedestrian traffic access and circulation including: separation of pedestrian from vehicular traffic, walkway structures, control of intersections with vehicular traffic, and pedestrian convenience.
3. Location, arrangement, appearance and sufficiency of off-street parking and loading.
4. Location, arrangement, size and design of buildings, lighting and signs.
5. Relationship of the various uses to one another and their scale.
6. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or a noise deterring buffer between

adjacent uses and adjoining lands.

7. In the case of apartment houses or multiple dwellings, the adequacy of usable open space for playgrounds and informal recreation.
8. Adequacy of storm water and sanitary waste disposal facilities.
9. Adequacy of structures, roadways and landscaping in areas with moderate to high susceptibility to flooding and ponding and/or erosion.
10. Protection of adjacent properties against noise, glare, unsightliness, or other objectionable features.
11. Conformance with other specific charges of the Town Board which may have been stated in the zoning resolution.

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In its review the Planning Board may consult with the Town Engineer and other Town and County officials, as well as with representatives of Federal and State agencies including the Soil Conservation Service and the New York State Department of Conservation. The Planning Board may require that exterior design of all structures be made by, or under the direction of, a registered architect whose seal shall be affixed to the plans. The Planning Board may also require such additional provisions and conditions that appear necessary for the public health, safety and general welfare.

C. Action on Preliminary Site Plan Application

Within ninety (90) days of the receipt of the application for preliminary site plan approval, the Planning Board shall act on it. If no decision is made within said ninety-day period, the

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preliminary site plan shall be considered conditionally approved. The Planning Board's action shall be in the form of a written statement to the applicant stating whether or not the preliminary site plan is conditionally approved. A copy of the appropriate minutes of the Planning Board shall be a sufficient report.

The Planning Board's statement may include recommendations as to desirable revisions to be incorporated in the final site plan, of which conformance with, shall be considered a condition of approval. Such recommendations shall be limited, however, to siting and dimensional details within general use areas; and shall not significantly alter the sketch plan as it was approved in the zoning proceeding.

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If the preliminary site plan is disapproved, the Planning Board's statement shall contain the reasons for such findings. In such a case the Planning Board may recommend further study of the site plan and resubmission of the preliminary site plan to the Planning Board after it has been revised or redesigned.

No modification of existing stream channels, filling of lands with a moderate to high susceptibility to flooding, grading or removal of vegetation in areas with moderate to high susceptibility to erosion, or excavation for and construction of site improvements shall begin until the developer has received preliminary site plan approval. Failure to comply shall be construed as a violation of the Zoning Ordinance and, where nec-

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essary, final site plan approval may require the modification or removal of unapproved site improvements.

D. Request for Changes in Sketch Plan

If in the site plan development it becomes apparent that certain elements of the sketch plan, as it has been approved by the Town Board, are unfeasible and in need of significant modification, the applicant shall then present his solution to the Planning Board as his preliminary site plan in accordance with the above procedures. The Planning Board shall then determine whether or not the modified plan is still in keeping with the intent of the zoning resolution. If a negative decision is reached, the site plan shall be considered as disapproved. The developer may then, if he wishes, produce another site plan in conformance

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with the Approved Sketch Plan. If an affirmative decision is reached, the Planning Board shall so notify the Town Board stating all of the particulars of the matter and its reasons for feeling the project should be continued as modified. Preliminary site plan approval may then be given only with the consent of the Town Board.

E. Application for Final Detailed Site Plan Approval

After receiving conditional approval from the Planning Board on a preliminary site plan, and approval for all necessary permits and curb cuts from state and county officials, the applicant may prepare his final detailed site plan and submit it to the Planning Board for final approval; except that if more than twelve (12) months has elapsed between the time of the Planning Board's report

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on the preliminary site plan and if the Planning Board finds that conditions have changed significantly in the interim, the Planning Board may require a resubmission of the preliminary site plan for further review and possible revision prior to accepting the proposed final site plan for review. The final detailed site plan shall conform substantially to the preliminary site plan that has received preliminary site plan approval. It should incorporate any revisions or other features that may have been recommended by the Planning Board and/or the Town Board at the preliminary review. All such compliances shall be clearly indicated by the applicant on the appropriate submission.

F. Action on the Final Detailed Site Plan Application

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Within sixty (60) days of the receipt of the application for final site plan approval, the Planning Board shall render a decision to the applicant and so notify the Town Board. If no decision is made within the sixty-day period, the final site plan shall be considered approved.

1. Upon approving an application the Planning Board shall endorse its approval on a copy of the final site plan and shall forward it to the Building Inspector who shall then issue a building permit to the applicant if the project conforms to all other applicable requirements
2. Upon disapproving an application, the Planning Board shall so inform the Building Inspector. The Planning Board shall also notify

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the applicant and the Town Board in writing of its decision and its reasons for disapproval. A copy of the appropriate minutes may suffice for this notice.

G. Staging

If the applicant wishes to stage his development, and he has so indicated as per Section 00-3-B(2)(d), then he may submit only those stages he wishes to develop for site plan approval in accordance with his staging plan. Any plan which requires more than twenty-four (24) months to be completed shall be required to be staged; and a staging plan must be developed. At no point in the development of a PUD shall the ratio of non-residential to residential acreage or the dwelling unit ratios between the several different housing types for that por-

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tion of the PUD completed and/or under construction differ from that of the PUD as a whole by more than twenty percent (20%).

SECTION 00-5 - OTHER REGULATIONS APPLICABLE
TO PLANNED UNIT DEVELOPMENTS

A. Regulation after Initial Construction
and Occupancy

For the purposes of regulating and development and use of property after initial construction and occupancy, any changes other than use changes shall be processed as a special permit request to the Planning Board. Use changes shall also be in the form of a request for special permit except that Town Board approval shall be required. It shall be noted, however that properties lying in Planned Unit Development Districts are unique and shall be so considered by the Planning Board or Town Board when evaluating these

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requests; and maintenance of the intent and function of the planned unit shall be of primary importance.

B. Site Plan Review

Site Plan Review under the provisions of this article shall suffice for Planning Board review of subdivisions under Town Subdivision Regulations, subject to the following conditions:

1. The developer shall prepare sets of subdivision plats suitable for filing with the Office of the Monroe County Clerk in addition to those drawings required above.
2. The developer shall plat the entire development as a subdivision; however, PUD's being developed in stages may be platted and filed in the same stages.
3. Final site plan approval under Section 00-4-F shall constitute

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final plat approval under the Town Subdivision Regulations; and provisions of Section 276 of the Town Law requiring that the plat be filed with the Monroe County Clerk within ninety (90) days of approval shall apply.

SECTION 00-6 - FINANCIAL RESPONSIBILITY

No building permit shall be issued for construction within a PUD District until improvements are installed or performance bond posted in accordance with the same procedures as provided for in Section 277 of the Town Law relating to subdivisions. Other such requirements may also be established from time to time by the Town Board.

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A NOTE ON THE PREPARATION OF THIS PUD
ARTICLE

This third draft of a model PUD article for town zoning ordinance is the result of staff work by the Monroe County Planning Council and the Rochester Center for Governmental and Community Research, Inc. (formerly the Rochester Bureau of Municipal Research, Inc.). Preparation of the article began in October 1968 as part of a series of reports being developed for the Metropolitan Housing Committee, chaired by Joseph C. Wilson (a citizens' committee jointly appointed by the City and County Managers in 1967).

A serious attempt has been made to include representatives from all parts of the community in the evolution of this model PUD article. As a result, representatives from area planning agencies, towns, various professional groups (Rochester Home

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Builders' Association, subdivision engineers, etc.) and private developers have participated in various drafting sessions. This third draft is the result of activities during 1969. New drafts of the article may be expected as improvements occur.

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Penfield Planning Board
June 9, 1970

ITEM NO. 3. The application of Meli Brothers Construction Company (Rose Meli), 1385 Empire Boulevard, Rochester, New York for a recommendation from the Planning Board to the Town Board for the renewal of a Top Soil and Excavation Permit under Section 24-3 of the Top Soil and Excavation Ordinance for approximately 30 acres of land located at 1385 Empire Boulevard.(South side of street)

This item was postponed until June 22, 1970

ITEM NO. 4. The application of Feno Pecora, 35 Woodhaven Drive, Rochester, New York for a recommendation from the Planning Board to the Town Board for the renewal of a Top Soil Removal and Excavation Permit under Section 24-3 of the Top Soil and Excavation Ordinance for approximately 37 acres of land located on the south side of Empire Boulevard near 50 Wilbur Tract Road and extending southerly toward Woodhaven Drive.

This item was postponed until June 22, 1970.

ITEM NO. 5. The application of J.C.Audino Inc., 1499 Scribner Road, Penfield, New York for an informal discussion with the Board regarding a proposed Subdivision on the east side of Scribner Road to be known as the "Beacon Hills" Subdivision.

Appearing for this application was Mr.Allen Jenkins of Jenkins, Warzer and Starks, Architect.

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Mr. Shaw wanted the record to show that before the presentation of this PUD, Mr. Myron Starks stepped down from the Board and did not take part in any of the presentation.

Mr. Shaw also explained that this was the first PUD interview before the Board and that at the seminar that the Rochester Home Builders sponsored, Mr. Simon suggested that the PUD hearings be done in private session, but that he did not favor private meetings. He then asked for a little forethought and restraint when it came time for the public to speak. Also, that this would be a preliminary hearing and each would be seeing for the first time, how the developer intends to proceed. Mr. Shaw then explained PUD in lay-mans terms and explained that there would be a public hearing when it goes before the Town Board.

Mr. Jenkins then stated that his firm was the consultant to the firm Denlock, Thomas & Grayle Associates, who represent Mr. Audino.

The site would be 95 acres of undeveloped land connecting with Scribner Road and Five Mile Line Road north of Atlantic Avenue. The utilities water and sanitary facilities on Scribner Road and water on Five Mile Line Road.

He gave a break down of the land use and these are included in the verbatim transcript.

The set back from Five Mile Line Road is 150 feet. A commercial and recreational

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area clustered in the center of the property to form a community center as well as a recreational center. Town Houses are in conjunction with the Community center. The drumlin area, the high point of the property, is used for the garden type apartments. The lay out of roads and accesses provides pedestrian access throughout the site without crossing the road or drive. A pedestrian bridge and a tunnel under the road to provide access. The wooded areas will be preserved. The overall density would be 4 units per acre.

A five minute recess was taken to give the people a chance to see the maps and answer questions (or ask).

Mr. Bruce Wells of 60 Robert Road wanted to check the density. His figures showed a density of 5 units per acre.

Mr. Frank Sidoti, an attorney, spoke for area residents. He stated that he wished to present the petition only at this meeting and that he would speak at a future meeting.

Mr. Bill Buholtz of 1479 Shoecraft Road showed by his questions that he was confused by the PUD concept.

Mr. Shaw again attempted to explain the features.

Mr. Walter White of 43 Old Bard Circle, asked about the distribution of family houses.

Mr. Paul Madina of 1470 Five Mile Line Road was concerned about the sun set being cut off from his view and is against PUDs in

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general.

Vita Clay of 35 Rodney Lane, Penfield was concerned about children going to the Webster School. She spoke of budgets, etc.

Mr. John Sullivan of 28 Robert Road asked if the PUD project was a corporate managed organization and about the Master Plan for Penfield.

Janet Gray of 35 Roberts Road spoke on the PUDs that she has knowledge of. Mr. Joseph Fraque of 38 Hitchcock Lane a former member of the Rochester Urban Renewal Development, was interested in the effect on the tax rate and does hope the building construction will be an asset to the Town of Penfield.

Mr. Vic Mazzara of 85 Hitchcock Lane asked if the apartments could be purchased.

AND Mrs. Gossin had ideas on the subject.

Since no one else appeared to be heard on this application, this matter was TABLED by the Board for further study.

ITEM NO. 6 The application of Stanndco Development Inc., 40 Wildbriar Road, Rochester, New York to discuss a possible Planned Unit Development on properties owned by Martin and Gertrude Sander located at or near 2041 Penfield Road. The two parcels involved are Tax Account # 63-100 consisting of 104.49 acres and tax account # 63-000, a portion of the six acres.

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Mr. Myron Starks continued absent from the Board.

Mr. Tony Calderone appeared as the secretary of Stanndco Developers.

To place the property, it is west of Nine Mile Point Road and south of Penfield Road. On the west side is existing housing, on the south side the Perinton Town Line, and the east side is the O'Brien project with Wegman shopping area.

Mr. Louis Childs of Jenkins, Wurzer & Starks, then spoke describing the lay of the land. The high point of the property will be for the apartments and this will be the center of the site, then for the low flat area that is fed by a natural creek which runs through the lower portion of the site. All of the higher density of living would be centered in the center of the site with the single family dwellings towards the perimeter of the site. The road development consists of a large looproad and exits into Penfield Road. They are talking to O'Brien about having just one main road between the two projects that will exit onto Penfield Road. As this was a preliminary hearing, there will be further appearances.

Mr. Thomas Thourson asked about the time element and the amount of houses in a cluster development, and the type of house mix.

Dr. J.D. Hare of 52 Farmbrook Drive, asked if the PUD ordinance was too restrictive.

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Mr. Calderone feels that garages on the lower income houses (apartments) are not needed, and also, he disagrees with the set backs.

Mr. John Sullivan, Robert Road, was interested in the type of town house and the price range.

Mr. Paul Mandina of Five Mile Line Road asked how many units per acre.

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August 25, 1970

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ITEM NO. 3 The application of Joseph C. Audino, 1499 Scribner Road, Penfield, New York for a recommendation from the Planning Board to the Town Board for the rezoning of approximately 97 acres of land on the east side of Scribner Road from Residential "AA" to Planned Unit Development Zone.

Before this presentation, Mr. Shaw, Chairman, asked the audience to limit their comments to a brief statement as he felt all presentations of the PUD should be heard publicly and at this point, the plans for definite utilities, etc. have not been worked out. On each PUD, there would be many meetings.

Mr. Joseph C. Audino, President of Hallmark Homes, appeared for this application. He presented aerial photos which showed the location of the property to be on the east side of Scribner Road and on the north by Five Mile Line Road with most of the area, just vacant land with about 25 acres of woods. There will be two proposed roads leading to Scribner Road and about 6 cul-de-sacs within the area. The "AA" lots would be 200 feet deep by 100 feet wide and would back up to wooded area. Then there would be lots the size of 140 feet by 80 feet. Also within this area is a home which is 165 years old which he

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proposed to leave in tact. 17 acres would be set aside for duplex houses.

Mr. John Bickmore, of Penfield Better Homes, stated that he favored the previous proposal, and asked why the proposal was turned down.

Mr. Bruce Wiles, 60 Roberts Road made a point about being surrounded by "AA" lots.

Mr. Joseph Simeone of 57 Timber Line feels that the area might produce a Commercial type area. That if this PUD were approved another developer might try a similar project and not be as conscientious as Mr. Audino.

Mr. Henry Dutcher, again representing Northwest Penfield Homeowners Association, made several objections to this proposal, and then held the mike and asked for questions from the audience.

Mr. Vic Mazzara, 85 Hitchcock Lane opposed.

Mr. John Sullivan, Robert Road felt that the resident who buys out here seems to lose the guaranty that was given to him at the time he moves into the area. And he resents having to constantly defend their positions.

Mr. Richard Harold, 876 Embury Road, stated that all of his tract 'donated' eight feet to the town and did not feel Mr.

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Audino should keep using this term, also that the knoll that Mr. Audino proposes should be a thing of beauty because he feels that this is the highest point in the town and he does not want to see apartments there.

Mr. Dutcher again spoke to the point that people bought out here with the idea that the area would not change.

Mr. Robert Teamerson, the attorney for Mr. Audino, stated that there could be no guarantee about zoning, that over the years, the zoning has changed land then her referred to the Master Plan and stated that the PUD ordinance was being covered in this plan.

Mr. Robert Herman of 87 Hillary Lane, as Chairman of PACT which was formerly the Penfield Council for Human Relations, feel that this group (The Penfield Homeowners Association) is running scared. He stated he could not agree with the PUD because it did not have enough of a mix. And he asked about the engineer from Syracuse who was to be hired to do a layout for the PUD.

Mr. Shaw explained that this layout was not successful and why but that Stannco PUD was on file at the Town Hall and Mr. Herman could see it any time he wished.

Mr. Raymond Santirocco of 51 Kevin Drive, stated that the PUD was here and did not want the Board to disapprove this proposal

EXHIBIT D

but to change that which was not acceptable.

Mr. Max Holtzberg said that he was the original inhabitant of Hallmark II and that there was never a mention that a PUD would go there. And he just does not want apartments or duplexes any where near him.

Mr. Nicholas Palusio of 151 City View Drive spoke in favor.

Mr. Joe McCue of 3 Bittersweet Circle, who is the Executive Vice President of the Rochester Home Builders Association, spoke in favor of this concept.

Kack DeVuyst 1420 Scribner Road, is in favor.

Mrs. Bickmore spoke in favor if the former proposal could be incorporated.

Mr. Audino felt he had to take out some of the former proposal to have something that the neighborhood would not object to.

Mr. Shaw asked the group if it was the multiple dwellings that were being opposed to, and then explained the mixture of double and single together on smaller streets, and wondered if this would be acceptable.

The group spokesman said that he could not answer.

Mr. Frank Lockner, 1512 Five Mile Line

EXHIBIT D

would rather have Double A or have it remain empty.

Mr. Angelo Moretti, 1684 Scribner Road, objects to the added traffic and feels that the PUD should be east of the Febster Fairport Road.

Bob Blackmore, 18 Timberline Drive is for this proposal. He is new here from Illinois where they now have PUD and feels that it is working very well.

Since no one else appeared to be heard on this matter, this matter was TABLED by the Board for consideration by the full Board.

All of the Board Members present voted "aye".

ITEM NO. 4 The application of Euguen Hartung (Hershey Malone Assoc.) 1800 Penfield Road, Penfield, New York for final approval of a 46 lot subdivision to be known as the "Parkside Subdivision" and located on the south side of Whalen Road on the former Footer property and for a variance to permit lots of the size and area as shown on map filed, also set backs.

Mr. Hartung was at the meeting but had left, therefore, this item was postponed until September 15, 1970.

EXHIBIT D

MISCELLANEOUS MATTERS

ITEM NO I The application of Arthur Treachers Fish and Chips of Monroe County, New York Inc., 945 Jefferson Road, Rochester, New York for an interview with the Board concerning approval of a site plan for a proposed restaurant to be located at 1968 Empire Blvd. in a commercially zoned area.

Postponed until September 15, 1970, no appearance.

TABLED MATTERS FROM THE AUGUST 11th MEETING

ITEM NO. 1 The application of Seneca Franchises, 7629 Oswego Road, Liverpool, New York to review the site plan of a proposed one hour martinizing dry cleaning store, not to be coin operated, to be located in a remodeled existing building at the intersection of Empire Blvd. and Creek Street, Prior coordination with the appropriate State and County authorities indicated their respective requirements will be met.

Postponed until September 15, 1970.

EXHIBIT D

PLANNING EXECUTIVE
September 22, 1970

The Board felt that they should stay 50 feet from the Trailer Court and leave all of the trees in that area. The Board later decided that it might be best to leave 50 feet along the east side.

This matter was TABLED for further consideration. After the engineers have had an opportunity to study the complete lay out including the State Road.

The application of Dimco Corporation

The application of Dimco Corporation, 1225 Ridgeway Avenue, Rochester, New York for a variance to allow the construction of dwellings in Section #3 and #4 of the Independence Ridge Subdivision with ground floor areas required in a Residential "A" District rather than those required in the present "AA" District.

After discussion by the Board, Mr. Thompson made and Mr. Bittner seconded the following resolution:

RESOLVED, that the application of Dimco Corporation, 1225 Ridgeway Avenue, Rochester, New York for a variance to allow the construction of dwellings in Section #3 and #4 of the Independence Ridge Subdivision with ground floor areas

EXHIBIT D

required in a Residential "A" District rather than those required in the present "AA" District. Section #3 consists of 39 lots and Section #4 consists of 49 lots. (23.8 acres), be and the same hereby is DENIED.

VOTE OF THE BOARD

George Shaw "aye" Robert Thompson "aye"
Willard Parker "aye" Arthur Bittner "aye"

Upon the motion, all of the Board Members having voted "Aye", the resolution was declared adopted.

JOSEPH AUDINO'S PUD

The application of Joseph C. Audino, 1499 Scribner Road, Penfield, New York for a recommendation from the Planning Board to the Town Board for rezoning of approximately 97 acres of land on the east side of Scribner Road from Residential "AA" to Planned Unit Development Zone, b

In discussing this application, the Board felt that this plan did not entail the concept of a PUD as presented in the Ordinance.

After much discussion, Mr. Bittner made and Mr. Thompson seconded the following resolution:

EXHIBIT D

RESOLVED, that the application of Joseph C. Audino, 1499 Scribner Road, Penfield, New York for a recommendation from the Planning Board to the Town Board for rezoning of approximately 97 acres of land on the east side of Scribner Road from Residential "AA" to Planned Unit Development Zone, be and the same hereby is DENIED for the following reasons:

1. A Planned Unit Development proposal is not consistent with the best overall use of the area.

VOTE OF THE BOARD

George Shaw "Aye" Arthur Bittner "Aye"
Robert Thompson "Aye" Willard Parker "Aye"

Upon the motion, all of the Board Members present having voted "Aye", the resolution was declared adopted.

Since there was no further business to come before the Board, the meeting was adjourned at 10:30 P.M. EDT.

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EXHIBIT D

/s/ James B. Jones
James B. Jones
Clerk of the Board

NOTE: On the original resolution mailed
to the applicant, the word Urban was used
instead of the word Unit. PUD

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EXHIBIT E

PENFIELD PLANNING BOARD
May 10, 1971

Page 2

by James Hartman and seconded by John D. Williams that the following resolution be adopted;

RESOLVED, that the application of Thomas F. Frazer 2316 Lyell Ave., Rochester, N.Y. for approval of a one lot subdivision plot for Dr. Alex Braiman. Said property being located at 1722 Salt Rd. (Acct. #460-000) and in a double "A" Residential zone. Said parcel fronts 428 feet along Gloria Drive and is 1020 feet in depth, be and the same hereby is APPROVED.

VOTE OF THE BOARD

George Shaw, "AYE" Willard Parker, "AYE"
John Williams, "AYE" James Hartman, "AYE"
Richard C. Ade, "AYE"

Upon the motion, all of the Board members present having voted "AYE", the resolution was declared adopted.

ITEM # 1. The application of Jenkins-Wurzer-Starks, Architects and Planners, 1545 East Ave., Rochester, N.Y. for sketch plan approval of a proposed Planned Unit Development extending from Scribner Rd., east to Five Mile Line Rd. and from a line approximately 600 feet north of Roberts Rd. in a northerly direction for a distance of about 2600 feet; such Planned Unit Development to be known as

EXHIBIT E

"Beacon Hills".

Mr. Myron Starks, architect, Mr. Lew Chiles, architect, and Mr. Ronald Iman appeared in behalf of this application.

Mr. Starks presented basic information concerning this project. He stated it was planned on 97 acres of land, followed the basic Planned Unit Ordinance, stated general reasons for proposed use versus all single family dwellings, pointed out the objectives of a planned Unit Development, stated there would be no commercial uses within the PUD and that the density was less than the maximum allowed within the ordinance.

Mr. Starks also presented a sketch plan for approval and explained the plan to the Board and to the public. He presented a topography map also.

Various other information was also submitted concerning density, number of children to be generated, both non-school age and school age, tax revenues in Planned Unit Developments versus double "A" residential areas, location of the project in relation to adjacent properties and homes, street layouts, etc. The phase drawing was also submitted showing a potential three year construction period for the total project.

Various elevation cross sections showing the location of multi-story apartments

EXHIBIT E

were shown to note the fact they were no higher than two story residential dwellings.

Basic breakdown would show a total of 474 units on the 97 acres of land.

Following the formal presentation by Mr. Starks, a general discussion took place between the members of the Board, Mr. Starks and the audience. Various people in the audience did comment on the proposal.

No one else wished to be heard on this matter and the matter was tabled by the Board pending further study.

The Clerk of the Board was directed to inform the applicant of this action.

TABLED MATTERS

ITEM #1. The application of James Comparato, 217 Lake Ave., Rochester, N.Y. for an interview with the Board in connection with the development of 9.73 acres of land immediately north of Pen Fair Plaza at the corner of Webster Fairport Rd. and Penfield Rd. for an apartment project. Said land conditionally rezoned to Apartment House and Multiple Dwelling District by the Town Board on December 2, 1968 and subject to submission and acceptance of a subdivision map and site plan, (Acct. #5456 -300).

Mr. James Comparato appeared before the Board and submitted to the Board additional drawings showing this proposed project.

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EXHIBIT E

He pointed out to the Board that the additional drawings did include the information requested by the Board following their last hearing on this matter.

No one wished to be heard on this matter and the matter was tabled by the Board pending further study.

The Clerk of the Board was directed to inform the applicant of this action.

ITEM # 2. The application of Stanndco Builders Inc. 40 Wildbriar Rd., Rochester, N.Y. for preliminary site plan approval for the proposed

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EXHIBIT F

REPORT ON PROPOSED ZONING ACTIONS
REFERRED TO MONROE COUNTY PLANNING COUNCIL
PURSUANT TO SECTIONS 239-1 and 239-m OF THE
GENERAL MUNICIPAL LAW

Date June 24, 1971

ITEM NUMBER PN-47

REPORT TO: Planning Board
Town of Penfield
3100 Atlantic Avenue
Penfield, New York 14526

SUBJECT: Application of Jenkins-Wurzer-
Starks to rezone Res. AA to PUD - Extending
from Scribner Road East to Five Mile
Line Road

RECOMMENDATIONS:

- (a) _____ That the decision by the local agency having jurisdiction be based solely on its study of the facts of the case, since the County Planning Council's review of the matter has not revealed any pertinent inter-community or countywide considerations.
- (b) X That the proposal be approved.
- (c) _____ That the proposal be modified as follows:
- (d) _____ That the proposal be disapproved

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EXHIBIT F

See attachment

/s/ Don B. Martin
Director of Planning
Monroe County Planning
Council

WEU/GRM/a
cc:DPW

EXHIBIT F

Town of Penfield
Zoning Referral #PN-47
June 24, 1971

It is the recommendation of the Monroe County Planning Council that the application of Jenkins-Wurzer-Starks, Architects and Planners, for a rezoning of the property extending from Scribner Road east to Five Mile Line Road and from a line approximately six hundred (600) feet north of Roberts Road in a northerly direction for a distance of about two hundred (200) feet, from residential "AA" to Planned Unit Development (P.U.D.) District, be granted based on the following reasons:

1. The proposal will take advantage of existing natural features on the site, and incorporate them into recreational areas for the residents
2. The site is in close proximity to major commercial and personal services.
3. The site can be easily served by public sanitary sewers and water facilities, and will be served by two thoroughfares which are capable of handling the increase in traffic that will be generated by such a large development.

However, the Council feels there is a need for a positive commitment on the part of towns and developers to include in

EXHIBIT F

their designs the widest possible range of housing to accommodate all levels of income. Part of the concept of the P.U.D. is to provide various housing types and price levels within one development. Therefore, the Planning Council suggests that any approval on the part of the town should be based on a commitment from the developer or owner that a certain portion of his for-sale housing will be low to moderate income housing.

The Monroe County Planning Council has taken the position of supporting the development of such housing in the county based on the following reasons:

1. There is a critical shortage of housing for low and moderate income households in Monroe County that is seriously affecting the economic health of the entire county.
2. A combination of existing laws, attitudes, and market conditions are all working against the solution of this problem.
3. Those few sites that are developable for such housing are irreplaceable resources; and the site under consideration here is just such a site.

Further commitment should include the understanding that such housing units will not be concentrated and/or isolated from the rest of the development.

EXHIBIT F

It is further suggested that approximately twenty per cent (20%) of the sale units would be a fair assessment of the appropriate amount of such housing.

Finally, the Council urges the developer or owner to explore alternative ways available which would allow the same opportunity for integration of income levels in his rental units.

We should like to point out that all access drives and curb cuts with respect to Scribner and Five Mile Line Roads must be coordinated with and approved by the County Department of Public Works.

Furthermore, no building permits may be issued until provisions of Section 239-K of the General Municipal Law (County DPW review) are complied with.

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EXHIBIT G

7-12-71

PENFIELD PLANNING BOARD

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ITEM #3. The application of Jenkins-Wurzer-Starks, Architects and Planners, 1545 East Ave., Rochester, N.Y. for a sketch plan approval of a proposed Planned Unit Development extending from Scribner Rd. east to Five Mile Line Rd. and from a line approximately 600 ft. north of Roberts Rd. in a northerly direction for a distance of about 2600 ft., such Planned Unit Development to be known as "Beacon Hills".

NOTE: PUBLIC HEARING CLOSED, MATTER UNDER CONSIDERATION BY THE BOARD.

Mr. Shaw, Chairman of the Board, explained that this item has been heard previously and the Board has studied the information submitted.

No one else wished to be heard on this matter and a motion was made by James Hartman and seconded by John D. Williams that the following resolution be adopted:

RESOLVED, that the application of Jenkins-Wurzer-Starks, Architects, and Planners, 1545 East Avenue, Rochester, N.Y. for a sketch plan approval of a proposed Planned Unit Development extending from Scribner Rd. east to Five Mile Line Rd. and from a line approximately 600 ft. north of Roberts Rd. in a northerly direction for a distance of about 2600 ft., such Planned Unit Development to be known as "Beacon Hills", hereby is

EXHIBIT G

RECOMMENDED, provided that:

1. The Town Board hold a Public Hearing for the consideration of the rezoning of this area to a Planned Unit Development District.
2. This recommendation is premised on the applicant reducing the density from that proposed.

VOTE OF THE BOARD

James Hartman, "AYE" John D. Williams, "AYE"
Willard Parker, "AYE" George Shaw, "NAY"
Richard C. Ade, "AYE"

Upon the motion, 4 of the 5 members having voted "AYE", the resolution was declared adopted.

Mr. Shaw explained he had voted "NAY" on the grounds that the Planned Unit Development proposed was not consistent with good planning and the best overall use of the land in question.

ITEM #4. The application of James Comparato, 217 Lake Ave., Rochester, N.Y. for an interview with the Board in connection with the development of 9.73 acres of land immediately north of Pen-Fair Plaza at the corner of Webster Fairport Rd. and Penfield Rd. for an apartment project. Said land conditionally rezoned to Apartment House and Multiple Dwelling District

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EXHIBIT H

B E A C O N

H I L L S

Builders & Developers

J.C. AUDINO, INC.

EXHIBIT H

Beacon Hills PUD*

- B What is a PUD?
- E A PUD is a planned community project
- A having the following characteristics:
- C a. Dwelling units grouped into
- O clusters allowing an appreciable
- N amount of land for open space.
- b. Higher densities allowed than
- H conventional projects of the
- I same acreage.
- L c. Part of the land is used for
- L non-residential purposes,
- S i.e. - recreation, woods,
- L picnicing, etc.
- L PUD's can, and do, work toward the
- L creation of publicly owned lands.
- S Since, in the usual development,
- L each house requires a great deal
- L of land, eventually the cost of land
- L is driven up. The town may then
- L find it economically impossible to buy
- L land for large parks or for such
- L increasingly important uses as wild-
- L life preserves. If new schools must
- L be built, land for them will also
- L be costly, a fact which sooner or
- L later will show in the already painful
- L tax rate.

* Planned Unit Development

EXHIBIT H

ADVANTAGES OF A PUD

- The PUD's clustered houses create common areas of open land that can run through the entire project, instead of being concentrated in one massive and costly park.
- The PUD requires a well organized, soundly financed developer, and so discourages the fly-by-night developer - a decided advantage to both the Town and residents of the PUD itself.
- The PUD's higher densities reduce land and land development costs per unit, which in turn may lower prices and rents. Property planned clusters reduce street and utility runs and the amount of grading necessary for house sites - all of which reduce costs. Higher densities also mean less land consumed for a given number of housing units, thus reducing inflationary pressure on the Town's land prices.
- The PUD can bring in tax revenues in excess of the amount of services it requires. Revenues are higher because there are more units. Costs of services are lower because the PUD almost always has a much lower proportion of school children than do single family houses. Road maintenance cost is less because

EXHIBIT H

of the high density of population to the amount of roads required.

LOCATION

Beacon Hills is located in Penfield, where you are in close proximity to the advantages of the big city, yet in the loveliest of suburban communities.

The New England tradition was planned for Beacon Hills primarily to benefit the entire community from an aesthetic standpoint. For in Penfield, the primary aim of the residents is to preserve and protect the glorious beauty that nature and nature's God bestowed upon them.

ARCHITECTS - JENKINS • WURZER • STARKS

The firm of Jenkins•Wurzer•Starks, Architects and Planners, was formed in 1969 by the merger of the practices of two Rochester firms and a corporate architect. It is a natural outgrowth of the broad experience of the three partners. The nucleus of the firm was formed in 1961 when Myron Starks entered private practice.

Drawn together among the partners, associates, staff architects and draftsmen are more than one hundred years of experience in the architectural profession.

The firm believes that architecture is a process for beautifying and improving the environment; and that the design of buildings must

EXHIBIT H

harmonize with and enhance the natural surroundings, rather than interfere with them.

ENGINEERS - DENLUCK, THOMAS, MCGRAIL &
ASSOCIATES

The firm of Denluck, Thomas, McGrail & Associates, Surveyors and Engineers, is the successor to a firm which established roots in the Rochester area in 1880. It provides a full range of professional services in the fields of Land Surveying, Engineering, Land Planning and Development.

The engineering division has been broadened to provide a complete spectrum of civil engineering service. This service entails design and field supervision of the construction of sewage facilities, storm water disposal, water supply systems, land development and other related projects that may be required by an individual or municipality.

BUILDERS & DEVELOPERS - J.C. AUDINO, INC.

J.C. Audino - President
Ronald J. Iman - Vice President

Joe Audino is one of the few genuinely dedicated men in this world of high pressure and finance, an astute businessman, but a

EXHIBIT H

businessman tempered by time and experiences that serve to instill an inward evaluation and acceptance of those things that are of true value in life.

An active man, Joe is part of the panorama that is Penfield, he does not believe in joining organizations for appearance sake and limits his affiliations to those organizations where he feels he can actively contribute ... as a member of the Rochester Home Builders Association he serves on the Board of Directors, in the St. Joseph's Church, he assisted in the design and construction of a school addition and the Convent. He has contributed in no small measure as a member of the Penfield Republican Club, Lakeshore Kiwanis, Rochester Chamber of Commerce, Penfield Country Club and the Businessmens Association. He recently headed the Design & Planning Commission for new addition to Penfield Senior High School.

J.C. Audino Company presents an impressive list of construction accomplishments.

- 2,500 homes in Webster, Irondequoit
Rochester and Penfield
- Portland Manor Apartments
- Culver Manor Apartments
- Addition to St. Joseph School and
Convent

EXHIBIT H

- Terrace Gardens Bowling Hall
- Flamingo Motel - in Florida
- Club House - Penfield Country Club

Joe Audino is proud of his profession, and his profession can well be proud of Joe Audino, he is in the mainstream of our life, contributing to and for the causes he believes in ... "To provide a better environment for a better community for the benefit of all."

EXHIBIT H

Presenting --- a few of the many plans for
Beacon Hills

S I N G L E F A M I L Y H O M E S

RANCHES, SPLITS AND COLONIALS

Each Beacon Hills home is thoughtfully planned and efficiently designed. A variety of elevations and floor plans are available. Ranches, splits and colonials fulfill the needs and desires for any and all age groups from the young executive with a growing family to the retiree looking for the fresh air and sunshine of country living.

All Beacon Hills homes are designed in keeping with the overall New England motif of the Community. Every home is constructed using the highest standards of the construction industry. There is no waste space in any home. There is more closet space, more storage space --- and more living space --- in every Beacon Hills home.

The following features are included in the Beacon Hills homes.

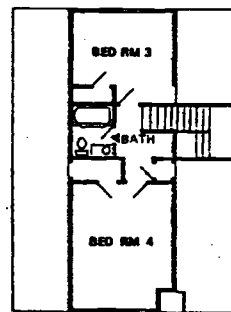
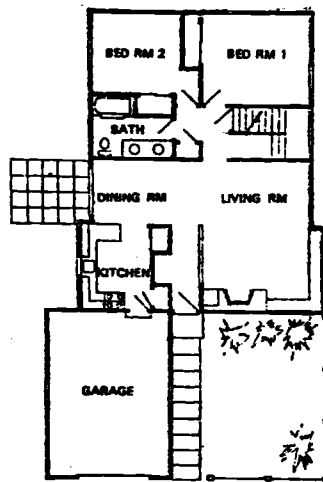
Seeded Lawn	Master Bedroom Bath
One and 2-Car	Optional in Some
Garages	Models
Storms and Screens	Ceramic Tile Baths
Take-Out Windows	Paneled Family Room
(Casements Option- al)	Optional
Patio Door	Fireplace Optional
30 inch Free-	Self-Seal Roofs
Standing Range	40-Gallon Glass-lined
Dishwasher-Disposal	Hot Water Heater
	Fiber Glass Insulation

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EXHIBIT H

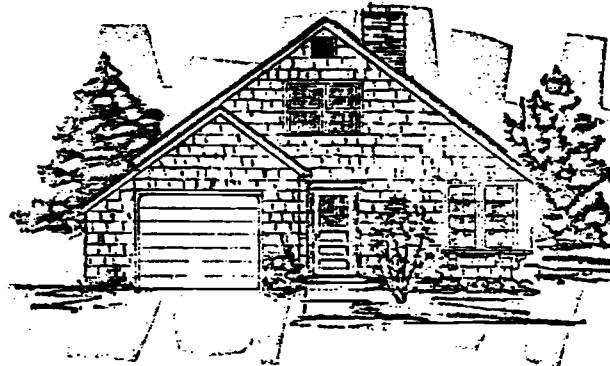
Armstrong Tile and
Linoleum

Many other quality
features

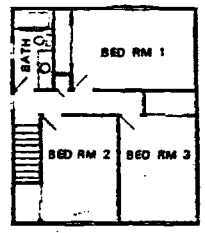
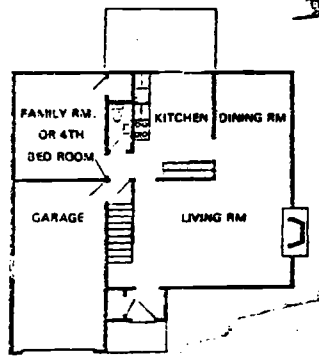


THE WOODS HOLE

2 BEDROOM CAPECOD
can expand to 3 or 4 bedroom
as your family grows.



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EXHIBIT H



THE POTOMAC
3 BEDROOM COLONIAL
with family room or 4th bedroom

THE WEBSTER
4 BEDROOM COLONIAL

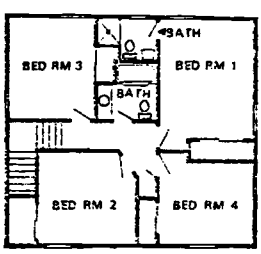
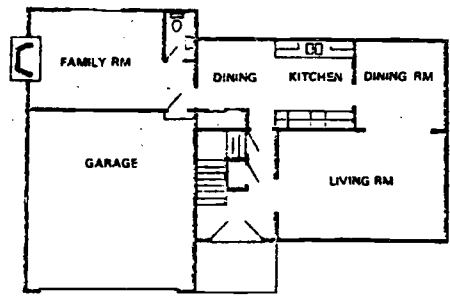
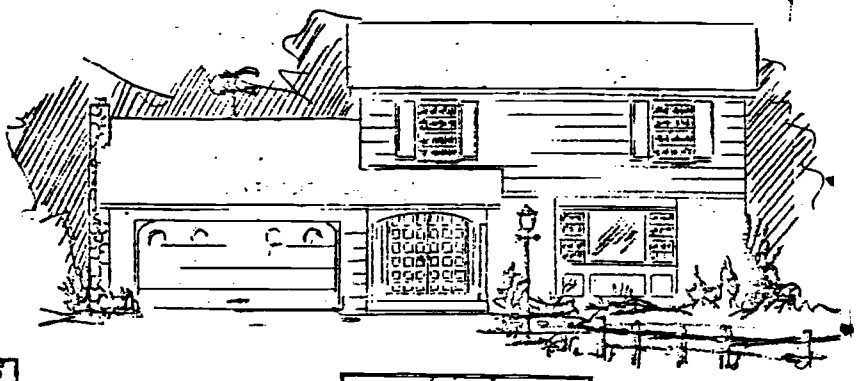


EXHIBIT H

BEACON HILLS

PLANNED UNIT DEVELOPMENT

Beacon Hills is a community that has been planned for the very best in suburban living. A plan to take full advantage of all the things you move to the suburbs to seek. It is a community planning concept which is certain to set a new standard for suburban residential communities. In Beacon Hills, are streets that have been planned for a residential community, where the automobile will no longer be a threat to your children crossing the street to play, or walking and running on their way to school. Strolling, for children and adults alike, will become a pleasure. In Beacon Hills you will live in an atmosphere that is conducive to a highly rewarding new way of life. Where you will share mutual interests with interesting neighbors.

RECREATIONAL FACILITIES

Recreation close to home, as part of the daily way of life, is an essential ingredient in today's community. Wurzer, Jenkins, and Starks, in developing Beacon Hills have provided recreational facilities for all tastes. Plans call for the construction of a community, year-round swimming pool with appropriate supporting facilities and related deck and terrace areas, tennis courts, recreational building and

EXHIBIT H

shelters and well equiped play areas for the young. Proper supervision will be maintained for all facilities.

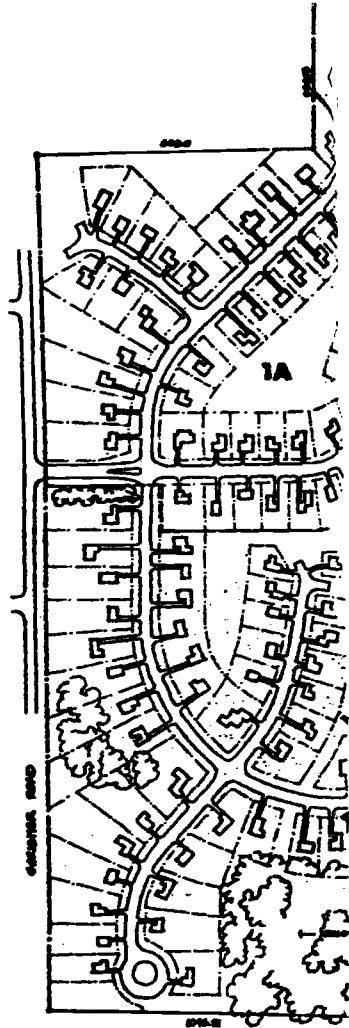
Beacon Hills

PLANNED UNIT DEVELOPMENT

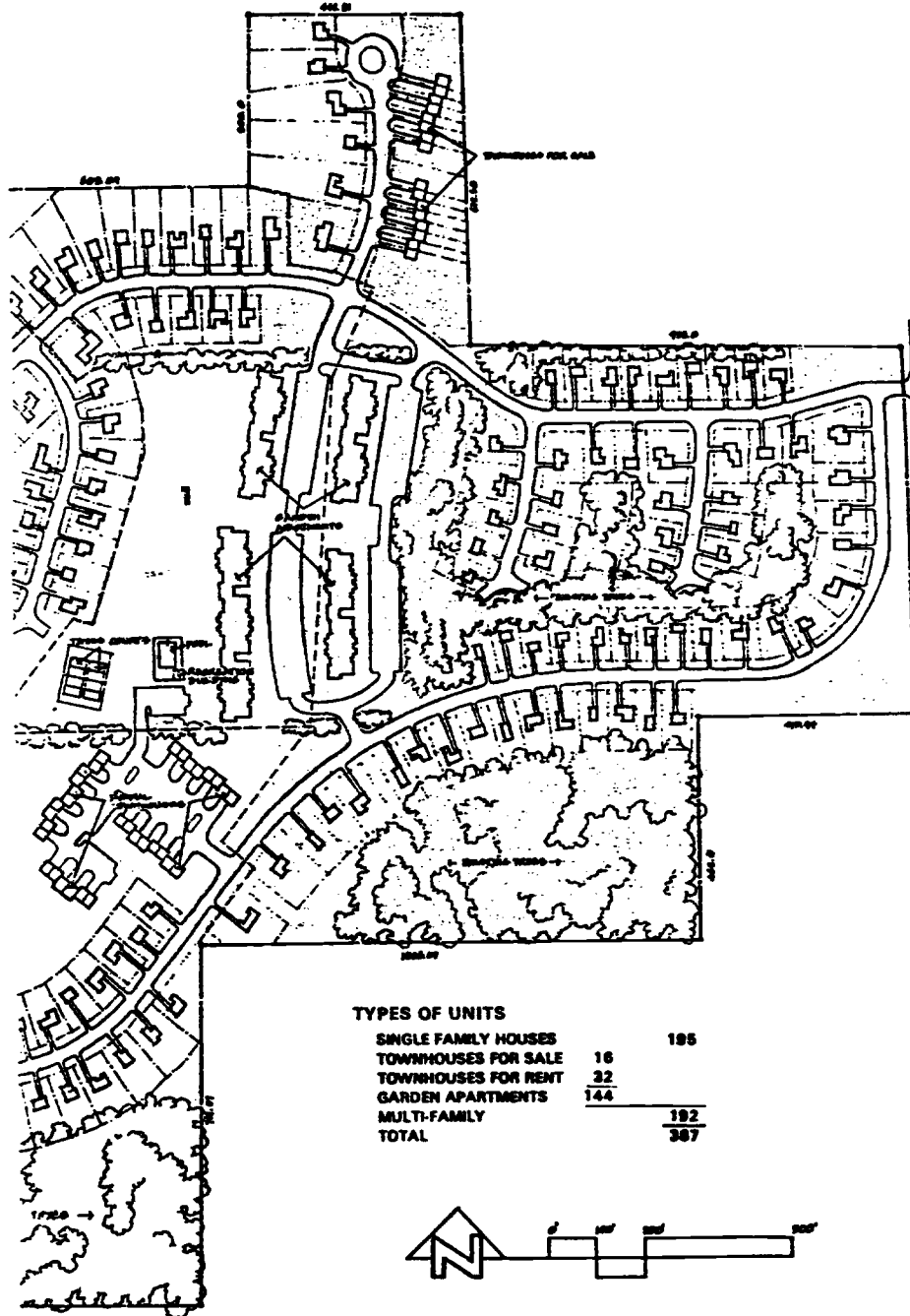
Beacon Hills is a community that has been planned for the very best in suburban living. A plan to take full advantage of all the things you move to the suburbs to seek. It is a community planning concept which is certain to set a new standard for suburban residential communities. In Beacon Hills, are streets that have been planned for a residential community, where the automobile will no longer be a threat to your children crossing the street to play, or walking and running on their way to school. Strolling, for children and adults alike, will become a pleasure. In Beacon Hills you will live in an atmosphere that is conducive to a highly rewarding new way of life. Where you will share mutual interests with interesting neighbors.

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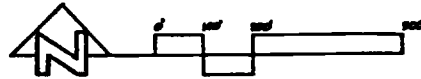


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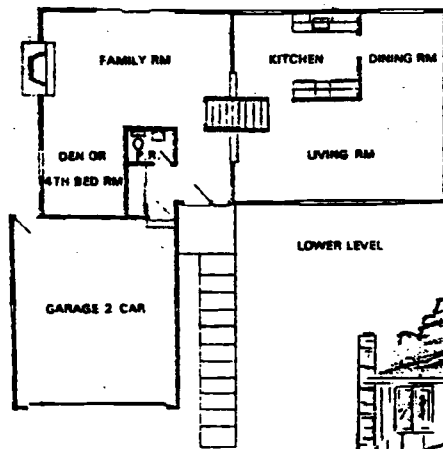
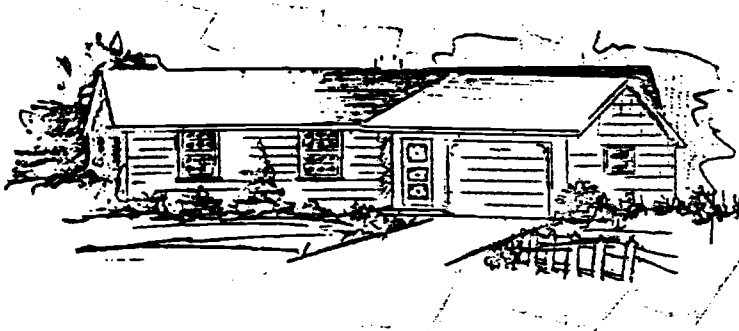
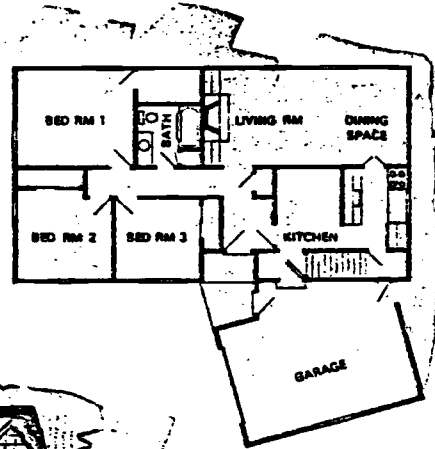
TYPES OF UNITS

SINGLE FAMILY HOUSES		185
TOWNHOUSES FOR SALE	16	
TOWNHOUSES FOR RENT	32	
GARDEN APARTMENTS	144	
MULTI-FAMILY		<u>192</u>
TOTAL		<u>387</u>

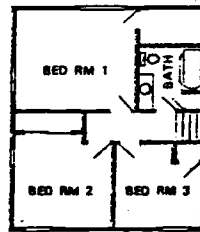


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THE MONTCLAIR
3 BEDROOM RANCH

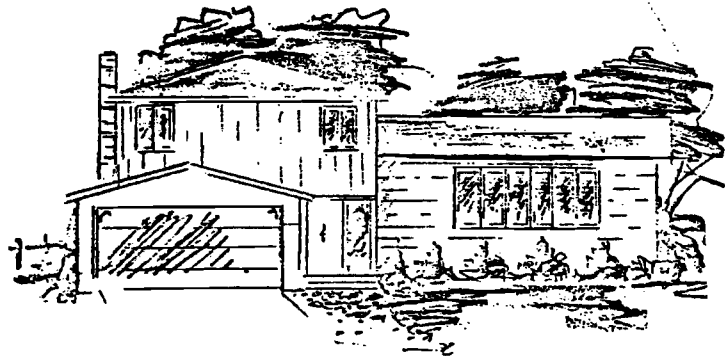


LOWER LEVEL

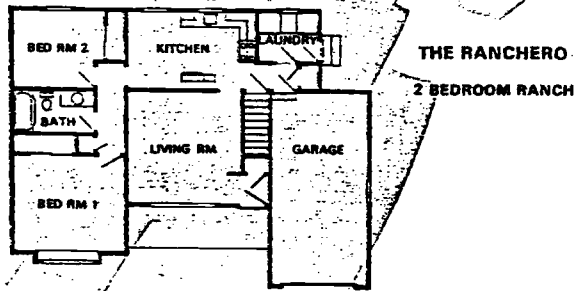
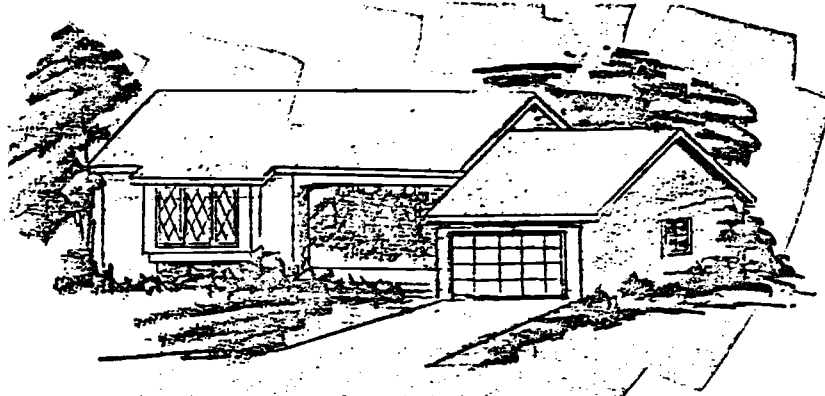


UPPER LEVEL

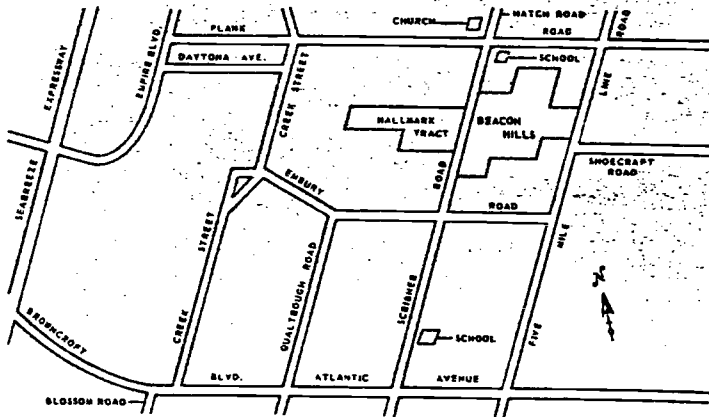
THE GREGG
3 BEDROOM SPLIT
with den or 4th bedroom



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EXHIBIT H



LOCATION MAP - BEACON HILLS



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EXHIBIT H



GARDEN APARTMENTS

GARDEN APARTMENTS

In keeping with the theme of Beacon Hills, which is to enhance the natural setting with a New England motif, both the Garden Apartments and Townhouses have been designed with varying combinations of materials to respect and improve the natural wooded landscape. Both the Townhouses and Garden Apartments have been situated to form expansive, landscaped courts, providing quiet elegance in a Country Club setting. The elegance and convenience which are generated by their role in the PUD offers a very important financial contribution to the town. Suburban communities, particularly those with a superior school system, invariably attract families with school-age children to take advantage of the schools. When the children are grown, however, their parents are no longer concerned with the schools. They no longer wish to maintain a large home, and finding no suitable apartments or townhouses available, move away. With them, goes a low demand for services and a higher than average purchasing power. This purchasing power would have benefited the merchants, and the tax base of the town.

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EXHIBIT H



TOWNHOUSES

EXHIBIT H

TOWNHOUSES

The PUD, with its Garden Apartments and Townhouses, offers both the young family and the older, more mature family a viable alternative to the single-family, detached house. The PUD, being a planned community, offers a life-time place to live. The young, newly married couple utilizes the apartment. As the family grows, a home is available for them in the PUD. Then, after the children are grown and married, the older couple can make use of the Townhouses. Thus, through the PUD, the town gains both money and a more varied, hence stable, population.

At Beacon Hills, the Garden Apartments and the Townhouses are located near the center of the PUD, in close proximity to the recreational areas. There, with their New England traditional motif, they form an attractive setting for the leisurely tempo of living which the community is designed to maintain, through its lifetime program of convenience and relaxation.

EXHIBIT H

IN SUMMARY

Most residents, when they hear the word "development," immediately draw associations - most of them bad. They visualize their hills being bulldozed into a vast area of streets, sidewalks, tiny back yards and identical houses spread out in an endless checkerboard of repetitive blocks. They foresee a flood of children to overburden the school system and thereby escalate their property taxes.

They moved to the suburbs to escape just such conditions as these. So when hearings are held on the new project they'll be there --- fighting.

Of course, most of these objections have already been eliminated previously, in the preceding pages of this booklet, but a few more facts are necessary.

Land is a major key to housing development economically as well as physically. If a builder is forced to include more land with each house, he must raise prices. Since it is economically not feasible to build a \$20,000 house on a \$20,000 lot, he must therefore build in much higher price brackets. Thus, families of modest means - particularly younger families - find it harder and harder to live in the community.

Older couples and individuals who no longer have a need for big houses find nothing to choose from in smaller units. They may then move away, taking with them higher than average incomes, much of which would

EXHIBIT H

be spent in the town, and tax payments which would not be counter balanced by demands on local school and recreational facilities.

We all feel that this site is ideal for a planned unit development. Its hills and trees, which will not be disturbed, beautifully lend themselves to the rustic atmosphere which will prevail in the development. The recreational opportunities afforded by this location are many and varied and some have already been planned into the development.

We feel that anyone is entitled to live here. This type of plan is non-discriminatory in that the young buyer, the older buyer and the moderate income buyer will all be able to avail themselves of this opportunity.

The plan itself, is well designed for the area, in that the designs and values of homes will be in keeping with the surrounding area; for it is the desire and intent of the builders and developers to create one of Penfield's finer communities.

We hope that someday you will live here.

J.C. Audino, Inc.

Penfield PUD Law Hits Snag on Density

The Penfield Town Board last night called a hearing for Aug. 17 to revise the town ordinance for planned unit developments (PUD) by decreasing the allowable density.

The present PUD ordinance allows an average of 5.2 units per acre; the hearing will be held to lower that to four units per acre and to stipulate that half of the units must be single family residences.

The present ordinance stipulates the number of acres, rather than the number of

units, that must be single family residential.

"In some of these PUD's coming before the board, we're getting as many as 70 to 80 per cent apartment units. We never intended that percentage to be so high," said Supervisor Howard J. Frank. "We didn't notice this in the ordinance until developers started presenting their plans."

The town board also will hold final hearings on Aug. 17 on:

The proposed Brecon Hill

PUD, which would be located between Scribner and Five Mile Line Roads, north of Roberts Road. The 97-acre PUD, proposed by developer Joseph C. Andino, received favorable recommendations from the County Planning Council and (with stipulations) the town planning board.

The 36-acre \$2.5 million shopping center proposed for the southeast corner of Plank and Five Mile Line roads. It would include 20 stores and a service station. Although it has been strongly opposed by several area residents, the center has received favorable recommendations from the county and (with stipulations) town boards. The proposal was made by Mr. Ernest Loudadio.

The town board last night reserved decision on a proposed 188-acre PUD called Beck Lake east of Five Mile Line Road, north of Whalen Road and west of Baird Road on land owned by Dolomite Products Co., Inc. The 781-unit PUD received favorable recommendations from the county and (with stipulations) town boards.

The board issued special permits to a 150-acre, 18-hole golf course, par three course and driving range at Whalen and Webster-Fairport Nine Mile Point Roads. The public courses were proposed by Jamie Stanton.

The board also issued permits for a "private proprietary home for adults" on a five-acre site off of Five Mile Line Road and adjacent to Penfield High School. The 40-bed home was proposed by George E. Coy, 283 Brush Hollow Road, the proprietor for a similar home for the aged in Greece.

Permits also were issued for the reopening of a Gulf service station at Atlantic Ave. and Creek Street and for a car wash and gas station on Fairport-Webster Nine Mile Point Road, near Penfield Road.

The board also lowered the speed limits on Panorama Trail, between Dogwood and Atlantic Avenue, from 35 to 25 miles per hour and on Herminance Road from 40 to 35 miles per hour.

Penfield Zoning, PUD Changes May Meet Opposition Tonight

By BOB BECK

A lengthy meeting is expected tonight when the Penfield Town Board holds public hearings on two controversial rezoning requests and a proposed revision of the town's recently enacted Planned Unit Development (PUD) ordinance.

Town Supervisor Howard Frank said yesterday he expects between 200-300 persons at the hearings at 8 tonight in the Town Hall.

The most controversial hearing is expected to be a request to remove 27 acres from residential to PUD for the Beacon Hills PUD. A petition with over 600 signatures opposing the project was pre-

sented to the town planning board six weeks ago.

Frank said the planning board favored the project, with the condition of reduced density.

The project, between Scribner and Five Mile Line roads north of Roberts Road, would consist of 180 single family residences, 92 duplex units, 90 townhouses, and 192 garden apartments. The proposed density is 4.6 units per acre.

Frank said the proposed revision in the PUD ordinance could dampen resident opposition, because it calls for a density of four units per acre and requires 50 per cent of the dwellings to be single family detached homes.

Beacon Hills is being developed by Joseph Andino and was designed by Jenkins-Warner-Starks, architects.

Frank said he thought much of the opposition to Beacon Hills is caused because of a misunderstanding of the town's zoning ordinances.

"All farm land is zoned residential," he said. "The town board's policy has been to leave it as such until someone presents a specific project for a piece of land and asks to have the land rezoned."

Two other PUDs under consideration by the board have not drawn much resident opposition, Frank said.

Mrs. Anne McNabb, co-chairman of the Metro Act Housing Task Force and a member Penfield Action for a Creative Tomorrow (FACT), said yesterday that both

groups would be represented at the hearings to discuss the proposed PUD ordinance changes.

"There is concern that decreasing the density would decrease the flexibility of the PUD," she said. The concept of PUD is to obtain a mixture of low, middle and upper income housing.

"Fewer units will increase development costs," she added.

Louis Chiles, a spokesman for the architect firm, said that several changes had been made to the Beacon Hills project since public hearings began on it in January. These include siting of a small grocery store, removing town-

houses from the view of local residents' homes, and redesigning of the PUD to leave two large stands of trees undisturbed on the project site.

Chiles said all of the changes had been made in response to criticism from local residents.

The remaining hearing is for a "neighborhood" shopping center at Plank and Five Mile Line roads, about one-half mile from Beacon Hills. The 38-acre center is being proposed by Ernest Leudadio, and designed by the Jenkins firm.

At other public hearings, some residents have claimed the \$2.5-million center is not needed.

PUD: Expense, Risk May Be Too Great

(Here's part 2 of two-part series on planned unit developments (PUDs) — what they are, their future and their problems.)

By MICHAEL SHORE

PUDs "may look nice, sound nice, and be nice," but many developers still will ignore them.

That's the opinion of Allan H. Temple, developer for Harrison Homes.

Few will argue with the concept of PUDs, says Temple; in theory, and on paper, they approach the ultimate in suburban living.

At the simple fact of the

matter is that not many developers are going to build them, because most aren't capable of building on this large a scale.

A "true" PUD (totally designed community with 100 to 1,000 acres) is far more expensive from a developer's standpoint, and a far greater risk, he explained.

"Many developers are quite small . . . and couldn't possibly get the financing required for a PUD."

So, contrary to some who predict that "by 1975 we'll see an end to the 'suburban tract' as we know it today," Temple believes a strong demand will continue for the conventional

"tract" — both single family homes and apartments.

The term PUD seems to have suffered from some loss of meaning.

"If you look around all you hear about is some new PUD going up," another developer said. "But the truth is that builders, like everyone else, have jumped on the terminology bandwagon and are calling every new flashy apartment or townhouse complex a PUD."

"Unless it contains single family homes it's not a true PUD," he said.

Some town board members feel PUDs mean killing developers destroy valuable prop-

erty — property which should be developed in other ways.

"PUDs mean dropping all zoning restrictions a town has set up to protect itself," says David S. Jordan, Perinton councilman.

Developers say that to build a PUD and be creative in land use they can't be restricted by detailed or "bulk" zoning laws Jordan said. "But that's just like saying 'go ahead and do what you want' to some builder and I don't think existing homeowners would want that," he explained.

"We can have good PUDs and still keep the current zoning laws on the books. With detailed zoning requirements

no builder can sue us saying we acted capriciously when we perhaps denied his request and approved another.

"It's been our experience that given a free hand, many developers tend to build by using minimum requirements, and in the end the town suffers along with the new home buyer for shoddy work."

Standing between town boards and PUD developers are suburban homeowners.

"It's only natural that homeowners are a little apprehensive about PUDs," says Webster Town Attorney Donald J. Summers.

"Unless they realize what

PUD really is and how it can benefit the community, many homeowners will think the concept involves more renters."

Thus you might say a lack of knowledge on the public's part has made it difficult for PUD to become widely known or accepted, he said.

To solve PUD's problems, Summers believes it will take enlightened town boards who will work closely with professional planners.

"We can make the suburbs a lot more enjoyable and livable for a lot more people if we can solve the problems involved with PUD."

" PUD " -- a concept yet not widely known or accepted. Sure... go ahead, try it in our immediate area, (an area zoned class " AA " residential), and if it proves to be a failure -- WHO SUFFERS ???.....

A "true" PUD (totally designed community with 100 to 1,000 acres).....May we offer an alternative ? Why not construct a "true" PUD in an appropriate area (one not zoned "AA" or built around it with class "AA" homes already)..... Allow individuals to move into the PUD and build around the PUD, by choice ??????

Trouble on Horizon for PUD Zoning?

Rochester Democrat and Chronicle, Sunday, Sept. 19, 1971

By MARK STRARR
The concept of planned unit development (PUD) has no declared enemies in Monroe County.

It is widely and warmly embraced throughout the suburbs as the concept that will guide future land use in Monroe County.

Town leaders will tell you that the "flexibility" permitted the developer under PUD allows him to "reduce costs" and make available "housing for all economic levels."

But now, a little more than a year after the planned unit development concept emerged in Monroe County, the momentum support it had in its conceptual stages is breaking down.

Planned unit development have passed various

stages of town approval in Henrietta, Webster and Penfield, and several other towns have adopted or are in the process of adopting planned unit development laws.

But Penfield, which was the first community to adopt a planned unit development law, in May 1969, may be signaling an early retreat from flexible planned unit development.

Most simply, planned unit development is the grouping of all varieties of housing — single family, duplexes, town houses and apartments — in a single development. Larger projects, like the 1,200-acre Riverston project proposed for Henrietta and Wheatland, will incorporate industrial, commercial and recreational development.

Ideologically, planned

ing mixture.

But getting closer to the suburban dilemma, Frank admitted, "You've got problems when you have apartments and you're putting them in residential AA areas next to \$60,000 homes."

If Penfield is signaling a retreat, it is in the face of pressure from the homeowners (in an election year).

While the professionals and civic leaders like architect Lewis Childs Jr. see planned unit development as "an alternative to the problem of suburban sprawl, the widespread lack of recreation and the aesthetic butchery of some suburban housing tracts, the suburban resident is beginning to view it as a glorified apartment project.

To the more rational, this means more children, more traffic and more taxes. But often more important, planned unit development is a change in the type of suburbs that the suburbs chose to live in when they bought their homes five to 20 years before.

And finally, the irrational fear of change in the form of integration of some of Rochester's white suburbs plague planned unit development as it has and will any innovative housing program for the suburbs that deviates from the single-family norm.

At an Aug. 16 public hearing on amending Penfield's planned unit development law, the Penfield Town Board heard residents warn that "where you have high density, you have a slum" and "they will have two, three and four children for every bedroom."

The net effect of reduc-

ing the maximum density of Penfield planned unit developments and requiring that half the units be single-family homes will be to raise building costs and make it more difficult for lower income groups to afford the move into the suburbs. This runs counter to the rhetoric sounded by town officials when they first considered planned unit development.

Anthony Calderone, secretary of Stanadco Developers Inc., warned that the effect of the amended law would be to create developments that "look more cluttered at a lower density."

Calderone said the effect of the amended law on a 110-acre Stanadco project that has already received preliminary approval in Penfield would be to reduce the number of units from 518 to 414 while increasing the number of buildings from 140 to 230.

The amended law would necessitate elimination from the project of a mid-rise building for the elderly while raising rents between \$6 and \$15 a month in rental units and the sale price of homes between \$500 and \$1,200, he said.

Finally, for the officials worried about taxes, the amended law will cause Stanadco to develop a project that will yield 60 more school children than the original while producing \$126 less in tax revenue per child, Calderone said.

The Monroe County Housing Council, in a prepared statement, fiercely attacked the proposed Penfield amendment, calling it "foolhardy to impose even more stringent regulations upon the one mode of development that has

Continued on Page 12B

Planned Unit Development concept faces erosion, despite lip service

unit development has emerged as one solution to economic, social and ecological ills.

Because of the high cost of land and construction, the suburban "dream house" is less and less affordable. By clustering housing, the developer can reduce his costs and rent or sell his properties at relatively low prices.

Thus to many human relations groups, planned unit development has become the most harmonious and economically feasible way to bring low-income groups into the wealthier

suburbs or, as they said in the '60s, integrate the suburbs.

Penfield probably will reduce in the next few weeks the maximum density permitted in a planned unit development from 5 units to 4 units per acre while requiring that half the units be single family detached dwellings.

Penfield Supervisor Howard J. Frank said the planned unit developments being proposed in Penfield are often 60 per cent apartments and don't coincide with the town board's conception of the proper housing

IF THIS IS OUR NEW
TAG" - WILL OUR
TOWNSHIP BEGIN TO GO
DOWNHILL AS OTHERS
HAVE IN THE PAST?

ROCHESTER, N. Y., TUESDAY, MARCH 31, 1970

Penfield's Aim: Lower Home-Tag

By DAN VAN DYKE

Penfield's Town Board is working on a new ordinance which it hopes will convince local builders to develop "moderate income housing" in the town, Supervisor Howard J. Frank said last night.

Called Planned Unit Development, Frank said the local law will "allow developers to take the gray on their apartments, but also build homes to sell for under \$25,000—that's the theory."

Despite a similar provision that was approved as part of the new Penfield plan may be the first of its kind to be adopted in New York State.

"It will allow a developer to cluster a variety of structures—apartments, condominiums, and single family dwellings—without having to go to the town for approval for all the different buildings."

Frank said the proposed ordinance will make the following elements of development eligible into Planned Unit Development:

- Each site must be at least 100 acres in size.

- "Financial limitations and individual contracts" must be adhered to, providing that the moderate income housing keep pace with other aspects of the development.

- "At least 30 per cent of the development be devoted to park land."

- At least 20 per cent of the development be in single family dwellings.

- Higher income structures be constructed around the exterior of the development to maintain the valuation of nearby properties.

"We're trying to achieve low or moderate income housing, which seems to be in great demand, without using subsidies," Frank said.

"I think private enterprise is still the best means—the developers can do the job if they want to."

Frank said there are "two or three Penfield developers" who have expressed interest in building such a development in the town, but he would not say who they are at this time.

The town attorney previously is drawing up the ordinance, and the "public hearing will be in late April or early May."

In addition, a Syracuse architect will sketch what the development might look like, at "a random site in town" for a fee of from \$1,000 to \$1,500.

WILL OUR PROPERTIES
LOSE THEIR VALUE
BECAUSE OF THIS?
→ HOMES UNDER \$25,000
IN THIS DAY AND AGE?

WILL THIS CONCEPT
BRING "TRANSIENT
PEOPLE" TO OUR COMMUNITY?
→ APARTMENTS..... CONDOMINIUMS;
HOW LONG WILL THEY BE
MAINTAINED AND AT WHAT
LEVEL OF STANDARDS?

PLEASE PLAN TO ATTEND
THIS "PUBLIC HEARING"
AND PROTECT YOUR
INTERESTS.

LVICUUIU

Will?

EXHIBIT I

THE ATTACHED PAGES ARE FOR YOU -----

NORTHWEST PENFIELD HOMEOWNERS

They will affect you next Monday nite, May 10, 1971.

Robert Road	Embury Road	Witherspoon
Five Mile Line	Shoecraft Road	Lane
Road		Havenshire
Scribner Road	Stockton Lane	Road
Old Barn	Hitchcock Lane	Longsworth
Circle	Rodney Lane	Drive
Timberline	Alberta Drive	Belvista
Drive		Drive
Bella Drive		Browncroft
Plank Road		Blvd
		Cityview

REMEMBER THE DATE

1. Are you concerned about your personal property values ?
2. What about your immediate community and neighborhood ?
3. Why did you move into the house you presently call your HOME ?
 - a. Was it because of the area ?
 - b. Did the type of housing appeal to you ?

EXHIBIT I

- c. Do you like the wide open spaces ?
- d. Do you work hard to maintain your home ?
(Certainly, we all do)
- e. You apparently enjoy suburban living, you're proud of your home and family.

***** 4. Would you object to or might you have second thoughts about approximately 500 families crowding into approximately 100 acres of land to be located in your immediate area ?

***** 5. Do you want APARTMENTS and TOWNE HOUSES to be constructed in your immediate class "AA" zoned residential community ?

Well.....its being proposed next Monday nite, May 10, 1971

TIME: 8:00 p.m.
PLACE: Penfield Town Hall Auditorium
LOCATION: Atlantic Avenue

YOU are urged to attend this public hearing Get the facts first hand; not by rumor, heresay or misrepresentation.....

PLEASE READ ON

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***** B E W A R E ! ! ! ! *****

P E N F I E L D A N D W E B S T E R
HOMEOWNERS.....

The attached page is a copy of an article
which appeared in the Tuesday March 31st
Democrat and Chronicle

It effects you ---- and could result in
low cost housing for the Webster/Penfield
area.....APARTMENTS -----

CONDOMINIUMS ----- TENEMENTS -----

Property valued under \$25,000.00 in this
day and age??????????????????????????

WOULD YOU SUFFER A PERSONAL LOSS??????

Please read the attached article and plan
to attend the public hearing scheduled to
be held later this month Please
check your local papers for the exact

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date, or call your township requesting
information relative to this re-zoning....

PROTECT YOUR HOME AND PROPERTY INVEST-
MENTS !!!!!!! Thank you

Plan on participating before it's
too late.....

Will the standards of our
fine community be lowered
if we allow low cost
housing to be built?

Look around at other communities
and see what low cost housing has
accomplished ????????????

SINCERELY,

A CONCERNED GROUP OF
PENFIELD AND WEBSTER
HOMEOWNERS

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EXHIBIT I

***** NORTHWEST PENFIELD HOMEOWNERS ASSOCIATION NEWSLETTER # 9 *****

IF..... you live anywhere in Penfield, this Newsletter message is for you.
 you have open land anywhere around your present place of residence, please read the following statement carefully.
 you're concerned about commercial development and the placement of 4 lane highways near your home, please read on.

For approximately three (3) years we have begged and pleaded with the present Penfield Republican Town officials to preserve and develop our area in an orderly fashion. We have been ignored, frustrated and publicly humiliated at recent Town Board meetings. We are being governed by a handful of elected individuals (the present Penfield Town officials) who because of their position and authority have chosen to ignore the majority (see number 2 below) WHY? Our questions and defenses go unanswered.....So much CONTROVERSY; so much CONFUSION.....
 OUR HOMEOWNERS ASSOCIATION has never been nor are we presently politically affiliated.....

> We now have the opportunity to be heard and we ask all of you to help us - HELP YOURSELVES IF YOU CARE and want a fresh and needed change in Penfield Town government. We have received the following statement from the Democratic party who have requested the opportunity to serve our town..... Why don't we give them a chance?.....

- The APARTMENT and TOWN HOUSE PCU application.....
- The SHOPPING CENTER How long before it will come up again? When will it pass? What will follow?
- Where will the 4 lane highways begin and end?
- This could happen in YOUR AREA..... None of us are protected under the present zoning ordinances.....
- MORE COMMERCIAL and 4 lane highways....
- UPDATE the Master Plan.. it is 10 yrs behind the times...
- TAX ASSESSMENTS....
- SCHOOL BUDGETS.....
- POLICE PROTECTION..
- YOUTH PROGRAMS.....
- RECREATION AREAS....
- Why are we waiting; why can't we start solving some of these PROBLEMS???

STATEMENT by the Democratic Candidates for Penfield Town Offices

We, the Democratic Candidates for Penfield Town Offices, support the residents in the area of the Beacon Hills subdivision in their opposition to this so-called PUD..... We support the residents in their opposition to the proposed shopping center at the corner of Five Mile Line and Plank Road..... We support the residents in their opposition to the widening to four lanes of Five Mile Line Road, Plank Road and Creek Street.....

The REASONS for this position are as follows:

1. The Beacon Hills project is in an area zoned AA and in which there is already extensive AA development. The question of how this project will affect the investment homeowners now have in their homes HAS NOT BEEN ANSWERED.
2. Neither the Town nor the developer have dealt with the residents in a fair and equitable fashion. A PETITION OPPOSING THE PROJECT, bearing the names of 616 residents representing 96% of those affected was IGNORED BY TOWN OFFICIALS. The builder offered a compromise which would permit the building of AA, A, and B zone lots. The residents were willing to consider the offer but the developer withdrew it before it could be acted upon.
3. The procedures used in the Public Hearing when the rezoning was considered are in question. Due to the crowded agenda, the hearing did not begin until 12:30 a. m. August 18, 1971 whereas the hearing was called for August 17, 1971. While this may appear a trivial point, the fact is that many residents had to leave the hearing and all who remained were weary. It was not the appropriate time for a hearing.
4. The site of the PROPOSED SHOPPING CENTER at Five Mile Line and Plank Road is within one mile of Route 250 and Plank Road which already has the beginnings of Commercial development. There is no current community need for a shopping center at this site.
5. Because of the RESIDENTIAL NATURE OF THE AREA, 4 lane highways are NOT NECESSARY and, indeed may be a HAZARD. No existing traffic problems will be solved by having a four lane highway. In fact, such improvements will probably create traffic.

The policy of the incumbent administration to zone everything AA and then spot rezone as developers present plans for APARTMENTS, COMMERCIAL developments and the like IS NOT PLANNED PROGRESS, provides NO PROTECTION FOR THE RESIDENTS and leads to unnecessary CONFUSION and CONCERN. This policy must be abandoned. The Master Plan must be UPDATED so that the Town of Penfield can be well planned and we can provide a good balance between housing, commercial developments and recreation areas in order that Penfield can remain a pleasant place to live. After all, living is the business of Penfield.

SIGNED..... Irene Goslin, Supervisor Candidate
 Frank Palfischek, Council Candidate
 Don Hare, Council Candidate
 Lin Embrey, Council Candidate
 John Burns, Town Clerk Candidate

***** We're asking all of you as Penfield homeowners and voters ----
 ---- PLEASE VOTE ROW B --- ALL THE WAY --- on ELECTION DAY, next Tuesday
 ----- GIVE THEM THE OPPORTUNITY TO SERVE US.....

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A COMPLETE LIST OF NWPFA AREA REPRESENTATIVES ACCOMPANIED WITH THEIR RESPECTIVE TELEPHONE NUMBERS IS FURNISHED FOR YOUR INFORMATION:

Bill Buchholz, Jr. (Shoecraft Road
Area)..... 671 - 1868

Carl Cooman Jr. (Five Mile Line
Road Area). 671 - 1907

Joe DePaolis (Independence
Ridge area).... 671 - 5724

Harry Esposito (Old Barn
Circle -
Timberline Area)671 - 4975

Jim Ewing (Robert Road Area)... 671 - 5286

Sal Fico (Independence Ridge
Area)..... 671 - 5737

Joe Frate (Independence Ridge
Area)..... 671 - 7482

Bill Lippa (Independence Ridge
Area)..... 671 - 4354

Paul Mandina (Five Mile Line
Road Area)..... 671 - 4260

Charley Roth (Scribner Road
Area)..... 671 - 4217

Dorothy Sullivan (Robert Road
Area)..... 671 - 3385

Jack VanVeen (Embury Road
Area)..... 671 - 6360

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- Bob Vincent (Embury Road Area).. 671 - 4172
- Bruce Wells (Robert Road Area).. 671 - 3585
- Walt White (Old Barn Circle -
Timberline Area).... 671 - 3082
- John Wojciechowski (Old Barn
Circle - Timberline
Area).....671 - 7594

***** The above listing is current as of
this date and represents total
coverage by area of the NORTHWEST
PENFIELD HOMEOWNERS ASSOCIATION
(NWPHA).....

Should you have any questions or any
pertinent information to provide
NWPHA with; or should you desire
to be a member of this association,
please contact your appropriate
area representative.

+++++

The elected and appointed representatives
of your township are ready and willing to
hear your opinions, ideas and criticisms.
RESIDENT HOMEOWNERS opposed to the constr-
uction and placement of a PUD in this area
are encouraged to be present and take part
in the formal public hearing regarding this
application.....

PLAN TO ATTEND THIS HEARING AND MAKE YOUR
FEELINGS KNOWN.....

MONDAY MAY 10, 1971.....8:00 p.m.