Town Board Work Session Agenda
April 9, 2014
7:00 PM

I. Call to Order

II. Approval of Minutes – March 26, 2014

III. Monthly Reports - March

IV. Public Hearing – None

V. Guests – 7:00 PM
   Tracey Bryce, 2118 Five Mile Line Road – Graphic Design Studio – Costello

   7:15 PM
   Dr. Renee Roland, 2088 Five Mile Line Road – Dental Office - Costello

VI. ACTION ITEMS

Law and Finance
1. 2152 Fairport Nine Mile Point Road, Panera Bread – Costello
2. South Point Marina Expansion – Final Scoping Outline Determination - Costello

Public Works - None

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS
1. Special Improvement District/Pond Ownership – Benway
2. Bayview Landing Subdivision – Costello
3. 1440 Jackson Road and 1271 Plank Road Incentive Zoning - Costello

IX. Old Business - None

X. New Business - None

XI. Executive Session – Real Estate, Litigation and Human Resource Matters

XII. Adjournment
I. **Call to Order**

**Present:**
Supervisor LaFountain  
Councilwoman Kohl  
Councilwoman Metzler  
Councilman Moore  
Councilman Quinn  

Also **Present:**
Jim Costello  
Lisa Grosser  
Dick Horwitz

II. **Approval of Minutes – 3/26/14**
CM Quinn moved for the approval of the Minutes of March 26, 2014, CW Metzler seconded the motion.

III. **Monthly Reports** – Supervisor LaFountain stated that many of the monthly reports have been received; they are due tomorrow.

IV. **Public Hearing** – None

V. **Guests**  7:00 PM – Tracy Bryce, 2118 Five Mile Line Road  
Graphic Design Studio – Costello

Jim Costello introduced Tracy Bryce who is interested in opening a Graphic Design Studio at 2118 Five Mile Line Road, in the building that was formerly Incognito, which is owned by Olga Boychuk.

Tracy Bryce explained that she will be offering graphic design services, including wide format printing. She has worked in the industry for 14 years. The company she worked for is dividing into two (2) and she is taking over the production and starting on her own. This is a great location and her services will benefit the community. The hours of operation will be Monday through Friday from 9:00 AM to 5:00 PM, Saturday from 10:00 AM to 4:00 PM and closed on Sunday. She will be the only employee and may hire a helper at a later date.

Councilwoman Metzler inquired if the operation will be open to the public?

Ms. Bryce said yes, she has an existing client base but will be open for walk-ins.

Costello asked how many visitors do you expect on a daily basis?

Bryce said no more than five (5) per day.
Costello advised Bryce that a sign package will need to be submitted for the Board’s approval.

Bryce said she doesn’t intend to have exterior signage initially. She will hang an interior sign in the front window.

Metzler inquired about the type of printing services that will be offered.

Bryce said banners, posters mounted on foam core, vinyl graphics, A-frames, coroplast signs, canvas and wide format printing. She will also offer design services.

Metzler asked about refuse collection.

Olga Boychuck said she will be getting a dumpster for use by the entire building.

Supervisor LaFountain asked Mrs. Boychuk to work with Jim Costello on the details and placement of the dumpster. Will there also be recyclables?

Bryce said yes, she tries to use as much scrap material as possible. Anything leftover, will be donated to local schools.

Councilman Quinn asked Bryce if she will be utilizing both entrances?

Bryce said the front will be for customers and the side entrance will be for deliveries.

Quinn asked if there will be interior renovations, any structural changes?

Bryce said she will be taking down a small wall.

Boychuk asked if the existing handrail is sufficient?

Costello said we will have to check with the building inspector to see if the handrail meets code.

The Board discussed and agreed to issue the Special Permit.

Supervisor LaFountain instructed Costello to prepare a letter to the applicant issuing the Special Permit. Conditions of approval should include obtaining a building permit for any remodeling, Fire Marshal inspection, sign permit and refuse collection.

7:15 PM – Dr. Renee Roland, 2088 Five Mile Line Road
Dental Office – Costello
Jim Costello introduced Dr. Renee Roland who has purchased Dr. James Hermann’s practice located at 2088 Five Mile Line Road.
Dr. Roland explained that she worked at Bradley Kaufman Orthodontics for four (4) years. She purchased Dr. Herman’s practice and he is staying on for six (6) months. Dr. Michael Pignato owns the building. Dr. Roland continued to say she is working on a sign. She will be replacing equipment only and there will be no structural changes. She will be keeping Dr. Hermann’s staff of three (3) full time employees and one (1) part time employee. Hours of operation will remain the same of Monday through Thursday from 8:00 AM to 5:00 PM. If the business grows she will hire more employees.

Costello asked if Dr. Roland was aware of the cross parking and cross access agreements?

Dr. Roland said yes she was advised. She will be leasing the building for now.

Councilwoman Kohl asked about the dumpster.

Costello said a new shared dumpster is being installed on a pad with a fence. Dr. Roland will share the dumpster with Dr. Merkley and the Five Mile Café.

Supervisor LaFountain asked when will you open up?

Dr. Roland said she closed in March and owned the business last week.

Councilwoman Metzler said this is a good example of the streamline process. The Board agreed and gives approval.

LaFountain directed Costello to write a letter of approval for the Special Permit, include conditions requiring a building permit for any remodeling. He asked Dr. Roland to work with Costello on the sign and advised a sign permit must be obtained.

VI. ACTION ITEMS

Law and Finance
1. 2152 Fairport Nine Mile Point Road, Panera Bread – Costello
Jim Costello

Jim Costello reviewed at the last meeting we discussed modifications to the proposed Panera layout. Costello, Supervisor LaFountain and Geoff Benway met with Adam Fishel, Marathon Engineering to revise the layout. The new plan provides safer access for parking and is exactly what we were looking for. We support approval of this redesign.

Adam Fishel reviewed that changes were made to the original design including straightening out the drive thru, isolating the drive thru stack, and moving the dumpster to the back corner of the parking lot. The dumpster will be enclosed and have landscaping around it. A waiver will be needed for 9’ x 18’
parking stalls which are less than the standard of 9’ x 20’. The building was shifted toward NYS RTE 250, and the main entrance faces NYS RTE 250. ADA Parking on the south side includes cross access. There will be no parking along the shared access. The main access points are the same. The required 58 parking spaces are maintained, the required number of stacked cars is met and the stacking will be isolated. The menu board is at the desired location.

Councilwoman Metzler commented that this redesign is much improved.

Councilman Moore agreed and said this redesign is much more structured than the previous design.

Fishel stated that this redesign was to meet the goals of the Town. The sidewalk design allows for continuation with future development in the area.

Costello added that the redesign also includes additional green space.

Supervisor LaFountain said with this redesign Panera and Jeremiah’s will be in line together. The west and south facing are key components for signage.

Costello said the revised lighting plan is being reviewed by AJ Hetzke, and will be shoe box lighting. This is an amended lighting plan for Jeremiah’s and new lighting for Panera. The lighting will be consistent throughout the area. The final landscaping plan will be forthcoming.

Councilwoman Kohl asked about the additional signage request.

Costello said the Board can approve or deny the additional signage request.

Councilman Quinn stated we should be consistent, what signage was approved for Jeremiah’s?

Costello said Jeremiah’s is asking for two (2) signs: a sign at the interior entrance and a free standing sign attached to the wall. The condition of approval for Panera would include a sign package.

Kohl asked if the applicant would be speaking with our landscape architect?

Costello said the applicant has agreed to work with the Town and the neighbors in the area. There may an upcoming proposal for a medical office in the rear of this site, which will require additional landscaping.
Metzler asked that noise mitigation be included as a condition of approval.

The Board discussed and agreed to approve this redesign.

LaFountain directed Costello to prepare a draft Resolution for the Board’s review. The Resolution will be submitted at the next Legislative Session on April 23, 2014.

2. Southpoint Marina Expansion – Final Scoping Outline Determination – Costello

Supervisor LaFountain thanked everyone who commented. The Board has reviewed all comments and they will be included in the Final Scoping Outline.

Councilman Moore stated that he read all of the emails and letters. Five (5) residents submitted comments. Moore said he feels the traffic on Empire Boulevard needs to be reviewed. The traffic issues should be addressed in this document, including a traffic study. Traffic flow both in and out of the parcel, as well as in both directions on Empire Boulevard should be evaluated.

Jim Costello said the NYSDOT submitted two (2) documents requesting the 2012 Traffic Study be upgraded to address this project.

Moore added that comments were also received from Mr. Frank, Engineer with the NYSDOT and Mr. Goehring, Regional Director NYSDOT. It is imperative we address the traffic issues and review the safety of that intersection as we move forward with the Final Scoping Outline.

Councilwoman Metzler stated she supports having a traffic study done. She acknowledges the NYSDOT’s request, but feels the Town would have had a traffic study done independently of this request.

Councilwoman Kohl stated that traffic on Empire Boulevard is a concern of any development along that road.

Costello said the NYSDOT requires a traffic study to determine if a turning lane is necessary.

Moore added that a stormwater protection analysis should also be included as part of the traffic study.

Costello said a stormwater protection plan would also be a requirement of this development.

LaFountain said our semi-annual meeting with the NYSDOT is this Friday. This application will be included as part of our overall conversation.
Kohl stated that the Historic Preservation Board has no concerns. There used to be a trolley along Empire Boulevard. The trolley bed was removed by R G & E to install power lines.

Costello said the trolley, Seaway Trail and LaSalle’s Landing event were not included in the EAF parts 2 and 3. The cultural resource consultants went through the site and it had already been re-graded into a parking lot and a holding area for dredge material. The area was previously disrupted and one would have to dig several feet and still would not reach virgin material. The trolley was taken out when Empire Boulevard went to a two (2) lane highway, in the 1960’s it was extended to a four (4) lane highway. The tracks were removed and R G & E took an easement where the trolley tracks were. The trolley tracks were on 1440 Empire Boulevard which may become a hiking trail in the future. If they do find something when they are digging they will have to stop per State requirements.

Metzler asked if this historical data was provided to the Historical Preservation/Parks and Recreation State Office?

Costello said the residents that submitted comments to the Town, also sent them to the State. The State has advised that it has closed the matter in an email to Costello which is included in the comments received during the comment period.

Councilman Quinn said comments were also received from Scott Sheeley, NYS DEC. Those comments discussed recommending restricted activity in proximity to the eagles nest within 330 feet. Clarification was requested to verify if this included the full area, both land and water.

Costello said he spoke with Mr. Sheeley and the results of the biological study stated that disruption of the water surface is okay; also activity on the shoreline is fine. They were concerned about having someone walk near the eagles nest. It was determined they should stay in the area where the marina is and the area immediately adjacent. They are going to meet on site to identify the exact area to avoid.

Quinn stated before we proceed with the biological study, we should meet on site with both the biologist and the NYS DEC to verify distances, barriers and a time line.

Costello said we can schedule something the last week of April. The biologist wants to begin his analysis in the last week of April.

Supervisor LaFountain said a comment was also received requesting a reduction in buildings from 10 to 9. The apartment complex was approved in 2012. The cumulative impacts associated with both traffic and stormwater need to be reviewed. LaFountain asked Costello to reach out to the apartment complex applicant’s
engineer and ask him to attend the Work Session on April 30, 2014. At this meeting we could review the possibility of reduction in the building number.

Metzler asked if aesthetics were addressed in the Draft Scoping Outline.

Costello said yes.

Kohl asked if the trails would include accessibility to the water.

Costello stated that the LWRP requires creating public access to the water’s edge. Benway spoke with the Danieles and advised that a condition of approval would require easements over the shore line for recreational use. The Danieles have agreed to allow access and at some future date, the Town could apply for grant monies to construct a boardwalk.

LaFountain said this would give us another access point. We have the sidewalks along Empire Boulevard which can connect to other sidewalks. There is also a potential for inner connectivity.

Costello said the overall plan had some segments which couldn’t be reached. There should be an overall hiking plan which may not be near the marina, but will go west back behind the restaurant and to the east towards the apartment complex. Everything should tie together.

Costello continued to say there are existing sidewalks along Empire Boulevard that will connect to the sidewalks in the project. Those sidewalks will then tie in to the path to the DiMaggio property to the north and then to Abraham Lincoln Park. The existing path system goes by the eagle’s nest. The new path system will need to be redirected away from the nest and land will be donated back to the Town for public park and access. Total parkland will be 7 – 10 acres.

LaFountain said the next step is to complete the Final Scoping Outline. The Board discussed and agreed. LaFountain directed Costello to prepare a document for the Board to review.

Dick Horwitz said now that the draft scoping outline has been completed, he commends the Board and staff for their attention and work. He looks forward to moving forward with the Final Scoping Outline.

Costello added that he will include the comment matrix in the Final Scoping Outline.

Public Works - None
Public Safety - None
Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None
Public Works - None
Public Safety - None
Community Services - None

VIII. HELD ITEMS
1. Special Improvement District/Pond Ownership – Benway
2. Bayview Landing Subdivision – Costello
3. 1440 Jackson Road and 1271 Plank Road Incentive Zoning – Costello

IX. Old Business – None

X. New Business

Councilwoman Kohl asked where we are with Mott’s Lane. She’s noticed CP Ward working on Penfield Road, and has been receiving questions from residents.

Supervisor LaFountain stated that the Town obtained the last piece of property from Dr. DiPietro. Ronnie Williams, Geoff Benway and himself discussed how to execute this extension of Mott’s Lane. It was decided to have CP Ward do the curb cut on Penfield Road as they have larger equipment, traffic diverter equipment and signage. CP Ward is contracted to do the curb cut and the first 20 to 30 feet. The Town’s crew will then complete from where CP Ward stops to the lot behind the Humphrey House. There will also be a tie in to Dr. DiPietro’s parking lot, and a retaining wall. CP Ward will be done in two (2) to three (3) weeks. The entire extension should be completed by Memorial Day.

XI. Executive Session – Real Estate, Litigation and Human Resource Matters – None

XII. Adjournment – Supervisor LaFountain adjourned the Work Session at 8:04 PM.

Lisa Grosser, Deputy Town Clerk