Town Board Work Session Agenda  
May 28, 2014  
7:00 PM

I.  Call to Order

II. Approval of Minutes – May 14, 2014

III. Monthly Reports - None

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. 2146 and 2152 Fairport Nine Mile Point Road (Fallone) – Costello
2. Solar Project Next Steps - LaFountain

Public Works - None

Public Safety - None

Community Services
1. Revised Sports Field Use Fees - Bilow

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

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 – arrived at 7:08 PM

Also Present:
Chris Bilow
Jim Costello
Lisa Grosser

II. Approval of Minutes – 5/14/14
CW Metzler moved for the approval of the Minutes of May 14, 2014, CM Moore seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. 2146 and 2152 Fairport Nine Mile Point Road (Fallone) – Costello

Jim Costello reviewed that Dr. Fallone had been before the Board several times in the past several months regarding his project proposed on two (2) parcels; the Farash property and the Reese property. This revision is based on feedback from those meetings. Geoff Benway, Town Engineer has worked on both the cross access and the through access in conjunction with John Shields, Dr. Fallone’s engineer for the project. Dr. Fallone has potential businesses for the proposed buildings which include Chipotle, A T & T, Starbucks and a medical building. In addition, Costello noted that another developer has placed an offer to purchase the property next to Doodlebugs to construct 10,000 square foot medical building. A tree line will be added to buffer the neighbors and a swale will be added to direct discharge to the pond behind Doodlebugs.

Costello then reviewed the original concept plan that was approved in 2005. The original plan was approved for 65,000 square feet of building area. This revised overall plan requests approval for 32,000 of the 56,000 square feet of buildings proposed. There is an overall reduction in the total square
footage of buildings and there is additional acreage for the project. Therefore the overall density is reduced from the 2005 approval.

Costello continued to say Dr. Fallone proposes to connect to the Trau property with an access road that will continue to Penfield Road. The easement was negotiated with Trau at the time of the approval of the Perkins Restaurant. The incentive zoning for projects in this area have averaged out to $317.46 per linear foot of property frontage along Fairport Nine Mile Point Road for retail space. The total incentive for the Fallone property, if that average were used, would be $73,018.00. In the past, incentive zoning monies were used towards road improvements, sidewalks and drainage. Costello suggests using the incentive zoning monies to complete the access road through the Trau property.

Councilwoman Kohl inquired if the Reese property was part of the original incentive zoning project?

Costello said no, but Fallone is taking over a portion of the Farash property and would be responsible for that portion of the incentive as well as for the Reese property.

Councilwoman Metzler added that it is a conceptual continuation of incentive zoning in the area, not a legal obligation.

Kohl verified that the access driveway through the Trau property was part of the original 2005 approval.

Costello said the Reese property has an existing driveway that Fallone would like to maintain as an alternative means of ingress and egress. The NYS DOT will have to review and may or may not allow full access.

Supervisor LaFountain asked what the requirements of the LUAMP are for this property?

Costello said they must minimize curb cuts and conflicts. NYS DOT may only want a right in and right out. They will also review the sight distance.

Councilman Quinn asked if Trau was responsible for the access road?

Costello explained that Trau is not responsible. The Town negotiated the easement, because there was little potential for development on his property. It has been the Town’s responsibility to maintain that portion of the easement area.

LaFountain stated that he is concerned about the number of restaurants in this area. We want the businesses to be successful and we do not want them competing for parking. Some of these businesses may have similar peak times.
Costello asked if the proposed Starbucks will have a drive-thru?

Fallone said yes.

Councilman Quinn added that there is a Starbucks inside Target.

Costello said we will have to review the drive-thru and look closely at the parking. We wouldn’t want the parked cars to be backing into the drive-thru lane. The right in and right out may be ideal for the Starbucks drive-thru.

Kohl referenced the Starbucks in Webster Plaza. That location is not near other businesses and there is plenty of room for the drive-thru. Kohl asked if we could do something like that?

Costello said we have been working on the cross access and maintaining good flow through. We are pretty close and will need to do some fine tuning if there is going to be a drive-thru for Starbucks.

Quinn asked if the buildings will be one (1) or two (2) story?

Costello stated as a requirement of LUAMP one (1) story is necessary to minimize impacts to the neighbors.

LaFountain asked if all buildings will be owned by Dr. Fallone?

Fallone said yes.

Costello stated that Tom Massucci is proposing to construct and own the 10,000 square foot medical building; he is working with The Farash Corporation.

Councilman Quinn inquired if there will be an Informational Meeting to discuss Incentive Zoning for the Reese parcel?

Costello said we would have a meeting to consider the Incentive Zoning for the Reese property. We would then move forward for preliminary approval for all three (3) buildings, and final approval for the building that will house Chipotle and AT & T. The final approvals for the other two (2) buildings would be given once the type of business for each building is decided. This could be accomplished through a Special Permit process.

Metzler stated that it is important to emphasize the overall reduction in square footage of businesses and the reduction in density from the original 2005 approval.

Costello added that the most important aspect of this project is the buffering for the neighbors. The incentive will be consistent with the existing incentive zoning in the area.

The Board discussed and agreed to move forward.
Costello again said that we should consider using the incentive fees for construction of the access road. John Shields will work with Geoff Benway to determine what the cost would be for the access road. The Town would then drop the LUAMP fees in lieu of completion of the access road.

Metzler added that any additional information about potential businesses received prior to the hearing would be beneficial for residents to see what conceptually may happen.

Costello said Fallone will also have to submit architectural designs of the buildings.

Costello continued to say the exact procedure will be discussed with Town Attorney Richard Horwitz before we move forward.

LaFountain said after the details are discussed with Town Attorney Horwitz, a Resolution will be submitted for the next Legislative Session on June 4, 2014.

2. Solar Project Next Steps – LaFountain
Supervisor LaFountain stated that the Informational Meeting was held last week regarding the solar project. No comments have been received. Members of the Energy and Environmental Advisory Committee either attended the meeting or viewed the meeting online, and recommend the Town Board move forward with this project. A follow up letter will be sent to the Town Board and a copy sent to the Energy and Environmental Advisory Committee.

LaFountain said next we will review the potential layout design and funding.

Councilwoman Metzler added that she had only received positive comments from residents.

Councilwoman Kohl added that she also received positive comments saying it is a great idea and residents are pleased that Penfield is leading the way.

LaFountain said we will now review the funding and the payback rate of return on this investment. We will review available funding through NYSERDA, a power purchase agreement, local funding, or some combination thereof. This data will then be presented to the Board for review.

Kohl asked what department would be the lead?

LaFountain said there are a number of departments who are involved: Engineering, Planning, Public Works and Facilities. We need input from all of these sources. Jim Kreckman of the Facilities Department would be the lead.
Jim Costello added that he will be working on the SEQR process for this project with Geoff Benway, Town Engineer.

Public Works - None

Public Safety - None

Community Services
I. Revised Sports Field Use Fees – Bilow

Chris Bilow submitted a summary of the proposed fee changes to the Board for its review. The updated fee structure is for rental of both baseball and softball fields. Fees include a permit fee, a grooming fee, lining fee and lighting fee. These fees were last updated in May of 2004. In reviewing the fees we have attempted to simplify the fee structure. The permit fee is new and is suggested to make the groups more accountable. In the past, groups have blanketed out field time and then not shown. Also there was a need to break down the fee for lining because there is a need to rent the fields without lining. Tom Baxter, Penfield Little League worked with us to update the fees.

Bilow continued to say the note *supplies charged extra if deemed necessary in inclement weather pertains to a fee to add Diamond Dry. All work is done and maintained by Penfield Little League. Usage has decreased over time as there is more available field rental space.

LaFountain asked Bilow to list the current fee along with the new fee on the Resolution.

Councilman Moore stated that the Town has a great partnership with Penfield Little League and this continues the partnership.

Councilwoman Metzler asked Bilow to include effective dates of the pricing on the Resolution.

The Board discussed and agreed to the changes. A Resolution will be submitted for the next Legislative Session on June 4, 2014.

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

IX. Old Business - None
X. New Business - None

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

XII. Adjournment - Supervisor LaFountain adjourned the Work Session at 8:00 PM.

Lisa Grosser, Deputy Town Clerk