Town Board Work Session Agenda
June 25, 2014
7:00 PM

I. Call to Order

II. Approval of Minutes – June 11, 2014

III. Monthly Reports - None

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. Outdoor Dining, 1857 Penfield Road – Costello
2. Consignment Clothing Store, 1865 Penfield Road - 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

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

II. **Approval of Minutes – 6/11/14**
CM Quinn moved for the approval of the Minutes of June 11, 2014, CW Kohl seconded the motion.

III. **Monthly Reports** – None

IV. **Public Hearing** – None

V. **Guests** – None

VI. **ACTION ITEMS**

**Law and Finance**
1. Outdoor Dining, 1857 Penfield Road – Costello

Jim Costello stated that the Public Hearing was held on June 18, 2014. He submitted a draft resolution to the Board for its review and reviewed that the original approval was given in 2012. At that time the applicant requested outdoor dining and the Board asked that he wait a period of one (1) year and establish his business. The applicant is now requesting a 16’ x 16’ deck, 256 square feet to be added to the rear of the building. A Conditional Use Permit is required. The proposed deck meets the required setbacks and the applicant must meet the occupancy requirements of 16 seats, in any configuration. There is adequate parking and the Board suggests adding an 8 foot privacy fence to reduce noise from the deck to neighboring properties. The applicant currently has a liquor license and will need to contact the State to verify there are no additional requirements for outdoor dining. Hours of operation will include dining until 9:30 PM and the deck will be closed at 10:00 PM.

Costello continued to say the applicant will need to submit sketches so that the Board can approve the color scheme. The site is in full compliance. Outdoor music will be piped only, no live music is allowed. The music from the deck cannot exceed the
boundaries of the property. This use meets the goals of the Four Corners District.

Councilman Quinn asked if any comments were received?

Costello said no comments were received after the Public Hearing.

Supervisor LaFountain added that his office had not received any comments.

The Board discussed and approved.

LaFountain asked Costello to prepare the final resolution to submit at the next Legislative Session on July 2, 2014.

LaFountain asked the applicant when he would like to open the deck?

Jose Abarca said he will start construction as soon as he receives approval.

Costello advised Mr. Abarca to submit his plans to the Building Department as soon as possible.

2. Consignment Clothing Store, 1865 Penfield Road – Costello

Jim Costello reviewed that the Public Hearing was held on June 18, 2014. The applicant, Shannon Ozkum, will be occupying the first floor of the building that previously was a chocolate shop. The lower level will be used for storage only. A Conditional Use Permit is required. The occupancy requirements will be met. No sign is requested at this time, but may be requested in the future.

Supervisor LaFountain stated the applicant will put a sign on the door and on the window.

Costello added that there is an existing sign on the building that is not in compliance. He will meet with the building owner to resolve. Costello continued to say the adequate parking onsite consists of 10 spaces. The applicant has been advised the refuse must be disposed of properly. The Fire Marshal has walked through and there are no violations.

Councilman Quinn inquired as to hours of operation.

Costello said the applicant has agreed to comply with the hours of the district which are 6:00 AM to Midnight.

Councilwoman Metzler added the applicant plans to open 7 days a week until 8:00 PM.

The Board discussed and agreed to allow outdoor dining.
Supervisor LaFountain requested that Costello prepare a Resolution to be submitted at the next Legislative Session on July 3, 2014.

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

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 7:17 PM.

Lisa Grosser, Deputy Town Clerk