Town Board Work Session Agenda
August 27, 2014
7:00 PM

I. Call to Order

II. Approval of Minutes – August 13, 2014

III. Monthly Reports - None

IV. Public Hearing – None

V. Guests – 7:00 PM -
   - Chaundu Carey – Gold & Coin Exchange, 1833 Penfield Road
   - Tim Stevens – Possible Moonshine Distillery, 2104 Five Mile Line Road

VI. ACTION ITEMS

   Law and Finance
   1. Mark’ s Pizzeria Site Plan Review – Costello
   2. Southpoint Cove Condominium Architectural Review – Costello
   3. Fallone Project, 2146-2152 Fairport Nine Mile Pt. Road Project - Costello
   4. Review of Panera Bread Sign Package – Costello
   5. Request for Fence Encroachment – 1 Splendorwood Drive - 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. Bayview Landing Subdivision
   2. Five Mile Café – Signage/Music – 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 (arrived at 7:05 PM)
Councilwoman Kohl
Councilwoman Metzler
Councilman Moore
Councilman Quinn

Also Present:
Jim Costello
Lisa Grosser

II. Approval of Minutes – 8/13/14
CM Quinn moved for the approval of the Minutes of August 13, 2014, CM Moore seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – None

V. Guests 7:00 PM
- Chaundu Carey – Gold & Coin Exchange, 1833 Penfield Road
Jim Costello introduced Chaundu Carey who is interested in taking over the operation at 1833 Penfield Road. Carey previously worked at the Chili location of the Gold & Coin Exchange. The business will remain as it was originally established and this is a management change only.

Councilwoman Metzler inquired about business hours.

Carey said the hours of operation would be Monday through Friday from 10:00 AM to 5:00 PM. Saturday from 10:00 AM to either 3:00 or 5:00 PM, if business allows he will stay open until 5:00 PM. Closed on Sunday.

Councilwoman Kohl inquired about the number of employees.

Carey said himself and one (1) additional employee.

Metzler said this change follows the streamline process.
Kohl asked when the business will open.
Carey said he would like to open Tuesday.

The Board discussed and agreed to issue the Special Permit through the streamline process.
Costello stated that the Fire Marshal has inspected the property and it is in compliance. A Special Permit will be issued and Carey will need to pay a fee. Costello will have the permit issued as soon as possible.

Supervisor LaFountain asked if the signage will remain the same.

Carey said yes. Carey asked if he would have to come back to the Board if he needs to extend his hours of operation during the holiday season.

Costello explained that based on the zoning of the property Carey can keep his business open between the hours of 6:00 AM and Midnight.

Councilman Moore advised Carey if he has any additional questions he should contact Jim Costello.

- Tim Stevens – Possible Moonshine Distillery, 2104 Five Mile Line Road

Jim Costello introduced Tim Stevens and Mike Dettman who are interested in opening up a Moonshine Distillery at the church across from Mark’s Pizzeria.

Tim Stevens said the distillery will be making spirits, mostly moonshine. There are many craft breweries and distilleries opening up across the country. The Four Corners area is a great area for this type of business. Stevens stated he would like to open up a year from now. He needs to obtain licensing and approvals. He would like the business to be open daily from 12:00 PM to 9:00 PM and 10:00 AM to 10:00 PM on Friday and Saturday.

Costello asked Stevens to review his business plan that was submitted to the Board.

Stevens said the business would entail distilling moonshine. Downstairs would be retail sales where customers could purchase bottled moonshine. There will be two (2) tasting bars upstairs, along with the brewing equipment. There will be a hostess to greet customers, similar to a winery. He would also be interested in offering light food fair, pub style food. There is an existing outdoor deck and he would like to add tables for customers to eat outside. He would also be offering Pepsi products for sale.

Costello asked Stevens if he thought customers would be on site for several hours?

Stevens said no, this would not be a bar environment. The tastings would be a four (4) to six (6) ounce glass of premixed flavored moonshine. The moonshine is 70 proof, 30% alcohol.
Costello asked if the distilling process would emit odors or discharge liquids?

Stevens said no liquids are discharged. During the process of fermenting the corn, there is a sweet smell. It would be vented outside and a charcoal filter could be added to reduce odors. The odor is not offensive.

Councilman Quinn asked where Steven’s current operation is located.

Stevens said the operation is in Dettman’s garage. They currently do tasting parties at customer’s homes.

Quinn asked if there would be vehicles on site to take product to tasting parties.

Stevens said we intend to have seven (7) employees and there are 30 parking spots. Stevens would also like to have his product sold in liquor stores. There would be a vehicle to deliver product and also to take product to tasting parties.

Costello advised Stevens that he would need to obtain approval from the Monroe County Health Department for the food process.

Stevens said he is aware of the inspection process. He will also need approval from both the State and Federal government. The jars and labels the moonshine is bottled in need to be approved. The three (3) year license needed to operate is $26,000.

Councilwoman Metzler asked if there would be any changes to the interior or exterior of the church.

Stevens said they would only paint the exterior. They would like to preserve the existing stained glass and name the business “Stained Glass Distillery.”

Costello added that the Historic Preservation Board is interested in keeping the structure as is.

Stevens stated that there are many incentives and grants available, including grants for using NY State products.

Costello asked Stevens and Dettman if they are currently employed.

Stevens stated that they are both licensed opticians.

Supervisor LaFountain inquired as to the volume of the production.
Stevens said there are two (2) types of stills available 50 and 100 gallon. He would prefer the 100 gallon still, but needs to review the licensing restrictions. He would like to max out the capabilities without restrictions.

Councilwoman Kohl asked Stevens if he would be utilizing the entire building.

Stevens said he would use the church portion, not the addition in the back.

Kohl asked how many customers are expected at one time.

Stevens said he is unsure of the maximum occupancy. There will be two (2) bars and two (2) servers. We should be able to have 20 customers at each bar. There will be a separate banquet area for private parties.

Kohl asked if there will be changes to the kitchen to sell food.

Stevens said he would use the existing kitchen. He would offer a one (1) page menu and only require a fryer and grill.

Costello advised Stevens that he would have to review the County Health Department requirements for food.

Stevens said in the future they many want to offer outdoor entertainment on the deck; similar to the Fairport Brewery.

Costello said the purpose of this evening’s meeting was to determine the Board’s interest in this type of business. You will need to put together a more detailed outline before you receive approval.

Metzler added you will also be required to obtain approval from various agencies.

Mark Crane stated that he would be the contractor for the job. He will remodel the kitchen. The church will remain the same, upstairs they will add a bench on each side for the tastings. Downstairs we will add three (3) sinks to the kitchen set up.

Costello advised Stevens that the Board will want to review the detailed interior layout. You will also need to meet ADA requirements.

Stevens added that there will also be a tasting bar on the first floor.

Crane added that nothing will change structurally; this is a good fit for this location.

Metzler suggested Stevens team up with local farmers for supplies.
LaFountain advised Stevens to work with Costello on the next steps in the process.

VI. ACTION ITEMS

Law and Finance
1. Mark’s Pizzeria Site Plan Review – Costello
Jim Costello said we have been working on the parking issues with the site and Canandaigua National Bank. The report from Chris Lopez, Architectural Consultant has been sent to the Board for review. We met with Mark and Scott and sent the information to the Historic Preservation Board for review.

Costello continued to say Mark and Scott have redesigned the parking to accommodate the neighbor’s concerns. The NYS DOT is supportive of the access point moving north. Scott redesigned the parking to have perpendicular parking versus angled parking.

Scott said he has added four (4) to five (5) parking stalls and sidewalk to access the parking area. The NYS DOT does not want two (2) way movement. There will be one-way traffic half way in to the site and then change to two (2) way traffic. The final plan will be reviewed by Canandaigua National Bank.

Mark Crane stated that the redesign has eliminated some green space. The additional parking spots have been added for the bank and will not be used for Mark’s Pizzeria as they are the furthest from the restaurant.

Costello added that the redesign will still have more green space than there is now. Costello continued to say Chris Lopez reviewed the design and has made recommendations to adhere to the Four Corners Design Plan. We may also have Lopez meet with the Historic Preservation Board. The building has been tweaked, and Mark Crane is uncomfortable with some of the changes to the internal layout.

Chris Lopez said he has made suggestions based on compliance with the Four Corners Design Plan. This structure is an important part of the Four Corners area. Parking has been added to the north and west. The site plan is great without the zero setback on Five Mile Line Road, but this design is less compliant with the Four Corners Plan. Lopez has suggested a more storefront façade. This will add more visibility especially to the park and south. Regarding the arcade that is along the Five Mile Line side, it makes sense to move that to the southeast corner and add an overhang to add outdoor covered seating.

Lopez continued to say there is an opportunity for a tower element. Most buildings in the area are two (2) story. He suggests adding a corner tower on the southeast corner. This would add a focal point and also announce the entrance.
It would be a good backdrop for signage and create a gateway element when entering the Four Corners. The height of the suggested tower is 25’ 4”. The simplicity of the design and the materials proposed are right on. Larger windows are within the district standards.

Costello said the original proposal had the north side of the building plain and landscaped on the south side. Lopez suggests moving it to the north to break it up. Costello would like to see Lopez’s proposal incorporated so it doesn’t impact the floor plan and Crane’s ability to operate his business.

Lopez said he doesn’t feel the redesign should effect the interior floor plan. The entrance to the northeast corner is a service area. He can work with Crane on this concept, he doesn’t want it to negatively impact the business. Lopez would like the building to esthetically fit into the Four Corners.

Councilman Quinn asked to review the original floor plan along with Lopez’s suggested revisions.

Supervisor LaFountain asked for Crane’s and Scott’s input on the redesign.

Crane said he doesn’t like the tower look. His last eight (8) stores were all made to look like this original building. This building shape fits the interior layout. The additional outdoor seating is nice, but can only be used three (3) to four (4) months a year. He likes the original design and moving six (6) feet out and changing the entrance to the north yields six (6) feet of dead space across the front. Crane wanted the six (6) foot setback to create a buffer. He doesn’t want his customers to walk out of the building and be right on the sidewalk. He also doesn’t want the outdoor dining closer to the road.

Lopez said he took the original design and adapted it to the specific site and the Four Corners Design Plan.

Crane said he is willing to make a trade off; he likes the windows.

Councilwoman Metzler said a balance can be struck. We took the Historic Preservation Board’s input and tweaked the building to conform with the guidelines of the Four Corners Design Plan. Crane should be allowed to develop the property as he sees fit. If Crane does not like the changes to the entrance, we need to defer to the property owner.

Councilman Moore stated that Crane knows his customers and the required work flow. A change in the windows does make the building more inviting.

Metzler added that if Crane does not want the outdoor covered dining, we should defer to his preferences.
Costello said we can review the window change with the Historic Preservation Board.

Lopez said the original design is more Western style. The suggested tower scales it up to other buildings in the surrounding area. It is also a nice focal point for the signage.

Crane said he likes the sign as it is. He feels the tower takes away from it.

Costello said the building may need to be scaled up. He suggested Crane work with Steve Carini on the windows and the height issues. Crane is looking to demolish one (1) building this year and start construction on the new building next year. He advised Crane apply for the demolition permit at any time.

Crane said he would like to remediate the area on September 6, 2014. He would like the building removed by mid-September. Crane said the soil can then have a season to freeze and thaw prior to construction.

LaFountain asked that the electronics for the clock be protected during the demolition.

Costello said there is a Carillon controller system for the clock at the Four Corners that will need to be protected during the demolition. This can be reviewed with Jim Kreckman.

Supervisor LaFountain said the revision in the windows will add curb appeal. The top part of the building structure needs to be addressed. We want to fit both your needs and the Four Corners Design Plan.

Quinn asked what the current code is for signs for the property.

Costello said he is allowed one (1) sign. Costello stated that Canandaigua National Bank has multiple signs.

Crane stated he would like to stay within the current look.

Costello said for customers coming from the north, they may need a sign to locate the new building.

LaFountain said the original sidewalk easement was not done properly and needs to get cleaned up.

Quinn asked if anyone had spoken with Town Attorney Horwitz about the outdoor seating and any legal ramifications.

Costello said he had spoken with Horwitz on the subject. We can work out insurance and reach an agreement with Crane. What he did discuss with Horwitz is to what extent do-you want Crane to take care of the park.
Moore said Crane’s original proposal is very fair. The Town Attorney can work up a Shared User Agreement.

Costello said we will work with Lopez and Crane to come up with a compromise on a redesign.

2. Southpoint Cove Condominium Architectural Review – Costello
Jim Costello submitted photos received from Jess Sudol, Passero Associates for the proposed condo building at Southpoint. This building will have the same design as the other buildings. The courtyard will include a swimming pool and pergola which will be enclosed by a fence. There will also be underground parking.

Councilman Quinn asked if the building will be gated.

Costello said yes, the general public will not have access, it will be a private setting.

Councilwoman Metzler asked what the total number of units will be.

Costello said there will be 24 units, eight (8) on each floor.

Supervisor LaFountain asked for confirmation that the exterior of the building will be the same character as the apartment units.

Costello said yes, the patio area may come out a little further, but the building will be in the same footprint. There will be private drive signage.

The Board discussed and agreed the architectural design is acceptable.

Costello will close the loop with Jess Sudol and advise of the Board’s approval.

Jim Costello said there are two (2) outstanding issues; first is stormwater management. Geoff Benway has met with John Shields and they have come up with a solution. There will be no removal of trees behind the building for stormwater management. The second issue is the architectural design. The architectural proposal is similar to the Chipotle building on Jefferson Road and Costello submitted photos of all sides of that structure for the Board’s review.

Costello continued to say PRC is concerned because the building is tight on the plan and there is not a lot of space for landscaping. Landscaping will need to be incorporated on the foundation. The applicant showed photos of an alternative design that shows a peaked roof, but that wouldn’t blend well with the
Panera Bread building. The applicant’s preferred elevations fit better with the Panera building and other buildings in the area.

Costello also showed the Board a picture of the new office building that will be located to the east and south.

Councilwoman Kohl said the building is nice, but she would like to see landscaping.

Costello said we will look at plantings like the Panera Bread building.

Supervisor LaFountain said the stormwater will be an underground facility. This will yield more area for landscaping and buffering.

Costello added that the stormwater will discharge into the existing stormwater system. We will need to review the final details of both the stormwater and the landscaping. We can make the landscaping a condition of approval. Costello will email the Board the final landscaping design.

LaFountain said the Resolution can have conditions that the Board must approve the landscaping and the stormwater is subject to the approval of the Town Engineer.

Costello added that the landscaping needs to be designed to fit the building. Costello said he will work them on the landscaping and have a Resolution for the Legislative meeting on September 17, 2014.

4. Review of Panera Bread Sign Package – Costello
Jim Costello said this will be tabled.

5. Request for Fence Encroachment – 1 Splendor Wood Drive – Costello
Jim Costello submitted photos for the Board to review. The residents are interested in adding a fence over a sidewalk easement. The sidewalk easement is halfway through their yard and is remote of the sidewalk which is closer to Jackson Road. He feels that the easement had a bad legal description. The residents would like to add a fence seven (7) feet from the sidewalk.

Costello continued to say the residents are allowed to fence the entire perimeter of their property. The easement is in the wrong place. The Town Board should release the easement subject to the new easement for the sidewalk. Costello suggests the residents install the fence ten feet from the sidewalk which is 30 feet from the house. If the fence is too close to the road, it could be damaged by the snow plow.
Supervisor LaFountain added that the property to the south has a wider right-of-way. He believes when the subdivision received approval the easement was carried down Jackson Road.

LaFountain added that this is a County road and before the easement is abandoned it should be verified with the County that it is not needed. The Town Board can grant a waiver, but we want to verify with the County that this is okay.

Costello said he will contact the County and then release the easement and obtain a new sidewalk easement. Costello added that the residents can stake the property as a guideline for the placement of the fence. Costello advised the residents that they can begin looking at fencing materials and he would contact the County regarding the easements and advise when they can proceed.

Supervisor LaFountain advised the residents that this will take a couple of weeks.

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. Bayview Landing Subdivision – Costello
2. Five Mile Café – Signage/Music – 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 8:45 PM.

Lisa Grosser, Deputy Town Clerk