6:15 PM Goals and Priorities
- Tax Receiver/Town Clerk
- Finance/Personnel
- Recreation

I. Call to Order

II. Approval of Minutes – January 28, 2014

III. Monthly Reports - January

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. Local Waterfront Revitalization Program (LWRP) Update – Costello
2. Incentive Zoning, Dublin Road – Costello
3. Incentive Zoning Revision, Fox Hill Subdivision – Costello

Public Works
1. Review Bid Results – Ext 56 (Parkview/White Village Sewer Project – DiFrancesco

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Request for Extension of Hours for Jeremiah’s Outdoor Dining Area - Costello

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS
1. Right-of-Way Transfer on Mott’s Lane
2. Jomanda Way, Expanding No Shooting Petition – LaFountain
3. 1223 Fairport Nine Mile Pt. Road, Neufeld – Costello
4. Garage Addition, 2041 Penfield Road - Costello

IX. Old Business - None
X. New Business - None
XI. Executive Session – Real Estate, Litigation and Human Resource Matters
XII. Adjournment
Town Board Work Session Minutes  
February 11, 2015  
7:00 PM

I. Call to Order

Present:
Supervisor LaFountain  
Councilwoman Kohl
Councilwoman Metzler arrived at 8:05 PM
Councilman Moore
Councilman Quinn

Also Present:
Jim Costello
Mark DiFrancesco
Lisa Grosser

II. Approval of Minutes – 1/28/15
CM Quinn moved for the approval of the Minutes of January 28, 2015, CW Kohl seconded the motion.

III. Monthly Reports – Most of the monthly reports have been received, any outstanding reports are expected by the end of the week.

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. Local Waterfront Revitalization Program (LWRP) Update – Costello
Jim Costello stated that we are waiting for the Monroe County Planning Department to finalize its review. There are 8 days left of the 32 day requirement of the review process pursuant to Town Law 239m. Costello will prepare both the Findings Statement and a draft Resolution for the Town Attorney to review. Costello plans to submit the Resolution at the March 4, 2015 Legislative Session.

Supervisor LaFountain asked the Board to forward comments to Costello. He continued to say the 239m comments will come in and he doesn’t expect anything unique. Town Attorney Horwitz will review the draft Resolution before it is submitted on March 4.

2. Incentive Zoning, Dublin Road – Costello
Jim Costello reviewed that Steve Philippone had presented a concept to the Board at the Work Session on January 14, 2015. The project location is on Dublin Road, just north of Helmsford Way and 30 duplex units are proposed.
Supervisor LaFountain added that the proposed green project includes geothermal and solar technology, and car charging stations. NYSERDA credits could be obtained to partially fund this development. It would be the first green project in the area. LaFountain continued to say there were two (2) items that require additional discussion. Is the Board okay with the density of the project and does the proposal fit within our incentive zoning criteria.

Councilwoman Kohl stated she feels an incentive would have to be created that affects the most people and benefits residents as a whole. Simply being a green project is not sufficient for incentive zoning.

Steve Philippone said he needs guidance as to what would be a suitable incentive; what are the needs within the Town.

Councilman Quinn agrees with Kohl that the incentive needs to benefit the Town, or the region as a whole. The location and density can be worked around. He likes the unique concept, but feels the aspect of incentive could be bringing geothermal, solar or green technology to a Town facility to benefit the Town as a whole.

LaFountain stated that past discussions on incentive zoning included an upgrade to the lodge at Harris Whalen, money paid per lot, infrastructure improvements including storm/sanitary sewer and roadway updates. The Town has had two (2) solar applications and is always looking for ways to continue to reduce costs. We need to discuss how we can carry a green component to another aspect that the Town can use. Incentive Zoning has been used in the past to support the broader community.

Kohl stated that we need to find something we can embrace within the Town.

Philippone said there is limited building space in the Town. We as developers find small scraps of land and try to make something of them.

Costello reviewed that for the Helmsford Way development, the developers had proposed to reduce lot size to one half (1/2) acre. That proposal was denied and they had to go with one (1) acre size lots and additional density was not allowed.

Philippone stated that we went with duplex units on this proposal because we were trying to design and create something comfortable on the site. The proposed lot size is close to the existing lot sizes on Dublin Corners Subdivision. It would be compatible with the area and the neighbors. We are interested in pursuing the green elements and having a sustainable program. Infrastructure needs were not previously reviewed. Philippone is looking to the Board for suggestions and ideas. If a public car charging
station is suggested, we will need guidance on how many and where they should be established.

Quinn suggested Philippone review the goals of the Energy and Advisory Committee.

LaFountain stated that the Energy and Advisory Committee has identified high level needs. There is increasing interest in green technology/construction and more builders are becoming sensitive to this need. LaFountain suggested Philippone attend the next meeting with the Energy and Advisory Committee and come back to the Town Board with a recommendation.

Councilman Moore stated that he likes the concept, but doesn’t like the location. He supports this type of development, but not at this location. Moore added he feels the proposed density would change the look and feel of the area.

Philippone stated that this area was selected because of its proximity to NYS RTES 250 and 441 commerce area. The target demographic, empty nesters, want to be close to services. Philippone added that he has had success with the Timber Glen Subdivision and wants to duplicate that success. This is a difficult parcel, it is long and narrow, and not economical to develop.

Jim Costello stated that there will also have to be allowances in the proposed project for storm water management, and a turnaround for emergency vehicle access.

LaFountain added that the wetland and EPOD areas will need to be reviewed by the NYS DEC.

Costello said the NYS DEC does not allow ponds to be constructed in wetlands.

Kohl stated that there would also have to be an adequate buffer to neighboring properties.

Philippone said he would address buffering.

LaFountain said the Energy and Advisory Committee meets on February 25, 2015 at 4:00 PM. He suggested Mr. Philippone attend this meeting and the committee may be able to provide feedback on a suggestion for the incentive.

Philippone added that this was proposed as duplex units because it is easier to create a shared loop field for geothermal. He asked the Board if detached patio homes, with less density, would be better.

Moore stated he is open to review patio homes, but homes need to be comparable to the existing neighborhood.
LaFountain stated that the Energy and Advisory Committee will review the green aspect of the proposal. He asked Costello to provide the original approval resolution of the Helmsford Way development to the Board for its review.

3. Incentive Zoning Revision, Fox Hill Subdivision – Costello
Jim Costello reviewed that Steve Fedyk had previously spoke to the Board at the January 14 Work Session. We are looking at three (3) issues. First they are interested in eliminating a walkway at the end of the cul-de-sac. Second, they want to reevaluate the internal sidewalk system that was proposed for both this site and a portion Ashlyn Rise Subdivision. Third, they are ready to go to the Planning Board for approval of Fox Hill Phase 6. Costello continued to say he had forwarded the Board information regarding the original approval. This development was rezoned with incentives. The rezoning allowed them to go from one (1) acre lots to one half (1/2) acre lots, and $8,800 was paid per lot. 11 lots were allowed, 25 lots were approved and Fedyk paid for 14 lots. Ashlyn Rise backs up to Fox Hill and their lots are smaller and in some cases there are two (2) lots to Fox Hill’s one (1). They are requesting to reconfiguring the lot widths from 115 ft. to 95 ft. which would still be larger than Ashlyn Rise’s lots. The modification would take the total from 25 to 26 lots.

Costello continued to say PRC had reviewed the request. Originally the Planning Board required sidewalks on both sides of the street all the way to Ashlyn Rise. Ashlyn Rise was also required to put sidewalks on both sides of the street to Ashlyn Rise Drive. Four (4) lots on the north side of Lynx Court already have the sidewalks constructed. PRC recommends the sidewalks are continued on Lynx Court, but not on the cul-de-sac. Sidewalks then would be continued on the west side only and a waiver issued for the east side to Ashlyn Rise. There are two (2) sidewalks that are already in place, one on Mr. Fedyk’s property and one (1) on the corner. PRC recommends the removal of those sidewalks and replace with grass. There was also a discussion of removal of a proposed walkway between properties to access Watson Road. We asked that Mr. Fedyk verify that existing residents are okay with the elimination of those sidewalks.

Steve Fedyk submitted a Petition with 31 of 36 residents signing in favor of eliminating the walkway between the parcels. Of the five (5) that didn’t sign, two (2) were neutral and two (2) were not home.

Councilman Quinn asked if the original approval resolution was reviewed, and if there was any mention of sidewalk access.

Costello said the sidewalk requirement came from the Planning Board because there was a concern about cut through traffic. The original design was changed to a cul-de-sac and sidewalks between the parcels were added as a way for residents to gain access to Watson Road. Costello continued to say an easement was given to
the Town for the sidewalks, but the Town has not yet taken the deed. Costello also said he had spoken with the owner of 55 Cali Ridge and she is supportive of not having the walkway between the parcels.

Quinn asked if all homeowners were aware that the sidewalks were required to be installed.

Costello said he is not sure, when the lots were sold they should have seen the sidewalks on the approved site plan.

Fedyk added that the owners of the two (2) parcels are concerned about people walking through their property to access Watson Road.

Moore stated that the Petition has 90% support, which is a majority.

Quinn said the sidewalks were required by the Planning Board for a reason; walkability and accessibility. He hopes by eliminating these sidewalks a precedent is not set. With the elimination of these sidewalks there is no alternative for residents to access Watson Road.

Kohl said yes the alternative is to walk down to Penfield Road.

LaFountain said the access to Watson Road was put in place by the Planning Board, can the Town Board wave this or does it need to go before the Planning Board.

Costello said that is a valid question. The Planning Board is meeting tomorrow evening and he can speak with them. Costello said he will speak with Mark Valentine and the Planning Board; this is not a time sensitive issue.

LaFountain reviewed we are discussing taking the sidewalks from both sides to one (1) side, the elimination of the walkway between the parcels and the additional lot.

Costello stated that PRC recommends completing the sidewalk on the north and west side and eliminate sidewalks in the cul-de-sac. They also support removal of the sidewalks on the Fedyk property and the adjacent neighbor and replace with green space. We need to talk to the developer of Ashlyn Rise and get a waiver for two (2) or three (3) lots and tie everything in.

Moore stated he is okay with the modifications; this works well with the development. One (1) sidewalk provides for public safety, sidewalks on both sides is a waste. The Petition shows 90% support and that is a convincing argument.

Kohl said she agrees with Councilman Moore and asked that we get Planning Board support.
Costello said the Planning Board can also give input on the lot configuration and the addition of one (1) lot.

LaFountain said the additional lot could be completed through an administrative approval.

Costello verified that with approval of the sidewalk modifications, Fedyk has offered to complete a sidewalk gap on Watson Road to tie the systems together.

LaFountain stated he supports completion of the sidewalk gap.

LaFountain said the Planning Board will review this. He asked Costello to work with Fedyk and the Planning Board tomorrow night.

Public Works

1. Review Bid Results - Ext 56 (Parkview/White Village Sewer Project - DiFrancesco)

Supervisor LaFountain introduced Jim Peet, MRB Group and Lynn Dodge, Fineline Pipeline, Inc.

Mark DiFrancesco submitted a summary to the Board for its review. There were six (6) bidders and the costs range from $1.688 million to $2.875 million. Lynn Dodge and his group reviewed their bid and looked at production rates; they are confident with their bid price. Fineline Pipeline, Inc. was incorporated in 2008, there are three (3) principals with over 90 years experience. They come from other companies and the two (2) owners are on the job everyday overseeing the work. They don’t start additional jobs and stay focused on one (1) job at a time. Fineline Pipeline has done municipal work in the past and submitted references.

Jim Peet stated that he has spoken with the references and all have given good recommendations. Previous work completed includes the Town of Henrietta, LaBella Engineering, the Town of Victor, a project in Savannah, a project on Purdy Road in Canandaigua and they are currently working on a project in the Wayland Business Park. They have also done work in the Town of Penfield on the Shoecraft Road and Plank Road sewer project.

Supervisor LaFountain said our team met with the Fineline team and discussed different aspects of the job. Everything has been addressed and they are within specifications. MRB Group has recommended the project be awarded to Fineline Pipeline, Inc. The bid will be awarded at the next Legislative Session on February 18, 2015. We will obtain final contracts and a time line. The project is scheduled to start in June. This will be a two (2) season project with work being completed in 2016.

Councilman Quinn verified that the contract will be subject to the Standard Contractors Questionnaire.
DiFrancesco said, yes the questionnaire will be part of the contract.

Moore stated that this is a sensitive project because you are working in neighbor’s front yards. He asked Dodge to take time to communicate with the residents and embrace public relations.

Dodge stated he has worked with Mark DiFrancesco in the past and has never had an issue that an agreement couldn’t be reached. Dodge added when the project is complete, we want the customers to be happy. Our company would also like to do the residential tie in work.

Peet added that MRB had met with the Monroe County Water Authority and there could be construction issues during installation. The Monroe County Water Authority has permitted the contractor to perform limited repairs/replacements throughout the project. This is typically handled through an Intermunicipal Agreement, prepared by the Water Authority and reviewed by the Town Board. It is beneficial to have the contractor permitted to work on these elements as he is already on site.

LaFountain said he recommends that we sign the agreement. If we involve a third party for repairs it could create delays and finger pointing.

DiFrancesco added that throughout the contract we will work directly with the Monroe County Water Authority.

The Board discussed and agreed. LaFountain directed DiFrancesco to prepare a resolution for the next Legislative Session on February 18, 2015.

Public Safety – None

Community Services – None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Request for Extension of Hours for Jeremiah’s Outdoor Dining Area – Costello

Jim Costello said that he and Supervisor LaFountain had met with Jeff Reddish and Julie Englert about extending the hours for outdoor dining. Costello said he heard from a neighbor after this the agenda was published. The neighbor thought there was supposed to be a one (1) year grace period from the time of approval. Costello said the resolution was worded that the extension of hours would be based on a track record. Complaints have been received and he has forwarded those to Reddish to address. Most of the complaints pertained to noise from trash haulers. He asked if the Board is supportive of holding a Public
Hearing for extended hours, all of the neighbors would be notified.

Councilwoman Kohl said they haven’t been open a full year yet.

Costello reiterated that the resolution states that the Board will review a request by the applicant after a track record has been established.

Supervisor LaFountain stated that we should also review the original resolution, he does recall the discussion of waiting a full season.

Costello said that condition was removed and modified in the final resolution prior to its adoption.

LaFountain recalled that the discussion was to be a full season from April to October.

Costello said because they opened the end of August the rationale was to change it to a verified track record instead of a full season, otherwise they would have to wait until 2016. Costello said he would forward the original resolution to the Board for its review.

LaFountain stated that this is for information only, Jeremiah’s has not yet made an application. The Board will review the resolution and decide whether or not to accept the resolution. We can hear it but don’t have to act on it yet.

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS
1. Right-of-Way Transfer on Mott’s Lane
2. Jomanda Way, Expanding No Shooting Petition - LaFountain
3. 1223 Fairport Nine Mile Pt. Road, Neufeld - Costello
4. Garage Addition, 2041 Penfield Road - Costello

IX. Old Business - None

X. New Business - None

XI. Executive Session - Real Estate, Litigation and Human Resource Matters - The Board went into an Executive Session regarding a Personnel matter.

XII. Adjournment - Supervisor LaFountain adjourned the regular Work Session at 8:32 PM.

Lisa Grosser, Deputy Town Clerk