PENFIELD TOWN BOARD AGENDA

Wednesday, April 1, 2015, 7:00 PM

Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing #1 – To Consider Final Subdivision and Site Plan Approval to Allow Construction of 32 Town Homes in Phase 4 of the Villas at Easthampton at 65 Maryview Drive

Public Hearing #2 – To Consider Preliminary and Final Site Plan Approval To Allow Construction of 24 Ancillary Garages at 1000 Runabout Lane Located in the LaSalle’s Landing Development (LLD) Zoning District

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – March 4, 2015

VII Petitions

VIII Resolutions by Function

Law and Finance

15T-087 Development Review Application Fees

Public Works - None

Public Safety - None

Community Services

15T-088 Authorization for Supervisor to Sign Recreation Contracts

IX Old Business

X New Business

XI Public Participation

XII Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, April 1, 2015 at 7:00 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present: R. Anthony LaFountain Supervisor
Linda Kohl Councilwoman
Paula Metzler Councilwoman
Robert Quinn Councilman

Also Present: Amy Steklof Town Clerk
Richard Horwitz Town Attorney
Mark Valentine Planning Department Head

Absent: Andrew Moore Councilman

Supervisor LaFountain called the meeting to order – The Pledge of Allegiance was led by boy scouts from Troop 110 and Troop 9.

Supervisor LaFountain recognized Lancye Douglas from the Shepherd Home, located at the corner of Five Mile Line Road and Whalen Road, who spoke about the comfort care facility. The Shepherd Home has been in the Town of Penfield for 10 years.

Ms. Douglas stated that the 11th Annual Black and White Ball Fundraiser will be held on Saturday, April 25, 2015 at the Penfield Country Club. There will be an on-line auction that is currently running on the “Bidding for Good” website and a live auction will be held during the event. Tickets may be purchased by contacting the Shepherd Home. For more information about the event, please call the Shepherd Home at 381-0890 or go to www.shepherdhome.org.

Supervisor LaFountain stated that the Shepherd Home is a great asset to our community.

Councilwoman Metzler emphasized that the Shepherd Home is run entirely by volunteers and 100% of donations.

Ms. Douglas stated that the Shepherd Home just conducted their annual appeal for 2014 and raised over $78,000.

Supervisor LaFountain recognized Penfield Rotarian Jack Best who along with Eleanor Czarnecki, Office Manager for St. Joseph’s Church and Tanya Nasra, Penfield High School student, spoke about the 2nd Annual Eastside Communities STOP Hunger Now Project. The project aims to end hunger around the world. The STOP Hunger Now event will be held on April 17 and 18 at the Penfield Community Center. This year the plan is to have 200 volunteers package 50,000 meals. The ingredients for each “meal bag” costs $.29 a piece. To help raise funds for the event, the Pour House Restaurant, located at 1665 Penfield Road will hold a “Tip the Bartender” event on Tuesday, April 7, 2015 from 6:00 PM to 8:00 PM. Guest bartenders will give all their tips to STOP Hunger Now project. Checks should be made payable to STOP Hunger Now in care of Penfield Rotary Club, PO Box 28, Penfield, NY 14526.

Also, Mr. Best stated that every volunteer is invited to bring a non-perishable food item for the Penfield Ecumenical Food Shelf. For more information, please contact Jack Best at 261-0073 or go to www.stophungernownow.org. You can also find information on STOP Hunger Now by going to Facebook and type in STOP Hunger Now Eastside Communities.
Public Hearing #1 To Consider Final Subdivision and Site Plan Approval to Allow Construction of 32 Town Homes in Phase 4 of the Villas at Easthampton at 65 Maryview Drive

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on March 12, 2015 and was posted on the Town Website and Town Clerk Bulletin Board. 14 Postcards were mailed. Town Attorney Horwitz confirmed that this meeting is in order.

Mark Welker, took over Easthampton Penfield in 2012 and is asking the Town Board for approval to develop the last section, Phase 4 of the project. At this time 83 town homes are occupied and the hope is to have 124 homes occupied by the end of the final phase.

Richard Giraulo, Engineer from LaDieu Associates stated that they would like to develop half of the remaining lots now and file for the other half later so as to avoid having too many unsold lots for sale at the same time. The project is a mix of units that are of different sizes and shapes. In order to accommodate this variety of unit types they have decided to create lots big enough to accommodate any of the designs. Mr. Giraulo also stated that the owner is also seeking approval for the option to provide basements for some of the units. The construction of basements will help reduce the amount of fill that has to be trucked in for grading purposes. Sub pumps with battery backup will be included in the basements. Ground water is not anticipated because the property is elevated. Mr. Giraulo stated that they have received comments from Monroe County Health Department and the County Planning office and that there are no issues. They have also received comments from Dr. and Mrs. Michaels requesting additional landscaping near their unit, which they plan to take care of. Comments that were received from the Town have been discussed with the Town Planner/Engineer Mark Valentine and all comments will be addressed.

Supervisor LaFountain asked how many units to date have basements.

Mr. Welker stated there are six (6) units with basements, three (3) of which have been sold.

Councilwoman Metzler inquired whether different unit designs can be built within the same building section.

Mr. Welker stated that although there are some restrictions, there is a lot of flexibility in terms of different designs going together.

Councilwoman Metzler also asked whether they have reached out to Dr. and Mrs. Michaels in response to their letter.

Mr. Welker stated they have.

Public Participation

Ralph Kuitems, 1042 State Road gave copies of handouts to Town Clerk Stekolf to distribute to the Town Board that pertained to issues he and his wife have with the project. Mr. Kuitems also distributed photographs that document water drainage issues he has on his property and on State Road.

Councilman Quinn asked if the water in the photographs is on his property.

Mr. Kuitems said yes. He stated that the previous Town Engineer had told him that the drainage issues would be taken care of, but they never were. He hopes the new Town Engineer will correct the drainage issues.
Councilwoman Metzler stated this is the first time she has heard of this issue and that she is the liaison to the Town’s Watershed Management Committee. She asked Mark Valentine to add the Kuitems issue as new business on the agenda for Monday’s Watershed Management Committee meeting. She stated that the meeting starts at 6:30 PM and is open to the public.

Supervisor LaFountain stated that he noticed that the photos Mr. Kuitems handed out are dated 2006 and 2008 and asked if standing water can be seen in that area today.

Mr. Kuitems stated no, due to the slow thaw this year, but the ground is very squishy.

Supervisor LaFountain stated that the Town Board will also discuss the issue at next Wednesday’s Town Board Work Session that is held in the back of the auditorium and is also open to the public.

Mr. Welker stated that he was just made aware of this issue on Monday and that Mr. Giraulo has verified there are catch basins in the area and therefore should be fairly simple to correct.

Supervisor LaFountain stated that the Town Board will make sure that the issue is properly addressed prior to moving forward with the project.

Mr. Giraulo stated that the developer plans to rectify the issue.

Joe Defalco, 54 Random Knolls Drive, stated he has put a purchase offer on property #165 and asked how the land is going to slope and be backfilled toward the creek that is located there. He stated that his unit will have a basement and he is concerned about water drainage.

Mr. Giraulo stated there will be a sharp bank and the land will need to come up approximately four (4) feet for adequate drainage.

Mr. Defalco asked how much land will be flat from the back of the house and continuing out to the drop.

Mr. Giraulo said there will be approximately 20 feet of flat land before it gets to the slope.

Mr. Defalco asked if the area around the creek will be forever wild.

Mr. Giraulo stated the area will be cleaned of brush and landscaping will be provided.

Mrs. Kuitems requested that the natural habitat be left in place as a buffer at the back of their property.

Councilman Quinn asked what is the width of the natural buffer, and whether any of the buffer will be taken away during the process.

Mr. Giraulo stated very little buffer will be removed. The natural buffer is approximately 110 feet.

Hearing closed.

Public Hearing #2 To Consider Preliminary and Final Site Plan Approval to Allow Construction of 24 Ancillary Garages at 1000 Runabout Lane Located in the LaSalle’s Landing Development (LLD) Zoning District

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on March 12, 2015 and was posted on the Town Website and Town Clerk Bulletin Board. 30 Postcards were mailed. Town Attorney Horwitz confirmed that this meeting is in order.
(Public Hearing #2 – Continued)

Jess Sudol from Passero Associates, on behalf of Southpoint Cove, LLC, made the request to construct 24 covered garages to be located outside of the condominium building. He also stated that they propose to also provide an additional 24 spaces outside of the buildings. Mr. Sudol stated there are no additional disturbances due to the fact that the garages are being constructed over an area that was planned as a parking lot. There will still be ample overflow parking for visitors.

Supervisor LaFountain stated that Mr. Sudol and other representatives from Passero Associates attended a Town Board Work Session a couple of weeks ago where the Town Board reviewed the proposal. There are nine (9) buildings within the project overall, but the building being discussed is the only building that has units for sale.

Councilwoman Kohl asked Mr. Sudol to clarify whether the garages are meant to be used for storage.

Mr. Sudol stated that they will not be used as storage facilities, but storage areas are provided in the basement.

Councilman Quinn inquired about the architecture of the buildings.

Mr. Sudol stated that it is in line with the nautical theme that is carried throughout the project.

Public Participation – None

Hearing closed.

Communications and Announcements

1. Councilwoman Kohl read a Proclamation for National Library Week, April 12 – 18, 2015. Supervisor LaFountain stated that the Proclamation will be given to the Penfield Library Staff for the upcoming Library Week.

2. The next Passport Night in Penfield will be held on Tuesday, April 14, 2015 from 5:30 PM to 7:30 PM, at the Penfield Town Hall, 3100 Atlantic Avenue. Please contact the Town Clerk’s office at 340-8627 for more information.

3. The 15th Annual Ride for Missing Children sponsored by the National Center for Missing and Exploited Children will be held on Friday, May 15, 2015. More than 300 cyclists will ride 100 miles through Monroe County to honor National Missing Children’s Day. For more information about the event, please call 242-0900.

4. The Monroe County Department of Public Health offers free one day classes to get EPA certified in Renovation Repair and Painting (RRP). To register call (866) 850-5280 x 109 or for more information, please go to www2.monroecounty.gov/eh-leadpoisioning.php or www.letsmakeleadhistory.org.

5. The Town of Penfield will host the Annual Memorial Day Essay Contest for students in grades 6 – 8 who reside in Penfield, or attend a Penfield School. The deadline for entries is Friday, April 24, 2015. For more information visit www.penfieldrec.org.

6. Penfield’s Annual Spring Cleanup Day will be held on Saturday, April 25, 2015. To register to participate, please call 340-8651 or email srenner@penfield.org.

7. The MCDES and the Towns of Penfield, Webster and the Village of Webster will hold an appointment only Household Hazardous Waste Collection at the Webster Department of Public Works Garage, 1005 Picture Parkway, on Saturday April 18, 2015 from 7:45 AM to 1:00 PM. For more information go to www.monroecounty.gov/hhw.
8. The Town offices will be closed on Friday, April 3, 2015 in observance of Good Friday. The Penfield Library will remain open with their normal hours, but will be closed on Sunday, April 5, 2015 for Easter.

9. The Penfield Players Golden Anniversary Dinner will be held Saturday, April 18, 2015 at the Shadow Lake Golf Club in Penfield. Visit [www.penfieldplayers.org](http://www.penfieldplayers.org) for details.

10. The Penfield Trails Committee’s next “Scenic Treks” will be held on Saturday, April 11, 2015 from 10:00 AM to Noon at Channing H. Philbrick Park. Please call Penfield Recreation Department at 340-8655 for more information.

11. Councilwoman Kohl’s next Community Chat will be held on Tuesday, April 21, 2015 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

Public Participation - None

Additions and Deletions to Agenda

Councilman Quinn moved to add Resolution #15T-089 to the agenda and Councilwoman Metzler seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of March 4, 2015. Councilman Quinn seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#15T-087 Development Review Application Fees by Moore

WHEREAS, Chapter 29 of the Penfield Zoning Ordinance, adopted by the Town Board on February 23, 1981 permits the Town Board to set and amend fees from time to time; and

WHEREAS, the town staff has made the following recommendations to ensure that the Town of Penfield is covering its costs and remains competitive with similarly size communities in Monroe County, and;

NOW, THEREFORE BE IT RESOLVED, that the following fees are to be set as follows: (Schedule “A” attached):

<table>
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<th>Service</th>
<th>Fee</th>
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<tbody>
<tr>
<td>Administrative Review Residential</td>
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<tr>
<td>Administrative Review Commercial</td>
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<tr>
<td>Planning Board Sketch Residential</td>
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<tr>
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<td>Town Board Sketch Commercial</td>
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<tr>
<td>Town Board Prelim/Final Com. Engineering Review</td>
<td>$175.00/1,000sf</td>
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AND, BE IT FURTHER RESOLVED, that this fee schedule shall become effective April 2, 2015.
Moved: Quinn
Seconded: Metzler

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Absent
      Quinn Aye

Adopted

See Schedule "A" at end of Minutes

Public Works - None
Public Safety - None
Community Services

#15T-088 Authorization for Supervisor to Sign Recreation Contracts
By Kohl

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following Recreation Contracts:

It’s My Party c/o John Giotto, PO Box 423, Penfield, NY 14526 to provide “It’s My Party” on Saturday, July 18, 2015 at Penfield Amphitheater for a fee of $500.00. Voucher to be submitted on 6/17/15.

Steve Grills, 61 Linden Street, Rochester, NY 14620, to provide entertainment “Steve Grills and the Roadmasters” Saturday, September 19, 2015 for “Tastin the Blues” for a fee of $1,550.00. Voucher to be submitted on 9/2/15.

JJ Schembri, 12 Hidden Meadow, Penfield, NY 14526, Instructor for Winter Indoor Lacrosse, 1/3/15 - 2/7/15 for a fee of 70% of revenue. Voucher to be submitted on 4/1/15.

Moved: Kohl
Seconded: Quinn

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Absent
      Quinn Aye

Adopted

Old Business - None

New Business

#15T-089 Setting Public Hearing to Consider Amending Local Law #2 of 1994 – Town of Penfield Fire Sprinkler System Law by Moore

WHEREAS, The Town of Penfield adopted Local Law #2 of 1994, known as “The Town of Penfield Fire Sprinkler Law” on September 21, 1994; and

WHEREAS, The Town Board is considering an amendment to the Local Law #2 of 1994 which will provide for installation, maintenance, approval and compliance of fire sprinkler systems consistent with the New York State Uniform Fire Prevention and Building Code within the Town of Penfield; and

WHEREAS, the Town Board of the Town of Penfield requests public input regarding the proposed amendment to the Penfield Local Law #2 of 1994, “Town of Penfield Fire Sprinkler Law”; and
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the said Town of Penfield shall hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on May 6, 2015 at 7:00 PM on said date, to consider the Amendment to Local Law #2 of 1994 known as "The Town of Penfield Fire Sprinkler System Law"; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is directed to post and publish a Notice of Public Hearing, pursuant to Law.

Moved: Quinn
Seconded: Metzler

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<tr>
<th></th>
<th>Kohl</th>
<th>Metzler</th>
<th>Quinn</th>
<th>LaFountain</th>
<th>Moore</th>
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<tr>
<td>Vote</td>
<td>Aye</td>
<td>Aye</td>
<td>Aye</td>
<td>Aye</td>
<td>Aye</td>
<td>Absent</td>
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Adopted

Public Participation - None

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 8:12 PM.

Amy Steklof, RMC/CMC
Town Clerk
# Planning Department

## Required Fees and Sets of Plans

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<tr>
<th>Application Type</th>
<th>Required Copies of Plans</th>
<th>Residential Fees(^1) Planning (Per App)</th>
<th>Residential Engineering (Per Lot)</th>
<th>Commercial Fees(^1) Planning (Per App)</th>
<th>Commercial Engineering (Per 1,000 SF)</th>
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\(^1\) Electronic Submission should include all application documents and be in PDF format. However, a different format is preferable to a scanned document. Submission can be made using a CD or by e-mail to planning@penfield.org.

Revised 1/20/2016