Town Board Work Session Agenda
June 10, 2015
7:00 PM

I. Call to Order

II. Approval of Minutes – May 27, 2015

III. Monthly Reports - May

IV. Public Hearing – None

V. Guests – 7:00 PM
   - Ken Vasile - Discussion of Incentive Zoning at 1080 and 1092 Penfield Road
   - Jerry Goldman – Discussion to Amend Zoning Map from MPH to MR – 730 Linden Avenue

VI. ACTION ITEMS

   Law and Finance
   1. E-Z Pass On-The-Go Program – Steklof
   2. Setting Operational Permit & Periodic Inspection Fees – Tette
   3. Hold Harmless Agreement for Fence at 10 Starcrest Lane – Valentine

   Public Works - None

   Public Safety
   1. Salt Storage Rack System – Giesselman/Iasone

   Community Services - None

VII. INFORMATIONAL ITEMS

   Law and Finance - None

   Public Works - None

   Public Safety - None

   Community Services - None

VIII. HELD ITEMS

   1. Right-Of-Way Transfer on Mott’s Lane – Valentine/Costello
   2. Jomanda Way, Expanding No Shooting Petition – LaFountain
   3. Smoke Free Policy for all Town Facilities – Bilow
   4. Jeremiah’s Extended Outdoor Dining Hours, 2164 Fairport Nine Mile Pt. Rd. - 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
June 10, 2015
7:00 PM

I. Call to Order

Present:
Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler
Councilman Moore
Councilman Quinn

Also Present:
Jim Costello
Rick Giesselman
Lisa Grosser
Rose Iascone - arrived at 7:30 PM
Bob Mohr - arrived at 7:30 PM
Amy Steklof - arrived at 7:30 PM
Tom Tette

II. Approval of Minutes – 5/27/15
CM Quinn moved for the approval of the Minutes of May 27, 2015, CW Metzler seconded the motion.

III. Monthly Reports - All reports for May have been received.

IV. Public Hearing - None

V. Guests - 7:00 PM
- Ken Vasile - Discussion of Incentive Zoning at 1080 and 1092 Penfield Road
Jim Costello introduced Ken Vasile, Vasile Construction Corp. and Adam Forcino, Project Engineer. They are proposing a townhouse development at 1080 and 1092 Penfield Road. The parcel is currently zoned R-1-20, and they are requesting incentive zoning.

Adam Forcino, showed two (2) layouts to the Board. The first showed 15 units under conventional zoning. The second shows a proposed 70 units with incentive zoning. The parcel includes Gentle’s Farm Market and one (1) of the family homesteads. There is a steep slope EPOD east of the site. Stormwater facilities are estimated, and they would like to utilize green infrastructure.

Ken Vasile, stated he would like to create a soft transition into area neighborhoods. The proposal is for two (2) story, two (2) bedroom townhouses. They would have a soft look and not resemble an apartment complex. The proposal would not create a traffic impact and ingress and egress are existing. The parcel is currently under contract, and he needs to determine economic feasibility.
Councilwoman Metzler inquired about the other family owned properties, would they remain?

Vasile stated yes, only the main house and the farm market would come down, the parcels to the east would remain.

Councilwoman Kohl asked if there would be any access to Old Penfield Road.

Vasile, said no, there is a steep grade and it is not buildable.

Kohl asked if there would be any apartments.

Vasile said no, only townhomes.

Councilman Moore asked if they would be rented or owned.

Vasile said they would be owned properties.

Supervisor LaFountain asked for confirmation of the number of total units.

Vasile said 70 units.

Kohl asked if there would be a community room.

Vasile said yes, it would be located in the front.

Metzler asked if there would be different models and a range of square footage.

Vasile, said the interior would be amenable to the buyer. The exterior would be generic, similar to the Allens Creek Valley development.

Kohl asked the price point.

Vasile said $325,000.

Kohl asked if the community would be specifically for seniors or families.

Vasile said he would market to both. There is room available for a bus stop.

LaFountain asked if there would be a Homeowner’s Association.

Vasile said yes.

Kohl asked for confirmation that the parcel abuts Town owned Open Space property.

Vasile said yes.
Costello stated the setbacks would be close to the Town’s property line.

Kohl asked if the townhomes would have a back yard.

Vasile said yes, the townhomes would have a back deck with a deck valance and a front patio.

Costello suggested including demolition of the house to the east. With the additional property more setback would be available and it would accommodate more homes.

Vasile said he is willing to discuss that. He is also willing to discuss buffering the parcel. He is trying to determine the feasibility of the project at this time.

Kohl asked for confirmation of neighbors that abut the project.

Vasile said neighbors would include the Town of Penfield, Manitou Lake property and Gentle’s family home.

Metzler inquired about available sewer capability, and what the 2010 Comprehensive Plan calls for.

Jim Costello said the sewer capacity should already exist. The Comprehensive Plan calls for single family residential in that area.

Mark Valentine stated that there has also been discussion as Mixed Use zoning with the development of the Manitou Lake property.

Costello said this proposal does not meet the mixed use requirements, but could be approved through Town Law 281.

Kohl asked what the number of units are in Allens Creek Valley.

Vasile said approximately 200 units.

An audience member inquired if the Manitou Lake property will be developed?

LaFountain stated that there is no commitment from the buyer of the Manitou Lake property yet.

Kohl asked Vasile if he has an optional plan under conventional zoning.

Vasile said no.
Costello said that PRC has discussed coming up with a list of Public Works improvements that would be fair and equitable to the Town and developers. This would be a way to utilize incentive zoning.

Metzler agreed that is a good idea.

Mark Valentine said an inventory list was discussed at PRC and we are going to come up with ideas and thoughts for the Board’s review.

Tom Tette, stated he would have to review Fire Department access for the proposed development.

Councilman Moore asked if the proposal could be e-mailed to the Board for review.

Costello agreed to e-mail the proposal to the Board.

Supervisor LaFountain stated that the Board will review the proposal. If the applicant has anything additional he asked that it be submitted to Costello or Valentine. If the Board requires any additional information, please contact Costello or Valentine. This discussion will be held.

- Jerry Goldman - Discussion to Amend Zoning Map from MPH to MR – 730 Linden Avenue

Jim Costello introduced Betsy Brugg, Woods Oviatt Gilman, Mark Costich, Costich Engineering and Bob Morgan, Morgan Management.

Betsy Brugg explained that this parcel currently houses the East Avenue mobile home park. The parcel is 33.29 acres and was built in 1950. There are currently 122 occupants of the 215 available locations of the mobile home park. The parcel is adjacent to the Mobile Home District and zoning in the area includes MR – multiple residence, R-1-20 and Light Industrial. The proposed concept is an apartment community. The proposal will include a clubhouse, fitness center, community space, leasing office and a pool. The development will consist of a mix including 7 townhouse buildings with 4 units each, and 16 two story apartment buildings containing 16 units each. Parking will include both covered and surface parking. Brugg asked for the Board’s consideration in rezoning for this project.

Councilman Moore asked how many bedrooms would the apartments have?

Mark Costich said 50% would have one bedroom, 40% would have two bedrooms and 10% would have three bedrooms.

Councilwoman Metzler asked if this development would occur in the existing footprint of the mobile home park.
Costich said yes. With current zoning 284 units yield 9.6 units/acre or with the proposed zoning 367 units at 12.45 units/acre. There will be 649 parking spaces of which 34% are covered. The yield is 2.3 parking spaces per unit. The proposal is code compliant.

Jim Costello asked if the garages will be located on the back side.

Costich said the garages will be located on the side between the units.

Councilman Quinn inquired if a looped road system had been discussed.

Costich said it has been discussed, but the road is not a main thoroughfare. He would consider changes to the road.

Costello stated changes may be required for emergency access.

Tom Tette said a looped road would be better for fire department response.

Costello asked what the plans are for stormwater management.

Costich said we will be looking at a bio retention area which will be less pervious than what is there now.

Costello asked if the old infrastructure will be replaced.

Costich said yes, it is too old and too small and needs to be replaced.

Costello asked what will happen to the existing home owners.

Bob Morgan said he would offer to relocate existing homeowners to the Forest Lawn Mobile Home Park.

Councilman Quinn asked what properties are located to the east.

Costello said Delmonte, Thermo Fisher and north is Allens Creek Valley.

Valentine asked how will you transition the parcel on the west side?

Morgan said he would add a long white fence along the property line.

Valentine asked if there will be private roads and utilities.

Morgan said yes.

Quinn asked if this change will impact traffic on Linden Avenue.
Valentine said we will review traffic impact when the formal application is submitted.

Quinn asked if Linden Avenue is a Town road near the site.

Costello said he believes so, and will check into that.

Costich added it is a State controlled intersection.

Supervisor LaFountain asked if all units would be rented, and if the project would be maintained as part of the Morgan properties.

Morgan said yes.

Costello asked if there would be age restrictions for occupants that may impact peak traffic flows to and from the site.

Morgan said no.

Councilman Moore asked what would be the rental fee structure.

Morgan said fees would range between $120 - $145 per square foot.

Costello asked how long will it take to relocate the mobile home occupants to the other location?

Morgan said 6 to 8 months.

Valentine asked if this would be a phased project.

Morgan said all site work will be done at once and then the project will be built in two (2) phases.

Moore asked what would be the size of the units.

Morgan said one bedroom would be 900 square feet, two bedrooms would be 1,100 - 1,200 square feet, and three bedrooms would be 1,400 to 1,500 square feet.

Costello asked how many school age children reside in the mobile home park and will need to be relocated?

Brugg said there are 38 students in that location. Brugg added that based on experience typically 5% of the units will house children.

Valentine suggested verifying which school district the children will attend, some may be Pittsford as well as Penfield.

Costello said we need to determine the impact to the school district.
Supervisor LaFountain said the Board will review and asked that the applicants stay in touch with Costello and Valentine. This item will be held.

VI. ACTION ITEMS

Law and Finance
1. E-Z Pass On-The-Go Program – Steklof
Amy Steklof stated she is interested in selling E-Z Pass for the convenience of residents. Steklof said she met with the New York State Transportation Authority at a recent Town Clerk’s conference and was offered a price of $21 each for a pass that would sell for $25. With the mobile DMV using our facility on Tuesdays, this could be a one stop shopping opportunity. The purchase price of $25 is applied to toll usage.

Supervisor LaFountain asked what has been other town’s experience.

Steklof said she has spoken with the Town of Webster who sold 100 EZ pass tags in 6 months.

Councilwoman Metzler asked what our upfront cost would be.

Steklof said the minimum buy is 25 pieces, at $21 each for a total of $525.00. We would get the cost back and more. Steklof added that signs and decals would be provided for advertising. We would add information to our website so residents know EZ Pass is available through our office. We could also add a sign at the mobile DMV to increase exposure.

LaFountain asked if the DMV also sells EZ Pass.

Steklof said no, not that she is aware of.

Metzler added that EZ Passes are available at Wegmans, Tops, AAA and online. Is there a need for the Town to offer them as well?

Steklof said if a customer orders an EZ Pass online, they have to wait for delivery. If they purchase from the town there is no waiting.

Metzler asked Steklof how many residents have inquired about EZ Pass in the last year?

Steklof stated she has had three (3) inquires.

Metzler said as a government agency there is a cost to process the sale of an EZ Pass.

Steklof stated, we are getting a deal on the cost.

Metzler asked what is the cost of EZ Pass for AAA; do they get the same deal?
Steklof said no, according to the Transportation Authority, only Towns can purchase at the reduced cost of $21.00.

Councilwoman Kohl asked if Steklof has funds in her budget to pay for the EZ Passes.

Steklof said yes, she would like to propose adding a line in her budget, but could use her supply line for now. Steklof added once the Resolution is passed, an application needs to be completed and reviewed by the Town Attorney. Once the application is submitted we would receive our supplies within a week and have 45 days to make the payment.

Councilman Quinn asked what is the cost of EZ Pass to Wegmans and Tops, do they get a better price for purchasing higher quantities?

Steklof said no, she was told at the conference that this deal is only offered to towns.

Metzler stated she finds it hard to believe that Wegmans only incurs expense to sell EZ Passes.

The Board will review the information. This item will be held.

2. Setting Operational Permit and Periodic Inspection Fees – Tette

Tom Tette stated he has been researching fees, and the Fire Marshal is only allowed to change the fees for periodic inspections. The inspections are completed on an annual basis or a three (3) year cycle based on the type of business. Our fees are in the bottom third of all towns in Monroe County. Tette proposes to increase the fees from $50.00 to $75.00. This increase would bring Penfield up to the middle of fees charged by towns within Monroe County. Tette added that within the last five years the fee was increased from $35.00 to $50.00. Tette added he would also like to add periodic inspections to the list of fees charged.

Councilwoman Metzler asked how many inspections are done per year.

Tette said there are 820 businesses that need to be inspected. He does not have an exact number of the total annual inspections, but it has increased.

Supervisor LaFountain stated that the Board would need to review that breakdown. LaFountain added that there are a number of businesses that have not been inspected recent years.

Tette confirmed that is correct, there are probably 120 businesses that have not been inspected in at least 10 years.
Metzler asked how are businesses notified that an inspection is due?

Tette said we walk into businesses that are open to the public and ask if it is a good time to inspect, or if they prefer we set an appointment. We also inspect multiple businesses when we are in an area.

LaFountain confirmed the last fee increase was in 2011. LaFountain also asked that the resolution read the same as the State Unified Code and should state Fire Safety Inspection. LaFountain asked Tette to make sure the wording matches and advise the Board the number of inspections this past year.

LaFountain said the Board will review this information and discuss this at the next Work Session on June 24, 2015.

3. Hold Harmless Agreement for Fence at 10 Starcrest Lane – Valentine
Mark Valentine submitted a letter from the resident at 10 Starcrest Lane requesting a Hold Harmless Agreement to allow a fence in drainage easement. There is also a water course EPOD, and we want to make sure we are not impeding the flow. Valentine continued to say the location of the pool has been modified so that it is not in the easement, the fence only would be partially in the easement.

Supervisor LaFountain asked if the 10 -15 foot grade line would consist of fill outside of the EPOD.

Valentine said the fill would be partially in the EPOD, but would not impact the existing trees. The creek is located off of the property and would not be impacted.

The Board discussed and agreed. Supervisor LaFountain directed Valentine to prepare a Resolution for the next Legislative Session on June 17, 2015.

Public Works – None

Public Safety
1. Salt Storage Rack System – Giesselman/Iascone
Rick Giesselman submitted a summary of bids received to the Board for its review. He then reviewed the summary stating the reasons why the improvement is necessary. Two (2) bids were received and Fred Nudd Corporation was the lowest bidder. Giesselman continued to say a meeting was set with Lyle Nudd, the Department of Public Works and Town Engineer, Mark Valentine. After the meeting it was determined that backer plates would be required to keep the beam from twisting or from having the bolts pull through. Nudd quoted the additional backer plates as Option #1 for $3,040.00. Giesselman then reviewed the breakdown of total costs, which includes the purchase of additional hydraulic forks.
for $27,400.00. The total cost of the project would be $144,190.00.

Supervisor LaFountain said we will have Town Attorney Horwitz review the bids, including the additional Option #1.

Councilman Quinn asked if the work can be completed before winter.

Giesselman said yes, the only part of the project Town employees will be doing is moving the salters to and from the shop.

LaFountain said this project came up as a discussion of the Risk Management Team. It has been a year since it was first discussed, and it has been vetted out properly.

Councilwoman Metzler asked that the change in the storage system be run by our insurance carrier to see if any adjustments in our policy are necessary. Metzler asked if there will be any ongoing maintenance for the new system, or if a warranty would be necessary.

Giesselman said no, this is a one shot deal.

Bob Mohr added that if we want to have the storage unit painted, Nudd Corporation said to wait a year, otherwise the unit would have to be sandblasted prior to painting.

LaFountain confirmed we will have Town Attorney Horwitz review on Friday, if acceptable a Resolution will be submitted for the next Legislative Session on June 17, 2015.

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS

1. Right-Of-Way Transfer on Mott’s Lane – Valentine/Costello
2. Jomanda Way, Expanding No Shooting Petition – LaFountain
3. Smoke Free Policy for all Town Facilities – Bilow
4. Jeremiah’s Extended Outdoor Dining Hours, 2164 Fairport Nine Mile Pt. Rd. – 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 regular Work Session at 8:14 PM.

Lisa Grosser, RMC
Deputy Town Clerk