PENFIELD TOWN BOARD AGENDA

Wednesday, September 30, 2015, 7:00 PM

Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing #1 – Proposed Local Law No. 2 of 2015 to provide for the Codification of the Local Laws, Ordinances and Certain Resolutions of the Town of Penfield into a Municipal Code to be Designated as the “Code of the Town of Penfield”

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – None

VII Petitions

VIII Resolutions by Function

   Law and Finance - None
   Public Works - None
   Public Safety - None
   Community Services - None

IX Old Business

X New Business

XI Public Participation

XII Adjournment
Penfield Town Board, September 30, 2015

A Public Hearing was held before the Penfield Town Board on Wednesday, September 30, 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
           Andrew Moore  Councilman

Also Present:  Lisa Grosser   Deputy Town Clerk
               Richard Horwitz  Town Attorney
               Jim Costello    Director Developmental Services
               Zach Nersinger   Town Planner
               Mark Valentine  Director of Planning

Absent:  Robert Quinn  Councilman

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Public Hearing #1 - Proposed Local Law No. 2 of 2015 to provide for the Codification of the Local Laws, Ordinances and Certain Resolutions of the Town of Penfield into a Municipal Code to be Designated as the “Code of the Town Of Penfield”

The Deputy Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 17, 2015 and was posted on the Town Website and Town Clerk Bulletin Board. No postcards were mailed, due to the fact that this is a town wide action. Town Attorney Horwitz confirmed that this meeting is in order.

Mark Valentine, Director of Planning stated the Town Code is referred to by various Boards and staff daily to render decisions. The Town’s code is a collection of Ordinances, Policies and procedures that guide development and everyday practices within the Town. As a home rule state, the Town of Penfield is able to establish its own individual code.

Last updated in 1981, the Town of Penfield’s Code was a collection of typed documents which were not available on-line. This update, with the help of General Code, was intended to be a codification to clean up the documents, make them electronic and available on-line. The Town Board and the staff decided to take the opportunity to review the code and make necessary changes. The code has been updated to current practices, outdated references eliminated, and now provides our residents with a searchable code.

Mark Valentine stated this project was completed in conjunction and with the support of General Code, a company that specializes in codifying codes, and then hosting them for the municipalities in one central location.

Mark Valentine reviewed the proposed code is available for review in the Town Clerk’s office, and online at www.penfield.org under Quick Links. For comparison, the existing code is also online at www.penfield.org under Online Documents.

Mark Valentine reviewed highlights of the proposed changes:

- Definitions - Elimination of definitions not utilized within the document. Addition of necessary definitions.
- Chapter 94 - Building Permits - Major update was to reference the NYS Building Code for both the building code and the electrical code.
- Chapter 97 - Unsafe Buildings - Added clarification to the process.
Chapter 116 Firearms – No changes and is consistent with State Law which includes distance restrictions.

Chapter 125 Games of Chance – Only change is the addition of the general statement, “Games of Chance shall be conducted in accordance with State law.” Instead of having to amend the chapter when changes are made it is stated to refer to State law.

Chapter 144 Notice of Defects – Updated to match State law.

Chapter 180 Sewers – Eliminated references to a Milk Control Officer.
  o Sewer units – Only changed the units for school. Based on usage, not number of pupils.
  o Recycling – updated to match Monroe County and NYSDEC standards.
  o Added more detail to the FOG – Fats, Oils and Grease requirements.
  o Eliminated the requirement to license plumbers – administrative action only.

Chapter 207 Taxation – cleaned up the code section eliminating redundancies.

Chapter 215 Vehicle Parking on Private Property – Reformatted, no changes to the content.

Chapter 220 – Vehicles and Traffic – Revised speed limits, streamlined the code taking out the listing of crosswalk locations.

Chapter 232 Waterways – The Harbor Management Plan has been incorporated into the Town Code. This is a plan that has been worked on and adopted by Irondequoit, Webster and the Town of Penfield regarding the management of Irondequoit Bay.

Chapter 250 – Zoning
  o Clean up of definitions.
  o NO changes to any property zoning or setbacks.
  o Reduction in the parking required for commercial locations, trying to reduce pavement, allow for more green space and compliance with the NYSDEC Green Infrastructure regulations.
  o Reduced the size of parking spaces from 9’x 20’ to 9’x 18’.
  o Allow a reduction in parking for parcels allowing shared access and shared parking.
  o EPODS – no changes to regulations, but the maps have been updated based on new aerial photo data. Changes to Watercourse, Woodland and Steep Slopes (LIDAR data).
  o Encouraging more efficient lighting.
  o Commercial Towers
    ▪ Old ordinance was very cumbersome, now more streamlined. Defined the difference between commercial and residential towers and dishes. Updated the code to recognize new technology.
    ▪ Historic Preservation – Added clarification that this is an overlay, not a zoning district.
    ▪ Revisions to the shed schedule, based on 1% of the lot size or 192 SF, whichever is greater. Also raised the roof elevation to 20 ft.

Mark Valentine then stated the comment period will be open for 30 days and additional comments will be added to the file. The Town Board will review all comments received at the October 28, 2015 Work Session and then the Local Law will be adopted in early November.

Supervisor LaFountain said every department has had input in the code review and he appreciates everyone’s involvement.
Supervisor LaFountain then read a communication received from Charles, Lewis, 56 Water View Circle. Mr. Lewis stated that it is his understanding that while considering updates to the Town code you are considering revising some commercial parking lot requirements. Decreasing the number of spaces is a great way to eliminate paving and improve the environment. In his view, vans, trucks and SUV’s hamper vision from cars parked along side causing a hazard while backing up. Please also consider a requirement to locate all such large vehicles separate from automobiles to lessen the hazard.

Public Participation - None

Hearing closed.

Communications and Announcements

1. The Town of Penfield will host a one-day recycling event for Penfield residents on Saturday, October 10, 2015 from 7:00 AM to 3:00 PM at the Public Works Complex, 1607 Jackson Road. Services include secure document destruction, metal and appliance recycling, brush disposal, and clothing and linen donations. There will be no electronics recycling at this event. For questions, or additional information call 340-8710, or visit www.penfield.org.

2. Town Offices will be closed on Monday, October 12, 2015 in observance Columbus Day. The library will remain open from 10:00 AM to 9:00 PM.

3. The Penfield Rotary and the Town of Penfield will sponsor the 5th annual Community Bike Drop on Saturday, October 3, 2015 from 10:00 AM to 2:00 PM, at the Penfield Community Center, 1985 Baird Road. For additional information, contact Penfield Recreation at 340-8655, or contact Councilwoman Kohl at lkohl158@aol.com.

Public Participation - None

Additions and Deletions to Agenda - None

Approval of Minutes - None

Petitions - None

Resolutions by Function

Law and Finance - None
Public Works - None
Public Safety - None
Community Services - None

Old Business - None

New Business - None

Public Participation - None

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:32 PM.

Lisa Grosser, RMC
Deputy Town Clerk