Town Board Work Session Agenda
April 13, 2016
7:00 PM

I. Call to Order

II. Approval of Minutes – March 23, 2016

III. Monthly Reports - None

IV. Public Hearing – None

V. Guests – 7:00 PM – Kristy Swanson, Jeremiah’s Tavern, Discussion of Addition to Outdoor Bar
   Robert Fallone – Update to Site Plan at 2146 Fairport Nine Mile Point Road

VI. ACTION ITEMS

   Law and Finance
   1. Request for Sidewalk Waiver at Barclay Park Subdivision - Costello

   Public Works
   1. Bill Boyce, Top Soil Sales Permit – Fox Hill Section 6 (Fedyk) – Valentine
   2. Partial Sidewalk Waiver Request for the Bayview Landings project – Valentine
   3. Site Work along Wilbur Tract Road for Bayview Landing (LLD District) - Valentine

   Public Safety - None

   Community Services - None

VII. INFORMATIONAL ITEMS

   Law and Finance
   1. Joey’s Pasta House Addition application – Costello
   2. Sign Ordinance Update – LaFountain/Costello

   Public Works - None
Public Safety - None

Community Services - None

VIII. HELD ITEMS
1. Jomanda Way, Expanding No Shooting Petition – LaFountain
2. Sidewalk Waiver, 1445 Jackson Road – Valentine
3. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road – Costello
4. Sable Oaks Roadway Dedication – Valentine
5. Jeff Luce, 1357 Marchner Road – Out of District Sewer - Valentine

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
Councilwoman Kohl
Councilwoman Metzler
Councilman Moore
Councilman Quinn

Also Present:
Jim Costello
Lisa Grosser
Mark Valentine

II. Approval of Minutes – 3/23/16
CW Metzler moved for the approval of the Minutes of March 23, 2016, CM Quinn seconded the motion.

III. Monthly Reports – Supervisor LaFountain stated that all reports have been received except Personnel which will be submitted by the end of the day.

IV. Public Hearing – None

V. Guests – 7:00 PM
- Kristy Swanson, Jeremiah’s Tavern, Discussion of Addition to Outdoor Bar

Jim Costello introduced Jeff Reddish and copied the Board on materials that have been submitted requesting an expansion of the outdoor bar area. The length of the area is currently 21.7 feet, and they are requesting an additional 6 feet. Currently, there are 14 seats and with the expansion they will be able to seat 22. The additional surface area will be used for the bar to store supplies and wash dishes. The building will be the same style as they currently have, only larger and will remain in the same location. The fire pit will not be relocated.

Councilman Quinn inquired about a previous rendering that showed a green slanted roof on the north side, will that be formally requested in the future?

Reddish said no, he is only looking to add an awning; it will not be a permanent structure.

The Board discussed and agreed to allow the expansion.
Robert Fallone – Update to Site Plan at 2146 Fairport Nine Mile Point Road

Jim Costello introduced Robert Fallone and John Shields, Project Engineer. Costello displayed a map of the proposed update to the site plan. A portion of the property is in BN-R zoning, and a portion is in GB zoning. The proposed building would be located in two (2) zoning areas. Costello said staff has been discussing if the applicant should meet with the Planning Board regarding this, or utilize Incentive Zoning.

Mark Valentine stated that he will brief the Planning Board at their meeting tomorrow night. As long as it is okay with the Town Attorney, the applicant can go before the Town Board for approval.

Costello continued to say there is a concern regarding the back portion of the property and we want mature trees maintained. Currently there is no intent to do anything with the parcel, but the Trau property may get developed in the future and is zoned General Business.

Supervisor LaFountain asked if Fallone is also trying to purchase the car wash?

Fallone said yes.

LaFountain asked if there would be any future changes to the exit points?

John Shields said the existing point of exit would remain.

Costello said if the car wash is purchased, there would be elimination of curb cuts. The main entrance would be both in and out of the site. The applicant would have to speak with the NYS DOT regarding these modifications.

Costello added this parcel is the former Reese property. The property line would have to be moved to incorporate it all into one parcel. Mr. Fallone’s intent is to build a structure that is similar to the existing buildings.

Councilwoman Kohl inquired as to the size of the building.

Fallone stated it would be 7,200 sq. ft. and house two (2) to three (3) businesses. Fallone has a letter of intent from Sleepy’s mattress store and is also looking into a Lenscrafter type of business.

Costello said if/when the Trau property is developed the rear portion of the former Reese property could be used for additional parking. The properties could be tied in to make an access road.

Quinn stated he would like to see the elimination of curb cuts when the access road is established.
The Board discussed and agreed.

Supervisor LaFountain said we will discuss the hearing regarding the zoning with the Town Attorney. The potential uses of the parcel fit within the Boards requests. Fallone can now make a formal application for a Public Hearing.

Costello added that he sent signage information to the Board, but some of the signage is still outstanding.

Fallone said he is waiting for signage from Hair Zoo, and will submit it when the package is complete.

Kohl asked when Fallone anticipates opening the previously approved businesses at 2152 Fairport Nine Mile Point Road?

Fallone said June 1.

LaFountain stated that the Public Hearing will be set when the application is complete.

VI. ACTION ITEMS

Law and Finance
1. Request for Sidewalk Waiver at Barclay Park Subdivision – Costello
Jim Costello said he met with Rudy Neufeld today and this discussion will be held for the next Work Session on April 27, 2016.

Public Works
1. Bill Boyce, Top Soil Sales Permit – Fox Hill Section 6 (Fedyk) – Valentine
Mark Valentine introduced Bill Boyce and provided a copy of a letter from Boyce to the Board for its review. Boyce is interested in obtaining a top soil sales permit for just over 5,000 cubic feet of soil, to be screened and sold. This is the last portion of Fox Hill Subdivision and there is a connection to Ashlyn Rise.

Supervisor LaFountain asked what the time line would be.

Boyce said it would be approximately three (3) to four (4) months. Hours would be Monday through Friday 7:00 AM to 5:30 PM. We would not load before 7:30 AM, or after 4:30 PM, but will sift until 5:30 PM. Hours on Saturday would be from 8:00 AM to Noon.

Councilwoman Kohl asked who is the closest neighbor?

Boyce stated Mrs. Fedyk is the closest neighbor.

Kohl said there can be concerns with dust blowing.
Boyce said we plan to build a topsoil pile/wall to the east to control blowing.

Councilwoman Metzler suggested Boyce communicate his plans to the neighbors.

Mark Valentine said it is not a requirement to notify the neighbors, but we can reach out to them. If there are issues or concerns we can work with them on it.

Councilman Moore asked if the permit can be revoked if there are problems?

Valentine stated that we would meet with Mr. Boyce first to discuss the issues. If things were not resolved appropriately, we can issue a stop work order and have Boyce address concerns.

Kohl asked Boyce when he plans to start.

Boyce said he would start within a week or two (2) and should be done before school is out.

The Board discussed and agreed.

Supervisor LaFountain directed Valentine to issue the permit and reach out to the neighbors to advise what will be happening.

2. Partial Sidewalk Waiver Request for the Bayview Landing project – Valentine
Discussion with item 3.

3. Site Work along Wilbur Tract Road for Bayview Landing (LLD District) – Valentine
Mark Valentine reviewed the displayed map and noted that the proposal is for 33 units above on the slope. There will be a sidewalk from Empire Boulevard, up Wilbur Tract Road on one (1) side in the new development around the cul-de-sac. PRC is supportive and the town has previously obtained CDBG grants for additional sidewalks along Empire Boulevard.

Supervisor LaFountain asked if the cul-de-sac would connect to the Woodhaven Drive neighborhood.

Valentine said it will be a dedicated road to the cul-de-sac and there would be a private drive through Mr. Meleo’s property up to Woodhaven Drive. Valentine continued to say we are working with the fire department on this. There will be a Homeowner’s Association who will be responsible to maintain the private road. There will also be a gate with a chain and padlock for emergency access only. A formalized easement will be added for Wilbur Tract Road to use the dedicated road for access to Empire Boulevard.
Jim Costello said we could talk to property owners when the private drive is completed about a potential trail/sidewalk easement.

Valentine said Mr. Howitt will be donating a parcel above the area to Monroe County for Lucien Morin Park. This will be a great addition to the park.

LaFountain asked about the pull off area shown on the map.

Valentine said that is a loop around for plowing, or for any vehicles that need to turn around before going all the way to the cul-de-sac.

Costello said it is also a separation from Wilbur Tract Road to the new road which will have a different name.

Valentine stated that the application is still before the Planning Board, but because it is located in the LaSalle’s Landing District, it needs to be reviewed by the Town Board.

Valentine added that the improvements on Wilbur Tract Road include gutters and storm sewers, there will be no development of homes within the LaSalle’s Landing District. The road will be built to Town Specifications, including the cul-de-sac.

Councilman Quinn inquired about lighting.

Valentine said there will be a pole mounted light at the Empire Boulevard entrance and some additional lighting along the way. The lighting will be paid for by the Homeowner’s Association.

Councilwoman Kohl asked if there are any concerns regarding plowing the cul-de-sac.

Valentine said no, the road will meet Town Specifications.

The Board discussed and agreed to allow the sidewalk waiver and the site work on Wilbur Tract Road, within the LaSalle’s Landing District.

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance

1. Joey’s Pasta House Addition Application - Costello

Jim Costello stated that an application for an addition has been received. He will forward materials to the Board for its review. A resolution will be submitted for the next Legislative Session on April 20, 2016, scheduling the Public Hearing for May 18, 2016.
2. Sign Ordinance Update – LaFountain/Costello
Supervisor LaFountain stated that Dr. Sanon is in the audience this evening. Dr. Sanon has requested signage on both sides of his building which faces NYS RTE 441, but also has a back entrance. The current ordinance does not allow for two (2) signs. Dr. Sanon has gone before the Zoning Board of Appeals for a variance and has been denied twice. There are some inconsistencies as some previous applicants have been allowed two (2) signs, and others have not.

LaFountain added we do have some different requirements throughout the town based on what district the business is located in, and which board supports it, this has created inconsistencies. Costello reviewed various signage in the Town and it is recommended to change the sign ordinance town wide. An example is Subway, which is located just down the road from Dr. Sanon, has three (3) signs and is located within the plaza on Penfield Road and NYS RTE 250.

Councilman Quinn agreed there should be consistency. We have had several discussions regarding signs in the Four Corners, and I have always stressed consistency. Will there be additional sign pollution created by allowing additional signs?

Costello said additional signage is needed on internal structures within a plaza. If the building is not signed, it could create traffic issues for patrons unable to locate a specific business.

Councilwoman Metzler said in the past the exceptions have been allowed for businesses that cannot have a free standing sign. We need to apply what this Board has done with signs in the Four Corners town wide.

Quinn asked about properties who may be grandfathered in; will each case have to be reviewed individually?

Costello said yes.

Quinn asked if we will then have multiple requests coming to the Board?

Costello said no, when there are multiple points of entry into for example a plaza, the additional signage is necessary for the public to be able to locate a business.

Metzler doesn’t want small businesses to have to come before the Board for exceptions.

Valentine added that Eyesite and a new Urgent Care will be located across the street from Wegmans. When the rear access drive is completed, the curb cuts will be removed from Penfield Road, signage will be necessary on the rear of the building.
Costello said we can work on recommendations for the Board to discuss at the next Work Session on April 27, 2016. After this meeting a Public Hearing would have to be scheduled before any changes to the ordinance can be made.

Dr. Sanon stated that his application for additional signage has been denied twice by the Zoning Board of Appeals. Nearby Tim Horton’s had additional signage approved. He is concerned about the consistency. The additional signage helps both customers and businesses. He thanked the Board for their consideration on this matter.

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS
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4. Sable Oaks Roadway Dedication - Valentine
5. Jeff Luce, 1357 Marchner Road - Out of District Sewer - Valentine

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 legal matter.

XII. Adjournment - Supervisor LaFountain adjourned the regular Work Session at 8:01 PM.

Lisa Grosser, RMC
Deputy Town Clerk