Town Board Work Session Agenda
June 8, 2016
7:00 PM

I. Call to Order

II. Approval of Minutes – May 25, 2016

III. Monthly Reports - May

IV. Public Hearing – None

V. Guests –
• Dr. Anthony Stirpe – Discussion of Chiropractic Practice at 2082 Five Mile Line Road
• Mark Landon – Discussion of Vape Shop at 1832 Penfield Road

VI. ACTION ITEMS

Law and Finance
1. Jewelry Shop, 1759 Penfield Road – Costello
2. 4,500 Sq. Ft. Mixed Use Commercial and Apartment Building, 1861 Penfield Road- Costello
3. 7,200 Sq. Ft. Retail Building, 2140 and 2146 Fairport Nine Mile Pt. Road – Costello

Public Works
1. Proposed Modification to the Town Sidewalk Policy – Valentine
2. Retaining Wall Repairs – Cost Revision – LaFountain
3. Second curb cut for 5 Renwick Run – Valentine

Public Safety - None
Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Oak and Apple Cidery – LaFountain

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. Jeff Luce, 1357 Marchner Road – Out of District Sewer – Valentine
5. Sign Ordinance Update – Costello/LaFountain
6. Request for Sidewalk Waiver at Barclay Park Subdivision – Costello
7. Review from Informal Discussion for Pet Hotel, 125 Panorama Creek Drive - 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 8, 2016  
7:00 PM

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 – 5/25/16  
CM Quinn moved for the approval of the Minutes of May 25, 2016,  
CW Metzler seconded the motion.

III. Monthly Reports – Reports for May have started coming in and are due Friday.

IV. Public Hearing – None

V. Guests

* Dr. Anthony Stirpe – Discussion of Chiropractic Practice at 2082 Five Mile Line Road  
Jim Costello introduced Dr. Stirpe who is interested in opening his chiropractic practice in the same building as Dr. Wanamaker. It will be a separate business and Dr. Stirpe will be replacing the existing sign with a new sign that will be 12 inches taller and he will add his name below Dr. Wanamaker’s name.

Dr. Stirpe explained that he is also working as a Graduate Assistant at the New York State Chiropractic College 20 hours a week. The hours he will be seeing patients will be Monday and Tuesday, 10:00 AM to 8:00 PM, Friday 2:00 PM to 8:00 PM and Saturday 9:00 AM to 2:00 PM. Dr. Stirpe added that he graduated last year and Dr. Wanamaker is helping him get started. Dr. Stirpe stated that he offers a different type of chiropractic service concentrating on soft tissue treatment by adjusting joints and releasing gas before working on spinal adjustments.

Supervisor LaFountain asked if Dr. Stirpe will partner with Dr. Wanamaker.

Dr. Stirpe said no, they are going to work in the same office, but it will be a separate business. He will be working alone, but hopes to add a receptionist in the future.
Councilwoman Metzler asked if both practices will be operating at the same time.

Dr. Stirpe stated that the two schedules often flip flop, but there may be some overlap. Dr. Stirpe stated that he and Dr. Wanamaker will work around each other.

Costello asked about the color scheme for the sign.

Dr. Stirpe said he would be matching the existing color exactly, and the sign will be aluminum.

LaFountain asked if the size of the sign meets the requirements of the Sign Ordinance.

Costello said he is allowed 20 sq. ft. per face. This will also have to be approved by the Historic Preservation Board. The location of the business is within the Four Corners District, and requires Town Board approval.

LaFountain asked Dr. Stirpe if he had ordered the new sign.

Dr. Stirpe said no.

LaFountain asked Dr. Stirpe to work with Costello on making sure the sign fits within the requirements and receives the appropriate approvals.

Councilwoman Kohl asked Dr. Stirpe when he plans to open.

Dr. Stirpe stated that he is fully operational and ready to go.

Supervisor LaFountain advised Dr. Stirpe to work with Costello on the sign requirements and approval.

Costello added that parking is shared with all of Dr. Pignato’s sites.

• Mark Landon – Discussion of Vape Shop at 1832 Penfield Road
  Supervisor LaFountain stated that this application has been withdrawn.

VI. ACTION ITEMS

Law and Finance
1. Jewelry Shop, 1759 Penfield Road – Costello
  Supervisor LaFountain reviewed that the Public Hearing was held on June 1, 2016 and nothing new has been submitted.

Jim Costello added that the parking detail has not yet been submitted, and he will make the parking plan a condition of approval.
LaFountain added that the approval would be subject to the normal conditions. The shop will be 400 sq. ft. on the first floor with window displays, the sign information and parking plan will need to be submitted.

The Board discussed and agreed to move forward. LaFountain directed Costello to prepare a resolution for the next Legislative Session on June 15, 2016.

2. 4,500 Sq. Ft. Mixed Use Commercial and Apartment Building, 1861 Penfield Road – Costello
Supervisor LaFountain reviewed that the Public Hearing was held on June 1, 2016 and at that time the applicant presented the details of the project.

Jim Costello stated that the architectural plan has been submitted and additional windows have been added on the east side. The project requires fill for the parking area, and the applicant has agreed to take millings from the Penfield Road project.

LaFountain stated that this is consistent with the Site Plan that was submitted. This has been confirmed by both the applicant’s engineer as well as the Town’s engineer. This is necessary due to the fact that there will be a walk-out apartment on the bottom floor.

The Board discussed and agreed to move forward.

LaFountain asked that Costello send the updated window plan to the Board for its review.

Mark Valentine added that he spoke with the applicant’s engineer and all technical issues have been resolved. The engineer will provide the amount of fill needed tomorrow morning.

LaFountain directed Costello to prepare a resolution to be submitted at the next Legislative Session on June 15, 2016.

3. 7,200 Sq. Ft. Retail Building, 2140 and 2146 Fairport Nine Mile Pt. Rd. – Costello
Supervisor LaFountain reviewed that the Public Hearing was held on June 1, 2016.

Jim Costello stated that nothing new has been received.

The Board discussed and agreed to move forward.

LaFountain reviewed that there will be no backlit sign, landscaping is needed to the east of the site, and the top soil pile needs to be taken care of so it is not sitting around. The Wegman’s property has a tree that needs to be taken care of, as well as address landscaping. The signage will need to be submitted for the Board’s approval. The landscaping will be
similar to the existing landscaping of the adjacent buildings. The landscaping plan will also need to be submitted for final review. LaFountain directed Costello to prepare a resolution to be submitted at the next Legislative Session on June 15, 2016.

Public Works

I. Proposed Modification to the Town Sidewalk Policy - Valentine

Mark Valentine submitted a map of the proposed area to consider sidewalk waivers as part of the new policy. The map also shows existing sidewalks and areas such as the proposed NYS RTE 250 Mixed Use area where sidewalks would be required. This could be either a tiered or multiple approach for reviewing sidewalk waivers.

Councilman Quinn thanked Valentine for the proposal and stated he feels a tiered approach is valid.

Valentine added that waivers could still be granted.

Councilwoman Kohl asked about sidewalks near Sherwood Fields park; should those be included?

Valentine said this is just a proposed map, it can be modified and/or updated.

Quinn suggested State roads could be included if there is a requirement by the State or if there is an opportunity to add sidewalks.

Valentine stated that he will formalize the map. He asked the Board if they had any additional input regarding the fees.

Supervisor LaFountain stated that previously a 50% waiver had been discussed.

Quinn asked for clarification, would the waiver be the same for a single family lot versus a developer?

Valentine said we proposed a 50% waiver of the construction costs, based on the current County bid price. There would also be a $5,000 cap for a single family lot.

Quinn added that he isn’t sure the cap should be the same for a developer.

Valentine said a developer would have the requirement of both internal as well as external sidewalks. The $5,000 cap would apply per lot. If it is a 20 lot subdivision, the waiver would be $100,000.

The Board discussed and agreed to move forward.
LaFountain asked Valentine to update the proposed documents and submit them to the Board for review. A Public Hearing will be scheduled in the future.

2. Retaining Wall Repairs – Cost Revision – LaFountain

Supervisor LaFountain reviewed that the Board had authorized a not to exceed figure of $8,923.89 to replace the retaining wall on Five Mile Line Road. There is an additional requirement of $1,731.99 to replace the fence on top of the wall. The total expenditure will come in within budget as the material costs were less than projected.

LaFountain stated that the Board authorized a not to exceed figure of $19,500 for the repair of the retaining wall on Atlantic Avenue. The total cost has come in $364 over proposal.

The Board discussed and agreed to approve both expenditures. A resolution will be submitted at the next Legislative Session on June 15, 2016.

3. Second curb cut for 5 Renwick Run – Valentine

Mark Valentine introduced the property owner, John Kabrovski who is interested in adding a second curb cut for his property located at 5 Renwick Run. Valentine added that the Town’s Design Criteria requires a corner lot and it must be 25% larger than what zoning allows. Valentine continued to say that this lot meets the size requirement, but it is not a corner lot.

John Kabrovski reviewed that he is adding a carport and if he made a looped driveway, it would look like a parking lot. In addition, he would have to remove mature trees to accommodate a loop. Kabrovski submitted a survey map with the proposed driveway extension. He added that his son currently walks from the bus stop and walks through the grass where the driveway is proposed.

Supervisor LaFountain asked if PRC had reviewed the request.

Valentine said yes, and they requested that the driveway be moved back five (5) to ten (10) feet from the corner. Valentine added that we would not want the additional curb cut to impact the neighbor’s drainage.

Jim Costello asked if Kabrovski had spoken with his neighbor.

Kabrovski stated yes, and he received no negative comments.

Councilman Quinn confirmed that Kabrovski would agree to move the driveway back five (5) feet as requested by PRC.

Kabrovski said he has no problem with that.

The Board discussed and agreed to allow the additional curb cut and driveway expansion.
LaFountain directed Valentine to prepare a letter summarizing this discussion to Mr. Kabrovski. A permit from the Department of Public Works will be a requirement for the additional driveway. LaFountain asked Kabrovski to work with Valentine on drainage.

Public Safety - None
Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Oak and Apple Cidery - LaFountain
Councilwoman Metzler moved to table the discussion of the Oak and Apple Cidery as additional information has been received and she would like to review it. Councilman Quinn seconded the motion and all present voted “Aye.”

Supervisor LaFountain stated that this item will be tabled until the next Work Session on June 22, 2016.

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. Jeff Luce, 1357 Marchner Road - Out of District Sewer - Valentine
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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 7:38 PM.

Lisa Grosser, RMC
Deputy Town Clerk