I. Call to Order

II. Approval of Minutes – June 8, 2016

III. Monthly Reports - June

IV. Public Hearing – None

V. Guests
   - Dr. Justine O’Callahan & Dr. John Marini – Chiropractic Office at 2132 Five Mile Line Road
   - Lynn Malooly – Water for South Sudan – 1807 Penfield Road
   - Anthony Dapice – Discussion of Improvements to T Bones Restaurant – 1778 Penfield Road

VI. ACTION ITEMS

Law and Finance
1. Oak and Apple Cidery – LaFountain
2. Art Stop Sign Proposal – 1822-26 Penfield Road – Costello
3. Review of Mixed Use District Draft Scoping Outline – Valentine
4. Jeramiah’s Tavern Signage – Costello

Public Works
1. Award Bid for Sidewalk Projects - Valentine
2. Sidewalk Waiver, 1429 Shoecraft Road – Valentine
3. Request for Sidewalk Waiver at Barclay Park Subdivision – Costello

Public Safety - None
Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None
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. 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
I. **Call to Order**

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

**Also Present:**
Jim Costello  
Lisa Grosser  
Zach Nersinger  
Mark Valentine

**Absent**  
Councilwoman Metzler

II. **Approval of Minutes – 6/22/16**
CM Quinn moved for the approval of the Minutes of June 8, 2016, CW Kohl seconded the motion.

III. **Monthly Reports** – All reports for June have been received.

IV. **Public Hearing** – None

V. **Guests**
- Dr. Justine O’Callahan and Dr. John Marini – Chiropractic Office at 2132 Five Mile Line Road
Jim Costello introduced Drs. O’Callahan and Marini and stated they have recently moved into their office at 2132 Five Mile Line Road, which was previously a chiropractic office, and are ready to put their sign up and get operating.

Dr. Marini explained that they have been seeing approximately 30 clients per week at an average of 15 minutes per appointment. The office is 425 square feet, hours of operation are Monday through Friday 8:30 AM to 6:00 PM, Saturday by appointment and Sunday only emergency calls. Their clients utilize the municipal parking lot.

Costello added they will be utilizing the directory sign which is in compliance.

The Board discussed and agreed to approve the chiropractic practice through the streamline process.

Supervisor LaFountain directed Costello to write a letter summarizing tonight’s discussion to the applicants.
Lynn Malooly – Water for South Sudan – 1807 Penfield Road
Jim Costello introduced Lynn Malooly and reviewed that materials had been sent to the Board regarding signage. Costello added that Malooly is interested in opening an office where there had previously been an office, so this could be approved through the streamline process.

Lynn Malooly reviewed the history of Water for South Sudan. The sign she is interested in adding would go over the “space available” line on the existing directory sign. This would be an administrative office only. There will be two (2) full time and two (2) part time employees. There will be staff only during the day and a possible committee meeting in the evening. The office is 1,100 square feet and hours will be Monday through Friday 8:00 AM to 5:00 PM, and closed weekends.

The Board reviewed the signage and agreed that it is acceptable, and agreed to approve the office through the streamline process.

Costello said he will work with Malooly on the sign permit process.

Supervisor LaFountain directed Costello to write a letter to the applicant summarizing tonight’s discussion.

Anthony Dapice – Discussion of Improvements to T Bones Restaurant – 1778 Penfield Road
Jim Costello introduced Anthony Dapice and stated that he has met with him recently regarding modifications to the site at 1778 Penfield Road.

Anthony Dapice explained that he is interested in adding an additional deck with seating area in the front of the building. The deck will join the existing patio area. There will be an open roof with a trellis or arbor, lighting, landscaping, new signage, new parking lot and new siding.

Costello added that Dapice is also looking to update the fence between his business and the neighbor to the east.

Dapice stated that the restaurant will have a new theme, new menu, and new name Bistro 1778 Kitchen and Cocktails. The sign will be circular and four (4) feet in diameter.

Costello added that the Public Hearing has been scheduled for August 3, 2016.

Councilwoman Kohl asked about seating on the deck.

Dapice stated that the deck will seat 40-50 people, but the seating on the patio will be reduced from 40 to 20-25 and become a conversational fire pit area.
Kohl asked if there will be buffering to the Perkins house.

Dapice said the deck will only go about half way across the front lawn, so buffering should not be an issue.

Kohl asked if there will be music.

Dapice said there will be no music and access will remain as it is now.

Kohl asked about hours of operation.

Dapice said they would be open dinner hours, 4:00 PM to 10:00 PM.

Supervisor LaFountain asked Dapice to have the sign information to the Board for review prior to the August 3 Public Hearing.

LaFountain asked Dapice what his timeline would be.

Dapice said he hopes to have everything completed by the third week in September or the first week in October. He would like to have a clambake.

VI. ACTION ITEMS

Law and Finance
1. Oak and Apple Cidery – LaFountain
Councilman Moore stated the Board has been reviewing information over the last couple of weeks. Additional comments have come in both in support and not in support of the application. Moore continued, recently I received comments and questions from a resident. More vetting needs to be done regarding the overall project, we need answers to questions. Moore stated, the Town Attorney needs to review further to verify this is not a violation of the Conservation Easement or the New York State Agriculture and Markets Law. Moore continued to say he would like to table this for two (2) more weeks and have legal counsel review and give the Board additional input.

Both Councilman Quinn and Councilwoman Kohl agreed to table the application for two (2) weeks.

Supervisor LaFountain stated that this will be reviewed at the next Work Session on July 27, 2016. The Town Attorney will be included to discuss this further.

2. Art Stop Sign Proposal – 1822-26 Penfield Road – Costello
Jim Costello introduced Cindy Corrigan, the owner of the Art Shop. Plans for signage have been submitted to the Historic Preservation Board, which have been reviewed and the board likes the proposal. The Historic Preservation Board supports the Town Board with regards to allowing additional signage. If the Town
Board approves additional signage, the Historic Preservation Board will issue a Certificate of Appropriateness.

Cindy Corrigan explained that she is interested in having a raised letter, scalloped edge sign similar to Mark’s Pizzeria.

Councilman Quinn asked where the signs will be placed.

Corrigan stated on the north side of the building (in the back), the main sign on the corner of the building where the Masonic logo was, and a hanging sign in the front, similar to the sign used by the photography studio. Corrigan also explained that she may rent out space to an artist for studio use only.

Quinn asked how much signage is allowed.

Costello stated the amount of signage is based on linear footage. Based on the size of the building, she is allowed 230 sq. ft. of signage total. The sign on the corner will be 25.66 sq. ft., the sign on the back will be 8.94 sq. ft., which has been reduced, and the sign out front would be 8.25 sq. ft.

Corrigan stated she is also getting a quote to replace the siding.

Costello advised Corrigan that replacing the siding would also require approval from the Historic Preservation Board.

LaFountain asked if the Historic Preservation Board had any input on the raised letter sign.

Costello said they liked the raised letters, but would like to review the final design, the Board also preferred the green background over the blue background.

Quinn asked if there would be any exterior lighting for the signs.

Corrigan stated that she didn’t think so.

Costello added that if she is interested, gooseneck lighting could be added to illuminate the signs.

Costello asked how parking has been working out.

Corrigan said it has been working great, there have been no problems at all.

LaFountain stated that the municipal lot will be closed July 22nd to 24th for the fire company to coat and stripe the driveway.

Corrigan said she would advise her customers.
Costello said the Historic Preservation Board will review the sign, including the dimensions. He asked Corrigan to get the specifications to show how the letters will be raised.

Quinn asked about the siding.

Corrigan said she is getting it quoted, she would like to replace it before the signage goes up.

The Board discussed and agreed to move forward.

3. Review of Mixed Use District Draft Scoping Outline – Valentine
Zach Nersinger submitted a packet to the Board containing the Draft Scoping Document, a lead agency letter to involved agencies for the Type 1 SEQRA action, and a response letter from the Genesee Transportation Council supporting the Town Board as lead agency. Nersinger stated that the Planning Department has been working with Shaun Logue, MRB Group regarding the SEQRA process. Nersinger reviewed for the Board that the draft scoping outline was prepared for the required Generic Environmental Impact Statement (GEIS) for the proposed rezoning of land to a new mixed use district, and amending the Town’s zoning ordinance and zoning map. The Mixed Use Development Manual will require adoption by the Board after the SEQRA process is complete.

Shaun Logue, presented an updated time line.

Nersinger stated that he would have Town Attorney Horwitz review the revised time line, and send it to the Board for review.

Supervisor LaFountain asked the Board if they agree to be Lead Agency and declare a positive declaration.

The Board discussed and agreed. Supervisor LaFountain stated that a resolution will be prepared for the next Legislative Session on July 20, 2016.

Mark Valentine said the period to receive comments for the scoping document needs to be a minimum of 30 days, but can he held open for 45 days.

LaFountain said we will discuss this with the Town Attorney prior to completing the resolution. The period will be 30 days, unless advised otherwise.

Valentine added that the 30 day comment period would pertain to only the scoping outline. There will be additional time for the public to comment.

LaFountain asked that the updated timeline be submitted to the Board for review.
Councilman Quinn inquired what outreach is required to the list of interested agencies. What type of input are we expecting back from those agencies?

Valentine said for consistency we used the same list of interested agencies as was used for the Comprehensive Plan. We wanted to do our due diligence and use the same list as a courtesy. Typically they do not offer any comments.

Costello added that the documents will be posted to our website, and an Environmental Notice Bulletin will be issued for the positive declaration determination.

4. Jeremiah’s Tavern Signage – Costello
Supervisor LaFountain reviewed that this has been out there for the past several months, but never finalized or memorialized.

Jim Costello stated the proposed size of the sign is 69.16 square feet to replace the existing 20-24 square foot sign which you can barely read. The new sign will be a back lit, led lighted sign facing north towards Target. The size of the sign is less than the maximum allowed by code.

The Board discussed and agreed to allow the sign.

Costello said he will advise the owner and assist with the permit process.

LaFountain directed Costello to write a letter summarizing this discussion to the applicant.

Public Works
1. Award Bid for Sidewalk Projects – Valentine
Mark Valentine reviewed that the bid opening was held July 1, 2016 and submitted a summary of the bids received to the Board for its review. Valentine stated that Hynes Concrete Contractor, Inc. was the lowest bidder and met specifications.

Councilman Quinn asked if we had ever worked with Hynes before.

Valentine said they have completed gutters all over town. We have not used them for sidewalks, but they have installed sidewalks in other towns.

Supervisor LaFountain stated that we have used Sunshine Concrete in the past for sidewalks. Hynes is the lowest bidder, meets specifications and has a good track record in the concrete business.

The Board discussed and agreed to award the bid to Hynes.

LaFountain stated that work will begin mid-August. LaFountain asked Valentine to review what projects will be completed.
Valentine said Empire Boulevard from Abraham Lincoln Park to Southpoint Cove Apartments, NYS RTE 250 from the NYS RTE 441 to Whalen Road and Atlantic Avenue from Baird Road to Five Mile Line Road. In addition there are repairs scheduled throughout the community.

A resolution will be submitted at the next Legislative Session on July 20, 2016.

2. Sidewalk Waiver, 1429 Shoecraft Road – Valentine
Mark Valentine displayed a map of the Shoecraft Road area and stated that this project is currently before the Planning Board for a three (3) lot subdivision. PRC reviewed the request and is supportive of issuing a waiver, there are no sidewalks in the area.

Councilman Quinn asked if this would be at the new waiver fee.

Valentine said no, the new fees are not yet adopted. The fee would be under the existing policy of $500 per lot, a total of $1,500.

The Board discussed and agreed to allow the waiver.

Supervisor LaFountain directly Valentine to send a letter to the applicant allowing the waiver.

3. Request for Sidewalk Waiver at Barclay Park Subdivision – Costello
Jim Costello stated they he had recently met with Rudy Neufeld. Barclay Park will be a private drive and have no sidewalks. PRC reviewed the request and recommends sidewalks be installed south from Barclay Park to the Town owned right-of-way. It is also recommended that sidewalks be installed on the south side to Abbington Place.

Costello stated that Section 1 of Abbington Place showed sidewalks on the south side of the road, there is a gap which has been overlooked. Neufeld has agreed to install sidewalks on the gap section. Costello added there are no sidewalks north of the project from Cranberry Cove to the Webster line.

Councilman Quinn asked about the small portion, is this necessary?

Valentine said it is for pedestrian linkage to connect the two (2) subdivisions.

Quinn asked if it had to be a standard sidewalk, couldn’t it look more like a path?

Costello said that is what was discussed with Neufeld today. A portion of the path would be located in the town right-of-way which the town is required to maintain.
Mark Valentine suggested the path be landscaped into the area.

Quinn stated if a buyer purchases a home on a private drive, they need to beware that there are not sidewalks in the area.

Costello said we could review alternatives, such as moving the sidewalk off the right-of-way nearer the pond area. We can work with Neufeld on this, and it would be the responsibility of the association.

Valentine added that Neufeld owns the lot that is nearby and could grant an easement and create a path with some alternative materials.

Costello said he will discuss this further with Neufeld and come back to the Board with options.

Supervisor LaFountain verified that the sidewalk on NYS RTE 250 to Abbington Place is a requirement. This will be discussed at the next Work Session on July 27, 2016.

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

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. Review from Information 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 - None

XII. Adjournment - Supervisor LaFountain adjourned the regular Work Session at 8:04 PM.

Lisa Grosser, RMC
Deputy Town Clerk