Town Board Work Session Agenda  
September 14, 2016  
7:00 PM

I. Call to Order

II. Approval of Minutes – August 24, 2016

III. Monthly Reports - August

IV. Public Hearing – None

V. Guests: Jeff Withall  Penfield Fire District, update of Proposed 5k Race

                                  Jess Sudol  Discussion of Revision of Condominiums to Apartments at South Point Cove

VI. ACTION ITEMS

 Law and Finance
  1. Review from Informal Discussion for Pet Hotel, 125 Panorama Creek Drive – Costello
  2. Garage with Less Setback than Permitted at 1750 Penfield Road - Costello

 Public Works
  1. RFP for Surveyors Discussion and Award – Valentine
  2. Request for Circular Driveway, 792 Liberty Street – Valentine
  3. Sidewalk Waiver, 1445 Jackson Road – Valentine
  4. Request for Sidewalk Waiver at Barclay Park Subdivision – Costello
  5. Jeff Luce, 1357 Marchner Road – Out of District Sewer – Valentine
  6. MRB Mixed Use Contract - Valentine

 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. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road – Costello
  3. Sign Ordinance Update – Costello/LaFountain

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  
September 14, 2016  
7:00 PM

I. Call to Order

Present:
Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler
Councilman Quinn – Arrived at 7:12 PM

Also Present:
Jim Costello
Lisa Grosser
Mark Valentine

Absent:
Councilman Moore

II. Approval of Minutes – 8/24/16
CW Metzler moved for the approval of the Minutes of August 24, 2016, CW Kohl seconded the motion.

III. Monthly Reports – Reports for August are in except for Finance, Personnel, Recreation and Building/Fire Marshal which are expected by the end of the week.

IV. Public Hearing – None

V. Guests

● Jeff Withall – Penfield Fire District, Update on Proposed 5k Race
Supervisor LaFountain stated that this item will be held until the next Work Session on September 28, 2016.

● Jess Sudol – Discussion of Revision of Condominiums to Apartments at South Point Cove
Supervisor LaFountain introduced Jess Sudol from Passero Associates, who is here representing Morgan Management.

Jess Sudol explained that Building 10 was originally approved as a 39 unit apartment building. A change was requested to convert Building 10 to 24 condominiums, with a pool and covered garages. The leasing at this location has been very successful with over 200 units leased, however the interest in the condominiums was weak. Sudol continued to say when attempting to pre-sell condominiums they were only able to obtain 2-3 commitments. The apartment leasing has been going so well, they would like to keep Building 10 as originally approved for apartments. Sudol continued to say Building 10 will be identical to the condominium design and keep the additional amenities. The only difference would be 26 apartments rather than 24 condominiums. Two – three
(3) bedroom condominiums will be converted to a two (2) bedroom apartments and a one (1) bedroom apartment.

Councilwoman Kohl asked if there would be a price difference between Building 10 and the other buildings?

Sudol stated apartments in Building 10 would cost 20% more.

Councilwoman Metzler asked if the exterior façade of Building 10 would be different?

Sudol said no, it will remain as approved. The changes would only be internal by converting two - three (3) bedroom condominiums to two (2) and one (1) bedroom apartments. Sudol added the foundation for Building 10 is in place, and when the eagle’s breeding season has ended, the construction on the shell will begin.

Jim Costello asked for a breakdown of the 26 units.

Sudol said of the 16 three (3) bedroom units, two (2) will be broken down into two (2) and one (1) bedroom apartments increasing the total number of units from 24 to 26.

Kohl asked if the residents of the other buildings will be able to use the pool in Building 10.

Sudol stated no, the pool is a special amenity for the residents of Building 10. Sudol added the residents of Building 10 also get an extra parking space with a carport.

Metzler inquired about the boat slips.

Sudol said the Marina does have reserved spots, but because a resident is leasing an apartment, it does not entitle them to a boat slip. Sudol added there are three (3) pools on site, one (1) at the clubhouse for marina members, one (1) for residents of the apartments and one (1) for residents of Building 10.

Metzler asked when the public access will be completed?

Sudol said it is complete from the Marina to the Club, the trail will be completed through the project when the buildings are completed.

Costello asked when construction will begin on the exterior of Building 10.

Sudol said they are working with the Environmentalist and once the baby eaglets leave the nest, construction will begin.

The Board discussed and agreed to approve the change from condominiums to apartments.
VI. ACTION ITEMS

Law and Finance
1. Review from Informal Discussion for Pet Hotel, 125 Panorama Creek Drive – Costello
Supervisor LaFountain read a statement from Jerry Goldman, Woods, Oviatt, Gilman, attorney for the applicant. “Dear Board Members, this office represents Green Valley Canine, LLC who has proposed a Dog Hotel and Spa for the former Camp Haccamo property. After careful review of the site, the Town Code and hearing neighborhood concerns, their client has decided not to pursue the Dog Hotel and Spa at this location. On behalf of our client, we appreciate the Town’s consideration of this proposed project and request that all further consideration of this proposal be terminated. Thank you very much for your courtesy.”

LaFountain then read an email from Councilman Moore which states “It is my opinion that a pet hotel at this location is not an appropriate use and would have a negative impact on the Allen’s Creek residential community. I do not support this pet hotel proposal, and encourage my colleagues to vote against it.”

Jim Costello stated that demolition of the remaining buildings on the site will begin shortly. The court action has been adjourned until November.

Councilwoman Metzler stated that this use was not appropriate for this property and would have a negative effect on the neighborhood. This was not a place for dogs to be housed/kenneled and she was not supportive.

Councilwoman Kohl stated that this area was not zoned for this application, and the neighbors had concerns. Kohl added she liked the idea of a pet hotel, but this wasn’t an appropriate place for it.

2. Garage with Less Setback than Permitted at 1750 Penfield Road – Costello
Supervisor LaFountain reviewed that the Public Hearing for this application was held on September 7, 2016.

Jim Costello stated he is in the process of preparing a draft resolution for the Board to review. There is an existing 36’ by 22’ square foot garage on site with three (3) stalls, the addition is 22’ by 50’ square feet and includes four (4) stalls for a total of seven (7) stalls. The addition will bring the garage closer to the house, and provide additional buffer to the neighbors. Marsh will live on site and will maintain the residential character of the property. Cars will be removed from the site for the garage to be built. Two (2) cars will remain on site and will be housed in the garage once it has been constructed.

LaFountain asked when construction will begin.
Bridget Marsh stated she would like to begin construction as soon as the permit is issued.

Costello asked about the pitched roof in the garage, will there be additional storage area.

Marsh said it would be small and only totes would fit.

The Board discussed and agreed to allow the garage. Supervisor LaFountain directed Costello to prepare a resolution to be submitted at the next Legislative Session on September 21, 2016.

Public Works

1. RFP for Surveyors Discussion and Award – Valentine

Mark Valentine submitted a summary of bids received to the Board for its review. The Town has architectural, landscape and SEQRA consultants which are bid out and then renewed annually at the Organizational meeting. The summary includes both prevailing and non-prevailing wage rate. Valentine said three (3) quotes were received and he requested that the Board authorize two (2) surveyors as sometimes there are conflicts. Valentine added once this is in place we can have a quicker turnaround for stakeouts and other surveying needs.

Councilwoman Metzler asked if funds are in the budget?

Valentine stated yes, we have a survey line in our Engineering budget.

Supervisor LaFountain stated that this is a result of a discussion with himself, Valentine and Finance. This is no different than what has been done with Property Maintenance, Landscape and Architectural Consultants. This will be awarded annually at the Organizational meeting.

Valentine added that we will go out for quotes annually to verify we are getting the best price.

The Board discussed and agreed to name two (2) survey consultants. A resolution will be submitted at the next Legislative Session on September 21, 2016.

2. Request for Circular Driveway, 792 Liberty Street – Valentine

Mark Valentine stated that the residents have met with the Department of Public Works, and forwarded the request to him. Town Code allows a circular driveway with a corner lot and a larger lot than standard. The size of the lot meets the requirements, but it is not a corner lot. Valentine submitted photos of the property to the Board for its review. There is currently a curb cut on the left side of the house. Three (3) years ago the driveway was moved to the east side of the property and they would like to keep it, but have it loop. Valentine
Georgia Staderman, the owner of the property, stated that traffic has increased on Liberty Street and looping the driveway would make it safer to get out.

Councilwoman Metzler asked if trees will have to be removed?

Staderman said she had a 200 year old tree that fell and was removed.

The Board discussed and agreed to allow the looped driveway. A resolution will be submitted at the next Legislative Session on September 21, 2016.

3. Sidewalk Waiver, 1445 Jackson Road – Valentine

Mark Valentine stated that this is a single family home and a sidewalk waiver was requested a while back. We have been looking at adjusting the sidewalk policy and the house is ready to issue the Certificate of Occupancy, the homeowners are requesting a sidewalk waiver and will give the easement. Valentine reviewed sidewalks in the area and stated that Jackson Road is not on the expansion list at this time. Valentine stated that PRC reviewed the request and recommend granting the waiver.

Supervisor LaFountain reviewed that the goal is to put together a modified Sidewalk Policy and schedule a Public Hearing for the updated policy. However, for this applicant, because they requested the waiver under the old policy, the Town will grant the waiver for $500 and get the easement.

Valentine stated that he hopes to be scheduling the Public Hearing to revise the Sidewalk Policy in October.

Councilman Quinn stated that he is not thrilled about approving this waiver, but understands it is under the current policy. The sidewalks should be completed on that side of Jackson Road, but the project has been held for a long time. He asked that Valentine is expeditious on the new Sidewalk Policy.

4. Request for Sidewalk Waiver at Barclay Park Subdivision – Costello

Jim Costello stated that this request has been held for a period of time while the requirements of Abbington Section I were reviewed. Costello continued to say a sidewalk was required and we worked with the developer to get that completed. BME has designed a hiking trail path which follows the contours of the property. There are berms, along the east side of the trail, so that the trail is not visible from the street. The trail goes from Barclay Park to the Town owned property which was deeded to us as part of the Abbington approval. The Homeowner’s Association would maintain everything, including the Town owned property. Sidewalks will be installed along 4 Colton Court as
originally required. This connection will give access to both projects.

Councilman Quinn stated this new design makes sense, he asked if a crosswalk will be included?

Costello said yes that can be done and there will also be a crosswalk on Miyah Drive.

The Board discussed and agreed to approve, a resolution will be submitted at the next Legislative Session on September 21, 2016.

5. Jeff Luce, 1357 Marchner Road – Out of District Sewer – Valentine
Supervisor LaFountain stated that this has been a held item on the agenda for quite a while. This parcel is on the east side of NYS RTE 250, opposite Abbington and Barclay Park. There had been a discussion to put in a small grinder pump and pumping two (2) to three (3) lots to the Webster Sewer District. LaFountain stated that Webster had concerns and are reviewing their capacity overall.

Mark Valentine said the homeowners can make a new application when we get input from Webster. We want to close this out for now and remove it from the agenda. Valentine will notify the homeowner that there is no denial or approval and that he can come back to the Board in the future.

6. MRB Mixed Use Contract – Valentine
Mark Valentine said this contract would be for the traffic information for the SEQRA process. Originally we had a contract with MRB for an EAF long form. Valentine continued to say as we have gotten into the project it makes sense to broaden the scope. We are going to have to do a Generic Environmental Impact Statement. We received a quote from MRB for $18,500 to complete the SEQRA portion and SRF for $6,650 for the traffic study part of that. The total cost would be just over $25,000 and we have $38,000 remaining in the budget after the consultant has been paid out.

Councilman Quinn asked how much existing information SRF has. Do they have information on the past work done along NYS RTE 250?

Valentine stated that SRF did the original work on the YMCA study including data counts, and provided the lowest quote for the work requested.

The Board discussed and agreed to approve the contracts. A resolution will be submitted at the next Legislative Session on September 21, 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. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road - Costello
3. Sign Ordinance Update - Costello/LaFountain

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 7:45 PM.

Lisa Grosser, RMC
Deputy Town Clerk