TOWN BOARD WORK SESSION AGENDA
Wednesday, January 24, 2018 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order
II. Approval of Minutes – January 10, 2018
III. Monthly Reports - None
IV. Public Hearings - None
V. Guests
  a. Shivonn Schlosser, Requesting a Streamline Approval for an Esthetician Business at 2130 Five Mile Line Road - Costello
  b. Murat Gurcan, Requesting a Streamline Approval for a Tailor Shop at 2118 Five Mile Line Road - Costello
  c. Steve Philippone, Discussion Regarding the Transfer of Development Rights - Costello
VI. Action Items
  a. Starbucks Relocation Penfield Road - Costello
  b. Bayview Landing Subdivision, 1185 Empire Blvd. - Costello
  c. Gattelaro - Conditional Use Permit for Restaurant at 2126 Five Mile Line Road - Costello
VII. Informational Items
  a. (NONE)
VIII. Held Items
  a. Jomanda Way, Expanding No Shooting Petition - LaFountain
  b. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road - Costello
  c. Sign Ordinance Updates/Proposed Ordinance Revision - Costello/LaFountain
  d. Citizen's Climate Lobby - LaFountain
  e. Tree Preservation Guidelines - Valentine
IX. Old Business – (NONE)
X. New Business
XI. Executive Session
XII. Next Meeting: February 14, 2018
XIII. Adjournment

This meeting will be video recorded and broadcast live via the town’s website www.penfield.org and the Town’s Government Access Cable channel 12, digital 5.12. Questions regarding video coverage contact Penfield TV at (585) 340-8661.
I. Call to Order

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

Also Present:
Jim Costello
Lisa Grosser

II. Approval of Minutes – 1/10/18
CM Quinn moved for the approval of the Minutes of January 10, 2018, CW Metzler seconded the motion.

III. Monthly Reports – Supervisor LaFountain stated that a couple of monthly reports are outstanding, but expected to be submitted by weeks end.

IV. Public Hearing – None

V. Guests

a. Shivonn Schlosser, Requesting a Streamline Approval for an Esthetician Business at 2130 Five Mile Line Road – Costello
Jim Costello introduced Shivonn Schlosser who is interested in opening up an esthetician business in Ron Baroody’s building. An email detailing the application had been forwarded to the Board.

Shivonn Schlosser explained that she will be the only employee and will offer services including facials, chemical peels, microdermabrasion, microblading and make-up application. The hours of operation will be Tuesday and Thursday from 1:00 PM to 6:00 PM, and occasionally she will stay open until 8:00 PM. Friday and Saturday she will be open from 12:00 PM to 5:00 PM.

Councilwoman Kohl asked Schlosser how long she has been an esthetician.

Schlosser said 18 years, and the business will be called Vonnleigh Esthetics.

Councilwoman Kohl asked if there was a sketch of the proposed sign.

Schlosser shared the photo of the proposed sign and will email a copy to Jim Costello to forward to the Board.
Supervisor LaFountain asked if Schlosser will utilize the existing sign box.

Schlosser stated yes.

Councilwoman Metzler asked if there would be any interior changes.

Schlosser said she will be painting.

Metzler asked if clients would be seen by appointment only.

Schlosser said yes, and she would see only one (1) client at a time, and added there may be more people if she is doing make-up for a bridal party on a Saturday.

Kohl asked when Schlosser will be opening.

Schlosser stated February 1, 2018.

Jim Costello advised a sign permit would have to be obtained from the building department and he will work with her on that.

Councilman Quinn motioned for the approval of the esthetician business through the streamline process, Councilwoman Kohl seconded and all present voted “Aye.”

Supervisor LaFountain stated that Costello will send a letter to the applicant summarizing tonight’s discussion and a Conditional Use Permit will have to be obtained from the Town Clerk’s office.

b. Murat Gurcan, Requesting a Streamline Approval for a Tailor Shop at 2118 Five Mile Line Road – Costello

Jim Costello introduced Murat Gurcan and Aysel Yeniyidiz. Gurcan currently has a tailor shop business out of his home at the corner of Baird Road and Penfield Road. Gurcan would like to move his shop to the site which previously housed MeNu. Gurcan would also like to work with Incognito to offer his services.

Aysel Yeniyidiz spoke for Gurcan who is an immigrant and speaks limited English. Aysel said that Gurcan has a second business in Newark and would like to focus on the Fairport area, with a more professional office. Gurcan would like to open February 1, 2018, and he and his wife would be the only employees. Business hours would be Monday through Saturday from 8:00 AM to 7:00 PM, and closed Sunday.

Supervisor LaFountain asked about signage.

Yeniyidiz stated they are working on it and will utilize both sign boxes. Gurcan will adding dressing rooms and painting.

Councilwoman Kohl asked what would be the business name.
Yeniyidz said Gurcan Tailoring.

Costello asked if Gurcan would maintain the Baird Road location as his residence and close the tailor shop.

Yeniyidz stated yes, and Gurcan would see three (3) to four (4) customers at a time, and added dry cleaning service would also be provided.

Costello advised that a sign permit would have to be obtained from the building department and the Town Clerk’s office will issue a Conditional Use Permit.

Councilman Quinn motioned for the approval of the tailor shop through the streamline process, Councilman Moore seconded and all present voted “Aye.”

c. Steve Philippone, Discussion Regarding the Transfer of Development Rights - Costello
Jim Costello introduced Steve Philippone and Walt Baker, DSB Engineers. Costello stated the applicant had met with PRC several months ago. Philippone is interested in transferring development rights for seven (7) approved lots from the Crowne Pointe, Phase 4 development to a new proposed townhouse project across the street from Scribner Road School. The existing lots at Crowne Pointe would become larger, estate lots.

Costello explained that the 1990 Comprehensive Plan mentions investigating transferring development rights regarding sanitary sewer locations and as part of developing the Open Space plan. Costello added he has also discussed this with Town Attorney Horwitz and forwarded the Board a document regarding the New York State Planning Group’s Transfer of Development Rights.

Steve Philippone stated that the proposed townhouse project is located at 1725 Scribner Road. The parcel has 112 foot frontage and is a t-shape parcel that opens up to 10 acres. There is an adjacent lot owned by the Town of Penfield. Under current zoning Philippone showed a proposal to the Board of 13 large lots. Also included is a proposal showing 13 townhomes located on the same parcel. The townhome project has a smaller footprint and would comprise of small duplex townhomes for seniors.

Philippone continued to say it is feasible to reduce the lots on Crowne Pointe from 12 to five (5) as the neighborhood is not as dense from Phase 3 to Phase 4. The transfer of development rights would reduce the impact to both neighborhoods. Philippone stated he had a neighborhood meeting and the proposal was adjusted based on comments received. The proposed townhomes were moved farther away from the existing neighbor’s property lines. Many comments were received about drainage issues and Philippone adjusted the location of the swale and stormwater pond. The entrance to the development would be wooded, and 1/3 of the
existing wooded area would be preserved. The road would be private.

Philippone stated of the approved 12 lots at Crowne Pointe mass grading would be required to build. The current density slacks off in the development toward the south. It makes sense to come in with five (5) estate lots; three (3) are slightly over an acre, and the other two (2) parcels are over three (3) acres. There would be a reduction in drainage run-off to the creek. The length of the dedicated road will also be reduced. This proposal is a balanced approach and a good trade-off for both parcels. Philippone added the seven (7) lots on Scribner Road should have no impact to traffic.

Supervisor LaFountain asked what will be done with the extra acreage on the Scribner Road proposal.

Philippone said he would like to deed it to the Town, or it will be a part of the Homeowner’s Association. Philippone added the price point for the townhomes will be $325,000 and up.

Councilman Moore asked if this would be similar to the Timber Glen development.

Philippone said yes, of the 20 total acres in Timber Glen, 11 were developed. This project would also include open space and have a wooded atmosphere.

LaFountain asked what was the price point on the Timber Glen townhomes?

Philippone said $290,000 plus, and there are some over $400,000.

Costello asked Philippone to summarize the comments received during the neighborhood meeting.

Philippone said initially he received a negative response from the neighbors whose properties back up to the wooded lot. Other residents had a more realistic approach and feel this proposal is more positive than the conventional zoning.

Councilwoman Metzler asked if the changes on the Scribner Road project had been presented to the neighbors.

Philippone said no, he wanted to get feedback from the Board first.

Councilwoman Kohl asked if you have already purchased the property and this doesn’t work out will you build under conventional zoning?

Philippone stated yes.
Councilman Quinn asked what is the current zoning on the Scriber Road parcel?

Costello said R-1-20, which would allow 13 units on the property. Costello asked if Philippone has reviewed that one (1) lot may need to be dedicated for a stormwater pond.

Philippone said he has reviewed it and the engineer can redesign so he doesn’t have to give up a lot.

LaFountain confirmed that Phase 4 of Crowne Point has already received approval.

Quinn asked Philippone why you wouldn’t make the change to Crowne Pointe now instead of waiting for a decision on the transfer of development rights.

Philippone said economics.

Costello stated that a transfer of development rights has not yet been done in Penfield, but has been done in elsewhere New York State.

Metzler stated she will not support this transfer until she knows how the residents feel about the revised proposal on Scribner Road. Metzler would like a Neighborhood Information meeting scheduled.

Costello said there have been historic drainage issues in the area and asked Philippone how he would mitigate those issues. Costello suggested Philippone and Baker set up a meeting with Mark Valentine, Town Engineer and Mike O’Connor, Assistant Town Engineer to review the drainage study in preparation for questions that will be brought up at the Neighborhood Information meeting.

Philippone then discussed the benefits of transferring development rights.

Costello urged the Board to get comfortable with the NYS Law and have discussions with Town Attorney Horwitz. We could then schedule a Neighborhood Information meeting. Costello added he will also send the Board the 1990 Comprehensive Plan for review.

Councilwoman Metzler motioned to schedule a Neighborhood Information meeting, Councilwoman Kohl seconded and all present voted “Aye.”

VI. ACTION ITEMS

a. Starbucks Relocation Penfield Road - Costello
Supervisor LaFountain stated this will be held until the February 28, 2018 Work Session.
b. Bayview Landing Subdivision, 1185 Empire Blvd. – Costello
Jim Costello submitted a profile to the Board for its review. The profile shows the view looking down at the proposed subdivision site from the first floor of Old Westfall Road. The profile is horizontal versus vertical staging. Costello also submitted a photo to the Board for its review showing the site in the summer with leaves on the trees. Costello added there will be no view of the project in the summer and limited view in the winter.

Councilwoman Metzler stated her reluctance for this project continues.

Councilwoman Kohl this project is very different from the Gollel project that was proposed years ago.

Costello stated the applicant has agreed to mitigate traffic issues on Empire Blvd.

Kohl stated she would like to move forward with the rezoning and site plan review.

Costello added of the 6.05 acres rezoned, 4 acres are wetlands.

Quinn stated the entire footprint of the building is in the LaSalle’s Landing Development District.

Costello said the proposed parking area is in residential zoning and would have to be re-zoned to LaSalle’s Landing District.

Councilwoman Kohl motioned to approve the rezoning, Councilman Quinn seconded and all presented voted “Aye.”

Costello added the owners would have to petition the Town for the rezoning.

Councilwoman Metzler and Councilman Moore both stated they are okay with the rezoning, but not sold on the entire project.

Costello added the applicant will have to commit to trying to resolve the traffic issues on Empire Blvd.

c. Gattelaro – Conditional Use Permit for Restaurant at 2126 Five Mile Line Road – Costello
Jim Costello introduced Joe Gattelaro and submitted photos of the proposed sign to the Board for its review. Costello added the parking sign in the rear of the property will be removed. The proposed walk in cooler will not go beyond the boundaries of the existing building and will maintain the existing setback. The addition is 8 foot by 7 1/2 foot. Costello added Gattelaro will put up block and paint it to match the building.
Costello advised Gattelaro that he will have to apply for permits for both the sign and the addition. Costello continued to say Gattelaro is scheduled to appear before the Historic Preservation Board on February 1, 2018.

Councilman Moore stated he is supportive of this application.

Costello said Cha Cha’s had been approved for outdoor entertainment 6:00 PM to 9:00 PM one (1) night per week.

Joe Gattelaro stated he is not sure yet if he is going to use the patio for outdoor entertainment. Gattelaro added if he does, it would be on Friday and Saturday nights until 10:00 PM.

Councilwoman Kohl asked if staff had received any comments about Cha Cha’s outdoor music.

Costello said no.

Moore asked what type of music would be played.

Gattelaro said one (1) or two (2) piece acoustical music, nothing amplified.

Councilman Quinn stated he feels Gattelaro should follow the same guidelines given to Cha Cha’s of one (1) night per week until 9:00 PM. Once Gattelaro has established there are no issues he can come back for an extension.

Moore said he would like to give the applicant an opportunity to explore his business plan. There are checks in place and if there is an issue it can be addressed at that time.

Metzler asked when Gattelaro would like to open.

Gattelaro stated mid-March.

Metzler added she is okay with the outdoor music as proposed.

Costello added he will be adding a condition of approval that dumpsters are not to be emptied prior to 7:00 AM. Costello continued to say there are 32 seats approved for outdoor dining and asked that Gattelaro work with the Fire Marshal to make sure the area meets NYS fire code.

Gattelaro asked if temporary signs would be allowed.

Costello said those would be issued through the Building Department. The Historic Preservation Board must also approve the signage and addition.

Moore asked what the menu would consist of.
Gattelaro said it would be a tapas style menu and includes wood fired pizza.

Costello said there should be no service past 12:00 AM.

Councilman Moore motioned for the approval of the restaurant, Councilwoman Kohl seconded and all present voted “Aye.”

Supervisor LaFountain directed Costello to submit a resolution for the next Legislative Session on February 7, 2018.

VII. INFORMATIONAL ITEMS
a. None

VIII. HELD ITEMS
a. Jomanda Way, Expanding No Shooting Petition – LaFountain
b. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road – Costello
c. Sign Ordinance Updates/Proposed Ordinance Revision – Costello/LaFountain
d. Citizen’s Climate Lobby – LaFountain
e. Tree Preservation Guidelines – Valentine

IX. Old Business – None

X. New Business – None

XI. Executive Session – Real Estate, Litigation and Human Resource Matters – None

XII. Next Meeting – February 14, 2018

XIII. Adjournment – Supervisor LaFountain adjourned the regular Work Session at 8:17 PM.

Lisa Grosser, RMC
Deputy Town Clerk