TOWN BOARD WORK SESSION AGENDA
Wednesday, July 11, 2018 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order
II. Approval of Minutes – June 27, 2018
III. Monthly Reports - June
IV. Public Hearings - None
V. Guests
   a. YMCA Roadway Dedication - Valentine
VI. Action Items
   a. Howitt - Letter of Withdrawal of Rezoning Request at 41 Woodhaven Drive - Costello
   b. Starbucks Relocation to 1798 Penfield Road - Costello
   c. Wynne - Special Permit for 2567 Browncroft Blvd. - Costello
   d. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road - Costello
VII. Informational Items
   a. (NONE)
VIII. Held Items
   a. Jomanda Way, Expanding No Shooting Petition - LaFountain
   b. Sign Ordinance Updates/Proposed Ordinance Revision - Costello/LaFountain
IX. Old Business – (NONE)
X. New Business
XI. Executive Session
XII. Next Meeting: July 25, 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 1303.
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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 – 6/27/18
CM Quinn moved for the approval of the Minutes of June 27, 2018, CW Metzler seconded the motion and all present voted “Aye.”

III. Monthly Reports – All but two (2) reports have been submitted, those will be in by the end of the week.

IV. Public Hearing – None

V. Guests

- YMCA Roadway Dedication – Valentine
  Mark Valentine introduced Peter Vars, BME Associates, Nelson Leenhouts and Bret Garwood, Home Leasing Corp., and Kevin Fitzpatrick, YMCA. Valentine stated Home Leasing Corp. currently has an application before the Planning Board. They are here to present information to the Board that had been requested at previous Work Sessions.

Peter Vars explained that they have been before the Planning Board for the sketch plan review process. Tomorrow evening they will be going before the board for the final site plan approval. The existing roadway, which currently serves the YMCA, will also serve the future Penfield Square Mixed Use Development. They would like to seek dedication of the road. This would become a public street along the west property line and will be the southern leg of the access to the Mixed Use District. Vars submitted a summary to the Board for its review, and then outlined a list of things to be done prior to the Town taking dedication of the road. The road was constructed to Town Standards during the initial development, and the YMCA has granted an easement for public use. When the YMCA was developed 12-14 years ago, the road was put in with the intent of the intersection becoming a four (4) way stop. By closing the YMCA curb cuts to match the proposed curb cuts for Penfield Square,
there would be a reduction of 80 parking spaces. Currently the YMCA parking is at capacity at peak times, which occurs several times per week. The traffic patterns are already established and closing the curb cuts would require a change. The current road grade has caused problems in the winter and would be re-graded and improved. To maintain parking and traffic flow they are proposing to close three (3) curb cuts. Parking would be reconfigured so no spaces are lost. To help manage traffic, the existing tree canopy has come in nicely and frames the street and calms traffic. Additional stop signs and crosswalks will be added as additional calming measures. Home Leasing Corp. and the YMCA would enter a snow plow agreement to maintain snow removal. They will work with the highway department to post no parking signs along the roadway. The road will be striped to designate two (2) lanes. The roadway will be monitored by staff and future modifications could be considered. The open land on the YMCA property are already planned for future developments.

Nelson Leenhouts stated that this will be a partnership among Home Leasing Corp., YMCA and the Town. This proposal is a result of everyone working together.

Kevin Fitzpatrick, YMCA, stated when the YMCA was built 15 years ago, we wanted to be a part of future development and growth. They are excited to be part of the developing Mixed Use District.

Mark Valentine said this is not an optimal situation, however comments have been shared back and forth and this proposal is a compromise. The Mixed Use District is going to be different than a standard subdivision.

Jim Costello said we also reviewed alternative parking at the YMCA by moving cars to an existing soccer field. This location is remote from access to the building and not a reasonable way to replace existing parking.

Councilwoman Kohl asked about traffic flow.

Fitzpatrick stated the curb cuts selected for removal had smaller aisle ways and have access to the U of R site for drop-off. The removal of the top curb cut is to reduce the grade of the road to eliminate issues in the winter.

Kohl said people currently speed on the road, maybe traffic humps should be considered.

Councilman Moore asked if a stop sign will be added in the middle for the crosswalk.

Vars said yes, the cross walk will be identifiable by utilizing a different material or texture. The stop signs will be planned correctly.
Bret Garwood, Home Leasing Corp., said making the intersection more formal should reduce the speed of the traffic.

Moore asked how the grade will be leveled on the road.

Vars said the current grade is 7% and it will be reduced to 4% by closing the curb cut and lengthening the approach.

Moore asked how plowing would be handled. The Town crews will treat this like a normal run. It is important that Home Leasing and the YMCA reach a plowing agreement.

Fitzpatrick said we are going to keep up the current plowing standards and share costs.

Valentine stated we have a similar situation with Brandt Point Drive and Walmart. They have the right to plow if the Town plow doesn’t keep it to the desired standard. There is a template of an agreement that has been reviewed by the Town Attorney and could be shared.

Councilman Quinn asked the number of cars that currently use the road for access to the YMCA.

Fitzpatrick said there are 598 parking spots and the YMCA serves 3,000 people per day, 1,000 cars give or take. We had a traffic study done before the light was installed, and will be having another one done.

Quinn asked how many cars are anticipated to enter the Penfield Square development?

Vars said we are working on a traffic study and currently collecting data at the request of the Planning Board. The 2005 traffic study anticipated development to the north. The road was constructed with one (1) entry lane and two (2) exit lanes.

Quinn asked what size town plow would be used.

Valentine said it would be the same plow that is being used on NYS RTE 250, a full size plow. The Department of Public Works has been part of the ongoing discussion.

Vars added we are also going to have proper turn arounds for the Town plow.

Quinn stated he is not opposed to having the road be a Town dedicated road, but he doesn’t think closing three (3) curb cuts is enough. There are too many cars going in and out from too many access points to a Town dedicated road. There are too many ways for people to turn their heads, under the current configuration. There needs to be more synergy with access points lining up to proposed roads of the Home Leasing project. Of the 10 curb cuts, he can see justification for four (4), the other
six (6) should be closed. We would not allow this for Wegmans and the traffic would be similar. The plow is going to put snow in each curb cut. The YMCA cannot plow the snow back into the road. More thought needs to be given to this. Quinn added, either take the soccer field or eliminate parking. The Town liability is different if the road is dedicated versus the current access agreement. I request that this be tabled until they can review again and reduce more curb cuts.

Supervisor LaFountain said we don’t need to take action on this tonight, but we do need to give them an indication. This can be approved, denied or tabled for more information.

Metzler said she would like to hear from the Department of Public Works regarding the plowing.

Kohl asked when the traffic study would be completed.

Vars said the first or second week of August.

Moore stated he is not opposed to the plan or dedication. There needs to be a coordination of the Town plow and pushing show into curb cuts and how that will be cleaned out.

Fitzpatrick stated that during discussions with PRC, a turn-around was added at the end of the road. The truck would push snow out and down to the turn-around area if necessary.

Garwood said the YMCA activity will stay the same. Home Leasing’s development peaks will be less than peaks seen with Wickham Farms. There is no extreme use and no conflicts.

Vars added the peak hours are offset. The Mixed Use District will have less impact than Wickham Farms. When the traffic study is completed all data will be provided.

Nelson Leenhouts stated he is not optimistic that we can reduce the curb cuts and this could be a deal breaker. We may not want the road dedicated.

Fitzpatrick added if the road gets connected to Atlantic Avenue, every user would have to be charged for the impact to a private road. The YMCA does not want to get into managing the road.

Garwood added we worked hard on this compromise.

Quinn said he is concerned about the general safety of the area. He appreciates the YMCA taking a part in the future vision. It is unreasonable for the Town to take road dedication with several easements.

LaFountain said we would like to review the traffic study, hear from the DPW regarding snow removal and there will be no further reduction in curb cuts by the YMCA.
VI. ACTION ITEMS

a. Howitt – Letter of Withdrawal of Rezoning Request at 41 Woodhaven Drive – Costello
Jim Costello stated he has received a letter from Dr. Howitt withdrawing his request for rezoning at 41 Woodhaven Drive. Costello added he has also contacted Ms. Vella and her attorney will draft a letter withdrawing their request as well.

Mark Valentine said the application for the town homes will continue through the Planning Board as currently zoned.

Supervisor LaFountain suggested Ms. Vella be given the opportunity to submit her letter of withdrawal.

Councilwoman Kohl moved to accept the letter of withdrawal for rezoning at 41 Woodhaven Drive, Councilman Moore seconded, and all present voted “Aye.”

b. Starbucks Relocation to 1798 Penfield Road – Costello
Jim Costello stated he has received a letter from Luis Ribiero requesting this application be withdrawn, they will not be relocating Starbucks to that site.

Councilwoman Metzler moved to accept the withdrawal request, Councilman Quinn seconded and all present voted “Aye.”

c. Wynne – Special Permit for 2567 Browncroft Blvd. – Costello
Jim Costello introduced Mary Wynne and explained that the Public Hearing was held June 6, 2018. The matter has been tabled, and tonight Wynne has submitted renderings for the Board’s review. Tomorrow she will be meeting again with the Historic Preservation Board. Wynne is proposing 12 units, the application went before the Planning Board and approval was given subject to Town Board approval.

Supervisor LaFountain stated that we have heard from several residents with concerns regarding the number of units. LaFountain asked if any other options have been reviewed by Wynne.

Mary Wynne said the home is over 5,000 square feet. There will be 11 units in the main house that are 450 sq. ft. each. Per IKEA the ideal one (1) bedroom apartment is 388 sq. ft., and these would be slightly over. The size of the home is perfect for dividing into one (1) bedroom apartments. Wynne added she didn’t consider larger units because she doesn’t want furniture to be brought in, or risk damage to the building. The target customer is a professional and the floor plan is based on that market.
LaFountain stated that most recently this was a two (2) family home. The Board is looking for an application that is less extensive to keep within the neighborhood.

Wynne asked what is the Board’s concern?

LaFountain stated the area is a residential single family home neighborhood. With 12 units there could be people coming and going at all hours of the night. The garage will significantly impact that area. The Board wants to know what other options there are.

Wynne stated that she took the floor plan and worked to space out the apartments based on existing walls and doors, and it naturally broke into this size. With larger units you would have the same number of residents living in the apartment. The proposal is based on the existing floor plan. The home was originally a three (3) family home and as a two (2) family home there was a strange use of space. It was inefficient and not hospitable. The house has 20 rooms, not including the white house.

Councilwoman Metzler said we are reviewing this request under Town Law 274-b. We cannot deny the request based on community objection. The interior of the building is irrelevant to our decision. The Town Board wants the application to be harmonious and not have a negative impact to the neighborhood. There is no hardship, you have not shown that this is the only use that is acceptable. Your efforts with the Historic Preservation Board are commended. This application is not harmonious with the current zoning and would adversely affect the neighborhood.

Wynne stated that two (2) bedroom apartments are 800 to 1,000 sq. ft. She was told that the garage is required.

Costello said yes, a garage is required.

Wynne said garages will change the visual exterior. The house has to be able to maintain itself. There was a cost to restore. It is too big to be a three (3) family residence and the rent would not support the building.

Councilman Moore stated that Wynne has done a lot of work and restoration to the home. Moore added the property was purchased with zoning in place. It is your choice to make it 12 apartments, creating an apartment building. You are asking for special consideration. Our options are yes, no or compromise on something that is more suitable to the neighborhood under the current zoning. We would like to see this scaled down even if it is not profitable. Moore stated he would not vote in favor.

LaFountain said this Board does not get into the layout or
planning, the applicant would need to provide alternatives for discussion at a future Work Session.

Costello advised that Wynne would not have to make another application.

Quinn said he heard from many resident’s concerns about the property changing. Consideration needs to be given to the neighbor’s visual appearance of the exterior.

Wynne stated the home is located on Browncroft Blvd., a fence will be put up and the neighbors behind the property won’t be able to see the property.

Metzler said there is a place for this concept, but this may not be the location.

Costello advised Wynne that she needs to review the layout to determine if there could be less than 12 units. The property could house a home use occupation.

Wynne said it would be difficult to find someone like that.

Costello added when he was originally contacted by Wynne, he advised her to propose a residential use and stay away from something commercial.

Councilman Moore moved to table the request for Wynne to modify the proposal, Councilwoman Kohl seconded, and all present voted “Aye.”

d. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road – Costello

Jim Costello stated that this property is located on the east side of Harris Whalen Park Drive. A condition of the re-zoning required the last property converted to construct a roadway connecting the rear of all adjoining parcels to the signal. Costello stated that the owners of Eyesite have purchased the property that housed the manufacturer’s representative and intend to put in a parking lot and continue the roadway by the end of this year. The owners of Eyesite will work with the last homeowner to get the road completed at the time their work is being done. The homeowner is aware that this needs to be completed.

Councilman Quinn asked what will happen to the curb cuts on Penfield Road.

Mark Valentine said Eyesite and Urgent Care do not have access to Penfield Road. Future developers would be encouraged to move the building forward on the property and use the rear for parking and access.
Councilwoman Metzler moved to dismiss this from the agenda, Councilwoman Kohl seconded and all present voted “Aye.”

VII. INFORMATIONAL ITEMS

a. None

VIII. HELD ITEMS

a. Jomanda Way, Expanding No Shooting Petition – LaFountain
b. Sign Ordinance Updates/Proposed Ordinance Revision – Costello/LaFountain

IX. Old Business – None

X. New Business – None

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

XII. Next Meeting – July 25, 2018

XIII. Adjournment – Supervisor LaFountain adjourned the regular Work Session at 8:37 PM.

Lisa Grosser, RMC
Deputy Town Clerk