TOWN BOARD WORK SESSION AGENDA

Wednesday, August 22, 2018 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order
II. Approval of Minutes – August 8, 2018
III. Monthly Reports - July
IV. Public Hearings - None
V. Guests
   a. Blake Miller - 88 Stoneledge Way - Request for a Private Storm Pipe Agreement - Valentine
VI. Action Items
   a. Hold Harmless Agreement for 32 Angels Path - Valentine
   b. Update of Park Lodge Fees - Bilow
   c. Request for Conditional Use Permit for Law Office/Apartment at 1771 Penfield Road - Costello
   d. Determination of the Farmstead Area at 1315 Sweets Corners Road - Valentine
   e. Sidewalk Waiver request at 1303, 1315 Sweets Corners & 1689 Dublin Road - Valentine
VII. Informational Items
   a. September 5th Public Hearings for Requests for Outdoor Music at 1221 Empire Blvd. and a Personal Training Gym at 1844 Penfield Road - Costello
VIII. Held Items
   a. Jomanda Way, Expanding No Shooting Petition - LaFountain
   b. Sign Ordinance Updates/Proposed Ordinance Revision - Costello/LaFountain
   c. YMCA Roadway Dedication - Valentine
IX. Old Business – (NONE)
X. New Business
XI. Executive Session
XII. Next Meeting: September 12, 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 Quinn

Also Present:
Chris Bilow
Jim Costello
Lisa Grosser
Mark Valentine

Absent:
Councilman Moore

II. Approval of Minutes – 8/8/18
CM Quinn moved for the approval of the Minutes of August 8, 2018, CW Metzler seconded the motion.

III. Monthly Reports – Most reports for July have been received, any remaining will be in by the end of the week.

IV. Public Hearing – None

V. Guests

- Blake Miller – 88 Stoneledge Way – Request for a Private Storm Pipe Agreement – Valentine
Supervisor LaFountain introduced Blake Miller and stated he is seeking a private storm pipe agreement for lot 69.

Mark Valentine explained that Miller would like to add piping through a drainage swale in his backyard and then landscape around it. Valentine added he has been working with Town Attorney Horwitz to develop a Private Storm Pipe Agreement, including if repair is required it would be the homeowners responsibility. The agreement would stay with the property.

LaFountain reviewed that there are drainage swales between lots 68 and 69, and also between lots 69 and 70. The pipe would go across Miller’s property, how will the swales on the lot lines be addressed?

Valentine said Miller would grade the property, there will be a pipe end section with a flare out. Miller will also add rip-wrap to eliminate erosion at the ends of the pipe.
Blake Miller stated he would install a 12” pipe and currently all of the neighboring properties funnel into his yard. Miller added he has spoken with his neighbors regarding his plan, and they are supportive.

Valentine said the final grading in the neighborhood is not complete, as homes are still being built. Ryan Homes works on grading each property as it is completed.

LaFountain confirmed that currently the water drains north to south across Miller’s lot and then continues west.

Valentine stated there is a dedicated pipe between lots 70 and 71 with an end section that connects to a Town dedicated system. Miller’s pipe would start at lot 68 and go to lot 70 on the south side.

Councilman Quinn asked where is the Town pipe located?

Valentine said it is located between lots 70 and 71, the pipe runs down the property line and back to contour 498 where there is an end section. Miller would then pipe and discharge to the dedicated pipe at the backend.

Miller stated there is a section on lot 70 that he cannot connect into, and would have to leave it exposed. The Town would have access to clean it out.

Councilwoman Kohl asked if PRC had submitted comments.

Valentine stated a private pipe had been discussed for properties on Millford Crossing, and he had been speaking with Horwitz to develop an agreement.

Quinn asked how many homes remain to be built.

Valentine said four (4) are not yet sold, 12 are in various stages of being built.

LaFountain asked if the pipe goes across the Miller property, and an end section will be left, is there a yard inlet?

Valentine said the open end section would go to the existing open end section, and then to the road.

LaFountain asked if a 12” pipe would be sufficient.

Valentine said yes, the downstream pipe is also 12”.

Quinn asked if the Town has spoken with the neighbors in the past. He doesn’t want the neighbors to come back to the Town. We should have something formal from the neighbors added to the file, and also have PRC review. Quinn suggests this be tabled until the next Work Session.
Valentine asked Miller if he has spoken with the neighbors at lots 68 and 70.

Miller stated he has spoken to the owner of lot 68, but lot 70 is currently under construction.

Councilman Quinn moved to table the application until the September 12, 2018 Work Session, Councilwoman Kohl seconded, and all present voted “Aye.”

LaFountain asked Valentine to work with the developer to notify the homeowner who hasn’t closed yet. LaFountain advised Miller to report back to the homeowner of lot 68 as to the process to follow if he would also like to have a private storm pipe.

VI. ACTION ITEMS

a. Hold Harmless Agreement for 32 Angels Path – Valentine
   Mark Valentine introduced Nicholas and Nicole Mooney who are interested in putting a fence in their backyard. The fence would be located on the north side of their property, over a storm sewer easement. The posts will be hand dug. The Mooney’s understand the requirements of the Hold Harmless agreement and if the fence needs to be removed for the Town to access the area, it will be at their expense.

   Councilman Quinn asked if the fence would be located at the low point on the property.

   Nicholas Mooney explained that the backyard drainage blind ties under the street, and goes to a catch basin across the street.

   Valentine stated he has discussed with Mooney that the fence cannot be placed as to cause an impediment to the drainage. The fence cannot be installed over the existing catch basin, which would render the access at the catch basin moot.

   Councilwoman Metzler moved to allow the Hold Harmless agreement, Councilwoman Kohl seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session September 5, 2018.

b. Update of Park Lodge Fees – Bilow
   Chris Bilow stated he has been working with Jim Kreckman. The proposed increase would be for enclosed lodges only. The last update was six (6) years ago. Bilow submitted a summary of the fee structure for enclosed lodges within Monroe County. Currently Penfield is priced in the middle range. Bilow added we are also looking at changing the hours of operation, which are currently 9:00 AM to 10:00 PM. Bilow proposed a $10 increase in enclosed lodge fees across the board. He also proposes increasing the hours to 8:00 AM to 10:00 PM.
Councilwoman Kohl asked if renters pick up the key to the lodge the day before.

Bilow said we call on Wednesday for the weekend, most keys are picked up the Friday before and returned on Monday. Bilow added in 2017 for Friday, Saturday and Sunday rentals, Harris Whalen was at 84% usage and Dolomite was at 87% usage. The price increase is not significant. The facilities are starting to show wear and tear and the price increase is to cover the cost of maintenance, replacing appliances, and tables and chairs.

Kohl said it makes sense to keep up the facilities.

Councilman Quinn asked if renters would try to go in before 8:00 AM.

Bilow said Town Security monitors the facilities. When the keys are given out a packet of rules and regulations is also given.

Quinn suggested when reviewing the Recreation Master Plan, look at enhanced security for the lodges such as installing key codes for entry and eliminating keys.

Bilow said we have discussed a FOB system to unlock the buildings remotely. Currently when the key is returned to Recreation we have an opportunity to follow up if there were any issues with the rental.

Councilwoman Kohl moved to approve the increase for 2019, Councilman Quinn seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on September 5, 2018.

c. Request for Conditional Use Permit for Law Office/Apartment at 1771 Penfield Road – Costello

Jim Costello reviewed that the Public Hearing was held on August 15, 2018, and Ted Pittinaro spoke on behalf of Mr. Lewis. This will be a second law office for Mr. Lewis, and his mother will be the resident upstairs. The business will be appointment only, and there are 8-10 parking spaces. The paving is not yet completed, and Town staff is working with Pittinaro. Costello added, the sign package has also been discussed, and that will be forwarded to the Board for its review.

Councilman Quinn asked where the access drive will be installed.

Costello said the access drive will be located 15 feet north of the stand of trees. Pittinaro will re-grade the hills and create an impoundment area at the rear of the property to treat water on site. They will also add a stormwater pond as part of the requirements. There will be a freestanding sign by the road, the applicant shouldn’t need anything additional that would require additional permitting.
Councilwoman Metzler moved to issue the Conditional Use Permit, Councilman Quinn seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on September 5, 2018.

d. Determination of the Farmstead Area at 1315 Sweets Corners Road – Valentine
Mark Valentine introduced Bill Wickham who has been working with the Planning Board on the site plan application. The farmstead area has been defined and refined by reducing the size and buffering the neighbors. The Planning Board approved the site plan and due to the Conservation Easement, the applicant is required to come to the Town Board for approval of the farmstead location. If approved, there will be an amendment to the Conservation Easement, as was done with Oak and Apple. Valentine continued to say the majority of the buildings and amenities were moved to the Mixed Use area. The CSA parking area was previously approved by the Town Board through a grade and fill permit.

Councilman Quinn asked if the size and location of the storm water easement in the Mixed Use area is adequate.

Valentine said there is some infiltration along the new parking lot. Most of the rest of the area is agricultural. Drainage is channeled to the north and south, and then goes towards Chippenham Drive. We will continue to work with the project engineer and will take an inspection easement.

Supervisor LaFountain stated the package from Valentine to the Board included Planning Board memo to the Town Board dated July 26, 2018 and the August 9, 2018 resolution.

Councilwoman Kohl moved to support the location of the farmstead, Councilman Quinn seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on September 5, 2018.

Valentine stated he will have the Conservation Easement updated.

e. Sidewalk Waiver request at 1301, 1315 Sweets Corners Road and 1689 Dublin Road – Valentine
Mark Valentine displayed a map of sidewalks in Town and stated this location is west of the line where sidewalks are required. Per the sidewalk policy the applicant must come before the Town Board for a waiver. Valentine continued to say based on the frontage of the property, and utilizing the new sidewalk policy formula, there are two (2) residential/agricultural lots at a cap of $5,000/lot. Valentine added the Planning Board is supportive of the waiver. PRC commented, though there is nothing to tie the sidewalks to now, however, there could be a future connection to the Mixed Use area. PRC discussed requiring a sidewalk to connect to the proposed stone dust trail. Valentine stated if the waiver is granted easements will be taken all around the site.
Jim Costello asked if the cost to install sidewalks had been identified.

Valentine said approximately 500 feet of sidewalks at the county’s cost of $36.75 per lineal foot would be $18,375.

Councilwoman Kohl asked if the waiver is granted, can it be noted in the Resolution the suggestion of the sidewalk for the future if it is necessary.

Valentine said yes.

Bill Wickham asked for an explanation of the sidewalk waiver calculation.

Mark Valentine reviewed the fee structure and provided Mr. Wickham with the calculation sheet.

Councilwoman Metzler moved to grant the sidewalk waiver, Councilwoman Kohl seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on September 5, 2018.

VII. INFORMATIONAL ITEMS
a. September 5th Public Hearings for Requests for Outdoor Music at 1221 Empire Blvd. and a Personal Training Gym at 1844 Penfield Road – Costello
Jim Costello reviewed that K2 Brewery, 1221 Empire Blvd., had their outdoor music event this weekend. Costello said he went by at 7:45 PM and there were a few cars in the parking lot. No complaints were received and he is waiting for the decibel readings from Mr. Kennedy.

Jim Costello stated a husband and wife are interested in opening an appointment only personal training gym at 1844 Penfield Road in the Dawson building.

VIII. HELD ITEMS
a. Jomanda Way, Expanding No Shooting Petition – LaFountain
b. Sign Ordinance Updates/Proposed Ordinance Revision – Costello/LaFountain
c. YMCA Roadway Dedication – Valentine

IX. Old Business – None

X. New Business – None
XI. Executive Session - Real Estate, Litigation and Human Resource Matters - None

XII. Next Meeting - September 12, 2018

XIII. Adjournment - Supervisor LaFountain adjourned the regular Work Session at 7:48 PM.

Lisa Grosser, RMC
Deputy Town Clerk