I. Call to Order
II. Approval of Minutes – September 25, 2019 and October 2, 2019
III. Monthly Reports
IV. Public Hearings - None
V. Guests
   a. Steve Tylock, Requesting a Streamline Approval for an IT/Computer Service Business at 1832 Penfield Road - Costello
   b. Deborah Lindenau, for a Discussion Regarding a Possible Bed and Breakfast at 1883 Penfield Road - Costello
   c. Michael Omeluch, for a Discussion Regarding a Possible Coin Shop at 1807 Penfield Road - Costello
VI. Action Items
   a. Sara Limburg, Conditional Use Permit for Hair Salon at 1782 Penfield Road - Costello
   b. Seasonal Tent Installation at K2 Brewery, 1221 Empire Blvd. - Costello
   c. RFP for Shadow Pines Conceptual Master Plan - Costello
   d. 74 Bentbrook Circle, Hold Harmless Agreement Request - 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
   c. Community Choice Aggregation, Penfield CCA Resident's Committee - LaFountain
   d. Conditional Use Permit and Site Plan Approval for Apartment Building at 1384 Empire Blvd. - Costello
   e. Low Pressure Sewer Systems - New MCDOH and NYSDEC Regulations - Valentine
IX. Old Business – (NONE)
X. New Business
XI. Executive Session
XII. Next Meeting: November 13, 2019
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. Questions regarding video coverage contact Penfield TV at (585) 340-8661.
Town Board Work Session Minutes  
October 23, 2019  
7:00 PM

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 – 9/25/19 and 10/2/19
CW Kohl moved for the approval of the Minutes of September 25, 2019, CM Quinn seconded the motion. CW Kohl moved for the approval of the Minutes of October 2, 2019, CM Quinn seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – None

V. Guests

a. Steve Tylock, Requesting a Streamline Approval for an IT/Computer Service Business at 1832 Penfield Road – Costello
Jim Costello introduced Steve Tylock, a letter of intent was submitted to the Board for its review.

Steve Tylock explained that his company CMIT Solutions of Monroe will offer IT solutions for small businesses. The first floor of the building will be an office, and the second floor will be an apartment. There will be no store front. The building is located west of the fire hall. There will be six (6) employees. The only time all employees will be onsite at the same time is for monthly meetings. Hours of operation will be Monday through Friday 8:00 AM to 6:00 PM. There is a small parking lot in the rear of the building for four (4) cars, and on street parking for 13 cars. There may be customers in for appointments once per month, and typically two (2) employees on site at any given time. A sign to identify the business will be requested. There will be some interior modifications, including moving a wall, but there will be no exterior modifications. The business is owned by Cheryl Nelan. They plan to open December 2019.

Councilman Moore moved to approve the business through the streamline approval process, Councilwoman Kohl seconded and all present voted “Aye.”
Supervisor LaFountain directed Jim Costello to draft a letter to the applicant summarizing tonight’s discussion, including that building permits and sign permits will need to be obtained.

Costello added the landscaping on the exterior of the building will also need to be reviewed.

b. Deborah Lindenau, for a Discussion Regarding a Possible Bed and Breakfast at 1883 Penfield Road – Costello

Jim Costello introduced Deborah Lindenau, a copy of the business plan was submitted to the Board for its review.

Deborah Lindenau reviewed that she is interested in opening a Bed and Breakfast in the Strawberry Castle residence. She is interested in hosting events on the lawn for up to 150 guests, May through October on weekends only. She is also interested in hosting events for 30-50 guests in the garage year round. Inside she would like to offer dinner parties for 5-10 guests. She will also offer full property rentals. Lindenau added that her background is in hospitality and hotel services.

Supervisor LaFountain asked if Lindenau will live on site.

Lindenau stated yes, she will reside in the office area.

LaFountain stated that the property is zoned residential, and a bed and breakfast fits within the Ordinance, however this request to host events goes above and beyond. He asked how will this fit in with the residential character of the neighborhood?

Lindenau stated she would host community and local events and invite the neighbors to her property.

LaFountain stated the previous property owner would host a large event once or twice a year. Your request to host multiple events from May to October will impact the neighbors, how will you address this?

Lindenau said she will not be a nuisance to the neighbors. She will remain on site and there will be strict rules and policies for the contracted groups.

Councilman Quinn commended Lindenau on her business plan and asked how much projected revenue is expected from hosting events.

Lindenau stated the room rentals will cover the monthly operating expenses and the events will be a source of income.

Quinn stated he is concerned about parking and traffic logistics on site. He asked how will the events be managed?
Lindeanu said cars will be parked on the front and back lawn. She will consider using a valet company and an alternative parking lot.

Quinn stated the previous events at this property were not for profit and once or twice a year. Quinn asked Lindenaun how she will ensure that the events are not disruptive to the neighbors and safe for guests in all types of weather.

Lindeanu stated she could utilize a shuttle service for offsite parking.

Quinn asked in a large scale event you would have caterers and staff; where will they park?

Lindeanu said she would schedule so they arrive before the guests and could park in the back area, she added she does not plan to use the side area for parking.

Quinn asked for an event of 200 guests, how many staff would be needed.

Lindeanu said one (1) server per 20 guests, three (3) or four (4) cooking stations and a couple of bartenders.

Quinn asked if a full liquor license will be required.

Lindeanu said she intends to offer only beer and wine. If the caterer has the appropriate liquor license, more items may be offered.

Quinn asked the hours for outdoor events.

Lindeanu said 11:00 AM to 6:00 PM, or 2:00 PM to 10:00 PM.

Councilwoman Metzler stated no outdoor music would be allowed. Only limited acoustic music, with no amplification, as has been allowed in the Four Corners District.

Lindeanu asked if music would be allowed inside?

LaFountain said music cannot have an impact to the neighborhood. LaFountain asked Lindenaun what if the Board did not allow any events?

Lindeanu said she would like to use the garage area for 30-50 guests, and would also like to have events within the home.

LaFountain said what if only the bed and breakfast is allowed, how would that effect you.
Lindenau said the bed and breakfast would support my monthly expenses. I would love what I do and be living out my dream. To build this business and serve and give back to the community, the events will truly give back to the community.

LaFountain stated the property is located in a residentially zoned area. A Bed and Breakfast is a permitted use in this area. If this Board looks favorably for a Bed and Breakfast only, could you accept that. LaFountain added he is prepared to give Lindenau two (2) weeks to think about this.

Councilwoman Metzler stated we must be true to the Ordinance and what the property is zoned for.

Councilman Moore proposed tabling until the next Work Session. The applicant should have time to review what has been discussed this evening. This request is a change from the past use of the property. There is also a concern about parking. This proposal doesn’t have the best interest of the property or the area in mind. Moore stated he is not comfortable with the large scale use of the property.

Metzler advised the applicant to look at incremental options. Set up first as a bed and breakfast, later request events in the garage. Parking requirements need to be addressed, and the applicant could apply for up to three (3) Special Permit events per year.

Costello added the garage would have to be reviewed to see if it meets State building code to host events.

LaFountain requested that the Fire Marshal and Building Code Compliance Officer review the property.

Costello said the current Ordinance was written with this property in mind. The ability to have a bed and breakfast was meant to help support the upkeep and maintenance of this residence.

LaFountain advised Lindenau not to purchase the property until you understand what you can do with it.

Councilman Moore moved to table the request, until the next Work Session on November 13, 2019, Councilman Quinn seconded and all present voted “Aye.”

c. Michael Omeluch, for a Discussion Regarding a Possible Coin Shop at 1807 Penfield Road - Costello

Jim Costello introduced Michael Omeluch and stated the applicant’s letter of intent has been forwarded to the Board for its review.
Micheal Oemluch stated he owned Ridge Coin for 45 years and turned over the operations when he got sick. He leases the building to the new operator. The lease is up next year and he plans to sell the building. Oemluch continued to say, for the past five (5) years he has been selling inventory on eBay and Craigslist. He is tired of commuting and still has inventory to liquidate. This would give him something to do, provide income and be closer to home. He would run this like an office, but would see walk-ins and appointments. There will be no display or showcase. Oemluch said he would start between 10:00 AM and 11:00 AM and work until 3:00 PM or 4:00 PM. He plans to travel in the winter and doesn’t want steady hours.

Councilwoman Metzler asked if Oemluch would only sell coins and jewelry.

Oemluch said coins, stamps and scrap gold. He intends to liquidate his inventory. He will be doing some remodeling to include a wall opening and a countertop, but no retail operation. He would like a neon sign with the name Ridge Coin.

Metzler asked if he has a website.

Oemluch said no, he uses eBay.

Kohl asked about signage.

Oemluch said he would like a neon sign in the window and a standing sign 12” by 36”.

LaFountain added he would be part of the directory sign and asked the square footage of the building.

Oemluch said 950 sq. ft.

LaFountain asked if there will be remodeling.

Oemluch said yes, he wants to create a separate room and a counter with chairs.

Metzler asked if the inventory will be stored on site.

Oemluch said yes, there will be a safe and an alarm system.

Quinn asked how many employees will there be.

Oemluch said he would be the only employee.

LaFountain asked when he plans to open.

Oemluch said by the end of December.
Councilwoman Metzler moved to approved through the streamline process, Councilwoman Kohl seconded and all present voted “Aye.”

Quinn added he would like to review the sign prior to approval.

Costello said a neon sign is permitted in the Four Corners District, but it cannot blink.

Supervisor LaFountain directed Costello to draft a letter of approval to the applicant, including building permit and sign permit requirements as well as a Fire Marshal inspection.

VI. ACTION ITEMS

a. Sara Limburg, Conditional Use Permit for Hair Salon at 1782 Penfield Road – Costello

Jim Costello introduced Sara Limburg and stated that the Public Hearing was held October 16, 2019. The applicant has received permission to install a sign on the adjacent property on Liberty Street on the north side, out of the right-of-way. No additional comments have been received.

Supervisor LaFountain stated that remodeling, plumbing, hours of operation and number of employees were all discussed at the Public Hearing.

Councilwoman Metzler moved to approve the Conditional Use Permit, Councilman Quinn seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on November 6, 2019.

Costello added he will need the dimensions of the sign to obtain the sign permit.

b. Seasonal Tent Installation at K2 Brewery, 1221 Empire Blvd. – Costello

Jim Costello introduced Lori Kennedy and Craig from Hank Parker Rental. Costello reviewed that staff, including the Fire Marshal visited Hank Parker Rental. Both the proposed tent and heating units meet requirements for approval. PRC is concerned about parking and traffic with snow on the ground.

Lori Kennedy stated she has had discussions with her snowplow operator and he has agreed to bank the snow so there is minimal impact to parking. The winter season is not as busy as the summer months, so there will be fewer cars.

Costello asked who does the plowing.

Kennedy said David Calvetti plows the entrance, parking lot and road. Steve Kiernan pushes the snow back on the road.

Councilwoman Metzler asked if they have had any parking issues.
Kennedy said no, we have been using parking attendants. If there are no spaces in the parking lot, we have been asking patrons to park at Lucien Morin Park. Kennedy continued to say we have also offered drink chips to patrons that use Uber.

Costello said one (1) parking complaint has been received this year, and it was during a race at Lucien Moran Park.

Kennedy said during the race she stood in her parking lot and turned away anyone who wanted to park for the race.

Councilman Moore stated he is pleased that the business is doing well, but the parking issue isn’t going to get better.

Kennedy said she cannot share details yet, but she is working with a real estate agent on a permanent solution.

Supervisor LaFountain asked if this request was tabled tonight, would you have more information for the next Work Session.

Kennedy said she cannot say, it would depend on the other party. She added the winter parking volume is about half of what we see in the summer. Kennedy said we host many fundraisers this time of year, and she wouldn’t want to turn anyone away. She added she can guarantee that there won’t be any parking issues.

Councilwoman Kohl asked if corn hole will be offered in the winter.

Kennedy said there will only be two (2) or three (3) boards. We are trying to determine if it is worth it to have a second tent for corn hole.

Kohl asked if corn hole could be moved into the larger tent.

Kennedy said “no.”

Councilman Moore asked how quickly could the tent be put up?

Craig said the tent could be put up in one (1) day.

Councilwoman Metzler asked that a condition of the approval resolution state that there must be safe parking.

Councilman Moore moved to schedule a Public Hearing to allow the tent, Councilwoman Kohl seconded, and all present voted “Aye.” A resolution will be submitted at the November 6, 2019 Legislative Session, scheduling a Public Hearing for December 4, 2019.

Costello asked if Kennedy was planning on having an anniversary party.
Kennedy said yes, the first week in December. Last year the numbers were lower than expected. There were 200 people in and out that day.

Costello suggested a tent be put up through the Special Permit process. We can review if there are any issues prior to the Public Hearing. If there are no issues the tent can remain up until the approval is received.

Kennedy said she would install the tent just before Thanksgiving. She will have Craig from Hank Parker rental attend the Public Hearing to answer any questions.

c. RFP for Shadow Pines Conceptual Master Plan – Costello
Supervisor LaFountain reviewed that three (3) Board members reviewed the proposals on October 2, 2019. Additional time was requested to allow full review by all Board members.

Jim Costello stated that nothing additional has been received since that meeting.

Councilman Moore stated that competent engineering firms submitted proposals for the Shadow Pines Master Plan and each proposal has its own merits. The Shadow Pines Land Use Advisory Committee recommended that professional services be obtained for implementation on the Master Plan.

Councilman Quinn stated that there was variation in the pricing of the proposals. Based on the suggestions of the Shadow Pines Land Use Advisory Committee, he proposes moving forward with BME Associates.

Councilwoman Metzler said price is a factor. To be true to the Shadow Pines Land Use Advisory Committee comments we selected a firm with internal support and flexibility.

Councilwoman Kohl said this is not a Comprehensive Master Plan. There were a couple of proposals that were beyond the scope of what we are looking for. BME Associates addressed our needs.

Councilman Quinn moved to award the RFP to BME Associates, at a cost of $12,500, Councilwoman Kohl seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on November 6, 2019.

Supervisor LaFountain stated that the project timeline will be appropriately adjusted.

Moore stated that as we move forward there will be an opportunity for public participation.
d. 74 Bentbrook Circle, Home Harmless Agreement Request – Costello
Jim Costello stated that the Town Engineer is waiting for photos and a survey map. The property owners have not submitted the materials. The request is for a fence that was installed in a drainage easement. This request will be held until the next Work Session on November 13, 2019.

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
c. Community Choice Aggregation, Penfield CCA Resident’s Committee – LaFountain
d. Conditional Use Permit and Site Plan Approval for Apartment Building at 1384 Empire Blvd. – Costello
e. Low Pressure Sewer Systems – New MCDOH and NYSDEC Regulations – Valentine

IX. Old Business – None

X. New Business – None

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

XII. Next Meeting – November 13, 2019

XIII. Adjournment – Supervisor LaFountain adjourned the regular Work Session at 8:26 PM.

Lisa Grosser, RMC
Deputy Town Clerk