I. Call to Order
II. Approval of Minutes – January 8, 2020
III. Monthly Reports
IV. Public Hearings - None
V. Guests
   a. Dr. Jack Howitt, for a Discussion Regarding the Development of a 60 Unit Apartment Building at 1211 Empire Blvd. - Costello
   b. R G & E Update on Circuits 759 and 740 - Tait/LaFountain
VI. Action Items
   a. Hold Harmless Agreement Request - 18 Westfield Commons - Valentine
   b. Pond Treatment Review - Valentine
VII. Informational Items
   a. CCA Local Law, Next Steps - LaFountain/EEAC
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
IX. Old Business – (NONE)
X. New Business
XI. Executive Session
XII. Next Meeting: February 12, 2020
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.
I. Call to Order

Present:
Supervisor LaFountain
Councilwoman Drawe
Councilman Moore
Councilman Ockenden

Also Present:
Jim Costello
Lisa Grosser
Eric Tait

Absent:
Councilwoman Kohl

A meeting for Priorities and Goals was held prior to this Work Session for the following departments: Tax Receiver, Town Clerk, Building/Fire Marshal/Zoning and PCTV.

II. Approval of Minutes – 1/8/20
Supervisor LaFountain requested the Minutes be revised to include a paragraph regarding Priorities and Goals. CM Moore moved for the approval of the Amended Minutes of January 8, 2020, CW Drawe seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – None

V. Guests

a. Dr. Jack Howitt, for a Discussion Regarding the Development of a 60 Unit Apartment Building at 1211 Empire Blvd. – Costello
Jim Costello introduced Dr. Howitt, Midland Management and Jess Sudol, Passero Associates. Costello reviewed that last year the applicant met with the Town Board regarding the development of an apartment building at 1211 Empire Blvd. An application for 33 town homes has been pending before the Planning Board since 2016. In lieu of that application, a revised proposal was presented in August 2019. The Board had some concerns and that proposal was revised again in October 2019. Costello forwarded the latest proposal to the Board for its review.

Jess Sudol explained that the project site is located in the LaSalle's Landing District across from the Bay inlet. The initial proposal for 33 town homes has been tabled, as it was determined not to be cost effective due to infrastructure costs.
The second proposal was for a single multi-family building that was long and linear with parking in the front. The proposed building was three (3) stories and consisted of 60 units. We have talked with the NYSDOT initially to discuss a traffic light, but the project does not meet the State warrants. A left turn lane is being proposed, at the applicant’s expense, for west bound traffic on Empire Blvd. The L Shape building allows better views for the residents on top of the hill. The parking will be on the northern portion of the property and out of sight from Empire Blvd. Dr. Howitt will continue to work with K2 Brewing on shared parking. This proposal is for a four (4) story building with a varied roof line. There will be 60 units consisting of one (1) and two (2) bedrooms for empty nesters and young professionals. The majority of the parking is located south of the building in the LaSalle’s Landing District. The building will have a nautical theme and be similar to other buildings in the area. There is no impact to the line of sight, as a resident located on the top of the hill can see the edge of the water on Empire Blvd. There will be no environmental impacts as the building is tucked into the slope.

Dr. Jack Howitt stated that he has been working in property management for 46 years. His firm has received AMO (Accredited Management Organization) designation which is an excellence standard on both the state and national level.

Supervisor LaFountain asked what would be the plan for the remaining property if this proposal was approved.

Dr. Howitt said the town house proposal would be abandoned. In the future he may request a single family home on that portion, but there would be no commercial development.

LaFountain asked if a portion would be donated to Monroe County.

Dr. Howitt said that is still an option.

Councilman Moore asked what is the total acreage of the property?

Sudol stated the total is 30 acres and this proposal is for 5 acres.

Councilman Ockenden asked the size of the retaining wall that is being proposed.

Sudol said the retaining wall will be 2 to 3 feet, and will not be located in the slope.

Councilwoman Drawe asked if the change from three (3) stories to four (4) would impact the line of sight for the residents on the top of the hill.

Costello suggested the Board visit the site before any decisions are made.
LaFountain asked that a site visit be coordinated for staff, the Board and Jess Sudol before the next Work Session.

Sudol said he will have a drone on site to fly up to the proposed height of the building.

Councilman Moore moved to table the request until the February 12, 2020 Work Session, Councilman Ockenden seconded and all present voted “Aye.”

b. R G & E Update on Circuits 759 and 740 – Tait/LaFountain
Supervisor LaFountain introduced Mark Anderson and Stacy Bartl from RG & E.

Mark Anderson gave a presentation to the Board and explained that they are replacing existing overhead lines on Penfield Road, Panorama Trail, through Shadow Pines, Sawmill Drive, Five Mile Line Road to Whalen Road. They are requesting a modification from the approved plans regarding the Whalen Road access plan. R G & E is proposing adding temporary access from Whalen Road to a temporary matted pad. The location is in front of the barn across from Shadow Pines. The temporary access would provide a safer ingress/egress from the site. The pad will be used to stage materials closer to the work site for better efficiency. They are also proposing a stabilized entrance for a safer ingress/egress for delivery trucks traveling north and south on Whalen Road. A second curb cut is being requested so that trucks do not have to turn around and would have a better sight line for entering and exiting safely.

Eric Tait stated R G & E currently has equipment trailers parked on a paved area in front of the barn. The workers have been parking on a paved area to the north. Trucks have been cutting through from the paved area and driving through the mud to exit on Whalen Road. We have requested they stop and put up a snow fence to prevent driving on the lawn. They have requested to add crushed stone to use that area as a secondary access. A permit would be required from Monroe County DOT to add a curb cut on Whalen Road. Tait stated he is not in favor of an additional curb cut as it is primarily being used for employee parking.

Anderson stated trucks are entering the site to deliver materials, we may be able to add crushed stone to stabilize the area where trucks are driving daily. Materials will be stored on the temporary matted pad. Trucks would then be able to turn around and exit from the same entrance.

Councilman Ockenden asked if we can make the exit a right turn only.

Anderson said the line of sight is limited for exiting the site. If traffic is moving fast there isn’t a lot of time to respond to oncoming traffic.
Tait stated that the upper pad has a gate which exits to Whalen Road. If we open the gate, this area could be used for deliveries. It may be too narrow for tractor trailers, but suitable for passenger vehicles.

LaFountain asked if the gate could be removed and then use that area as an access point.

Tait stated the gate defines where the pavement is. It can be opened wide enough for vehicles to enter. It would be difficult to remove the gate this time of year, it rolls open and runs parallel to the road.

LaFountain asked how often are tractor trailers delivering to the site?

Anderson said every few days.

LaFountain said they can use the south access point for trailers and the other access point for all other trucks. LaFountain asked that the gate be opened and a snow fence installed to prevent vehicles from driving on the lawn.

Anderson then gave an overview of the project and showed maps of existing overhead lines compared to where the new underground lines will be placed. The current overhead lines are nitrogen filled and have reached the end of their useful life and are costly to maintain. Underground lines are more reliable. Work is currently being done on Panorama Trail and roadwork will start when the weather clears.

Costello asked the status of Sawmill Drive.

Anderson stated the rest of the open cut won’t be done until the weather breaks. We are currently tunneling under the creek.

Stacy Bartl asked if there were neighbor concerns.

Costello said Sawmill Drive is getting beaten up. He added the neighbors have received responses from R G & E.

Anderson stated all roads will be fully milled and resurfaced. The public can contact us at 888-553-5411 with any concerns.

Councilman Ockenden asked when the project is expected to be completed.

Anderson said installation should be complete by July. We may still have some restoration to complete. The entire project should be completed by September 2020. Anderson added the new line must be completed before the old line can be taken down.
LaFountain stated placing the lines underground reduces the chance that trees take down lines during storms.

VI. ACTION ITEMS

a. Hold Harmless Agreement Request – 18 Westfield Commons – Valentine
Jim Costello introduced Andrew and Amy Mickles who have recently purchased the property at 18 Westfield Commons. They are interested in installing a fence over a portion of a drainage easement. The neighbors have given permission for the Mickles to encroach their property to connect the fence. The Mickles are aware that if the Town needs to access the drainage easement, the replacement of the fence would be at their expense. Costello added PRC recommends granting the agreement.

Eric Tait stated the catch basin is a dead end and the fence will only cross the easement in the front, tied to the house.

Costello requested the applicants get permission from the neighbors in writing, so that it can be added to the file. Costello requested that the fence be hand dug near the drainage pipe so as not to damage it.

Councilman Moore moved to grant the Hold Harmless request, Councilwoman Drawe seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on February 5, 2020.

Supervisor LaFountain requested that the Mickles forward the permission letter from the neighbors to Jim Costello to add to the file.

b. Pond Treatment Review – Valentine
Supervisor LaFountain stated that this has been withdrawn and will be discussed at the February 12, 2020 Work Session.

VII. INFORMATIONAL ITEMS

a. CCA Local Law, Next Steps – LaFountain/EEAC
Supervisor LaFountain reviewed that the Towns of Brighton, Pittsford, Irondequoit and the Village of Pittsford have already passed Local Laws supporting Community Choice Aggregation. The Energy and Environmental Advisory Committee has drafted a Local Law and suggests moving forward to establish a Public Hearing. Town Attorney Horwitz will review the latest draft, prior to moving forward.

Councilman Moore moved to schedule the Public Hearing, Councilwoman Drawe seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on February 5, 2020 scheduling a Public Hearing in March.

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  

IX. Old Business - None  

X. New Business - None  

XI. Executive Session - Real Estate, Litigation and Human Resource Matters - The Board went into an Executive Session regarding a legal matter.  

XII. Next Meeting - February 12, 2020  

XIII. Adjournment - Supervisor LaFountain adjourned the regular Work Session at 8:28 PM.  

Lisa Grosser, RMC  
Deputy Town Clerk