PENFIELD TOWN BOARD AGENDA
Wednesday, March 23, 2016 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Communications and Announcements

III Public Participation

IV Additions and Deletions to Agenda

V Approval of Minutes – February 3, 2016

VI Petitions

VII Resolutions by Function
   Law and Finance
   16T-085 Adoption of Local Law #1 of 2016, to be Known as “A Local Law to Effect a Moratorium and Prohibition within the Town of Penfield of Public Golf Course Redevelopment”

   16T-086 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Drainage Easement at 135 Galante Circle

   16T-087 Setting a Public Hearing to Consider a Conditional Use Permit to Allow Live Music in the Outdoor Dining Area at 2124-2126 Five Mile Line Road – Cha Cha’s Wood Fired Bar and Grill

   16T-088 Setting an Informal Neighborhood Discussion Meeting Regarding a Possible Pet Hotel at 125 Panorama Creek Drive

   Public Works – None

   Public Safety – None

   Community Services - None

VIII Old Business
IX New Business
X Public Participation
XI Adjournment
A Special meeting of the Penfield Town Board was held on Wednesday, March 23, 2016 at 7:00 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present: R. Anthony LaFountain Supervisor
Linda Kohl Councilwoman
Paula Metzler Councilwoman
Andrew Moore Councilman
Robert Quinn Councilman

Also Present: Lisa Grosser Deputy Town Clerk
Richard Horwitz Town Attorney
Jim Costello Director of Developmental Services
Jeff David Assistant Fire Marshal
Mark Valentine Planning Department Head

Absent: Amy Steklof Town Clerk

Supervisor LaFountain called the meeting to order – The Pledge of Allegiance was led by Penfield Fire Chief, Jeff Withall and Jeff David, Assistant Fire Marshal.

Communications and Announcements

1. The Town of Penfield and Monroe County Sheriff’s Office Zone A Crime Prevention will partner to create neighborhood watch programs throughout Penfield. For additional information, or to set up a program contact Councilwoman Metzler at metzler@penfield.org, or visit www2.monroecounty.gov/sheriff-zones.

2. The Town Offices will be closed on Friday, March 25, 2016 in observance of Good Friday. The Penfield Library will be open regular hours on Friday, but closed on Easter Sunday, March 27, 2016.

3. Councilwoman Kohl’s next Community Chat will be held on Tuesday, April 19, 2016 from 5:30 PM to 7:00 PM in the new book area of the Penfield Library at 1985 Baird Road.

Public Participation

Gerald Russ, 101 Heather Drive stated he is concerned about the reduction in Planning Board members from seven (7) to five (5) and asked that the Board review this decision. He feels this change reduces citizen participation.

Mel Callan, 1410 Harris Road, stated she is concerned that PCTV is unable to rebroadcast meetings. 50 people have raised concerns. The rebroadcasts are important for residents especially when there are community issues such as Shadow Pines and the cider mill. Callan added that the School District is also concerned. Callan feels the $65,000 price tag for replacement equipment should be paid for with the surplus budget.

Supervisor LaFountain stated we are reviewing all options. We have also been in discussions with the Town of Irondequoit regarding sharing costs for equipment.

Callan asked what the time frame is to make a firm decision on replacing the equipment?

LaFountain said it should be in a couple of months. We hope to have a conclusion by mid-year. The 2016 Budget has been passed, and $65,000 would have to be taken from someplace else. Portions of the fund balance are restricted, and broken out into other components. If the funds are spent on this equipment, something else will not get done.
Callan also expressed concern regarding the Planning Board Membership. She stated that the Board consists of five (5) white males and additional members are needed to increase the diversity of the Board. Callan also feels the terms of office should be reviewed, as change is needed. Callan asked when the Town Board will be reviewing this.

LaFountain stated that at the end of year the Town Board reviews all Boards and any members that may be up for reappointment, or may resign. Appropriate changes will be made at that time.

Callan asked, as a member of the Coalition to Prevent Lead Poisoning, that the Town inform contractors about the EPA rule and make changes in the structure of how permits are issued.

LaFountain stated that Irondequoit has added a form that applicants must sign off on and this has been discussed with Tom Tette, Building/Zoning/Fire Marshal Department Head. We do not see an avenue for enforcement and this is being reviewed by Town Attorney Horwitz.

Callan added that there is an EPA fine associated with any violation.

LaFountain added that materials have been handed out to contractors.

Sam Ogie, 1924 Clark Road spoke regarding the Moratorium Committee. He stated that 80-90 people have expressed interest in serving on the committee and asked what criteria will be used for selecting members?

LaFountain stated that members will be appointed to the committee at the April 6, 2016 meeting. The Town Board members are reviewing the factors which include commitment, participation, and a background that brings qualities to the table. No one currently involved or with any past involvement in politics will be selected. A letter will be sent to each individual stating they have been selected, along with the expectations of the position and requesting a commitment to the committee. The Board will select an extra three (3) to four (4) members to allow for anyone who declines. The Board will be reviewing background, job experience, college experience and life experience.

Ogie stated that specific criteria for the selection process needs to be articulated, and include why those who are selected have been chosen.

LaFountain said everything will be weighed out as we move forward, both what is viable and realistic. This group has an important task as they determine the best use for these properties; it is important to review the potential impact today and in the future.

Ogie said he would like to charge the committee with what criteria is being used to weigh the potential different uses for the property. Ogie then showed a chart entitled “Potential School District Budget Shortfall of greater than $1 Million (annually).” Ogie stated there should be a process to identify trade-offs; who will decide what the best use is?

LaFountain stated the Town Board has the ultimate responsibility to do that. The process will be similar to what has been done to establish the Mixed Use Committee. The Town puts together the framework which will be posted on our website. The committee then brings back recommendations and feedback to the Town. We provide all of the resources necessary for discussion. Additional resources will be brought in, such as Town, County and State to review and determine what can be done for the properties.

Ogie asked what the values will be and who will determine how we rank the criteria that will be used, such as preserving open space and impact on taxpayers. Ogie asked who will set the priorities?
LaFountain stated the Town Board ultimately are the decision makers based on feedback from this committee. As part of the process this Board will review if the zoning should be changed to a Recreational District or an Open Space District?

Ogie asked that the public be able to see articulation of the criteria from the Moratorium Committee which will be presented to the Town Board for a decision.

Councilman Moore requested that Ogie e-mail the Board a copy of his presentation.

Kevin Gallagher, 1973 Dublin Road submitted a Petition “Protect Dublin Hill” which has 65 signatures and an additional 138 signatures online. The online Petition remains open for people to sign. Gallagher stated that his group will be meeting next Thursday, March 31, 2016 at the Community Center.

Douglas Fisher, Rochester, said he supports the Moratorium. Fisher stated he had difficulty viewing the Public Hearing online. He was told the issues with the file were due to a lack of bandwidth in the broadcasting. Fisher stated the website service should be improved for optimal service.

Bob Peterson, 1931 Clark Road asked that the Moratorium Committee also include a reclamation plan for the quarry. It is time to look at what will happen when the quarry ceases to operate.

LaFountain said he has been advised that the quarry has 15 years remaining for the asphalt plant and 30 years remaining for the quarry.

Peterson stated we should ask Old Castle for site plans showing what will happen to the quarry in the future.

LaFountain said he will speak with Town Attorney Horwitz regarding this. The Moratorium Committee does not include the quarry.

Tim Murphy, 48 Corral Drive, thanked the Penfield Ambulance for coming to his rescue six (6) weeks ago. He added that this is the 50th Anniversary of the ambulance and asked that they be recognized. Murphy then asked who will lead the Moratorium Committee.

LaFountain said the Board has discussed this, and a strong facilitator will be included in the process.

Murphy stated that the 2014 Open Space update is not on the website.

LaFountain stated he will follow up and make sure that it gets posted.

Murphy stated that the quarry was missing from the 2010 Master Plan and asked that it be updated to include the quarry.

LaFountain said we can update the Master Plan, but there is a process to follow. LaFountain added that the Master Plan would be updated in three (3) years and he would be willing to review the next steps with Murphy.

Murphy stated in the Comprehensive Plan the Future Land Use Implementation Plan lacks specificity. It should include specific dates, owners and next steps. Murphy then presented the Board with the NYS Zoning and the Comprehensive Plan, which he had highlighted information on spot zoning for the Board to review.

Jeff Burns, 39 Scarborough Park, spoke regarding the Open Space Plan and the referendum which, in 2006, referenced including the west side of town near Shadow Pines. Burns asked when the Open Space funds will be depleted.
LaFountain said he would have to review, but there is less than $100,000 in the fund. He will speak to the Town Comptroller to get the exact figure.

Burns asked what is the balance remaining on the bond.

Councilman Quinn stated $3.9 million, which will be paid off in 2022.

LaFountain stated that the Town refinances as needed, this is reviewed annually.

Quinn stated that taxpayer dollars are saved through refinancing. The Town’s AA3 credit rating has been upgraded to an AA2 since those bonds were issued.

Burns asked what is the interest rate on the bond?

LaFountain stated that rates are variable, if you need specific information, please call and I can get that information to you.

Burns asked if the funds from the Incentive Zoning Law have been used for Open Space.

LaFountain stated most of the Incentive Zoning Funds have gone to Public Works projects.

Burns asked how the purchase of future Open Space properties will be funded.

LaFountain stated money would have to be borrowed.

Burns asked if there would have to be a referendum as was done in 2002.

Dick Horwitz said the Town Board can make a decision regarding a referendum, but it is not required.

Burns asked if the Moratorium Committee recommends purchasing the property, will the Board review that?

LaFountain said yes, and we would also request information on funding a purchase.

Burns asked why political people would not be included on the Moratorium Committee?

LaFountain stated we are trying to keep politics out of the process as any decisions that are made will have a lasting impact.

Aimee Rinere, 58 Edenfield Road stated she is concerned about the potential cider mill. The Planning Board was not aware of the contract which includes open space, an easement and a referendum, and did not address resident’s concerns. The neighbors of the area would like someone to speak with them, like the Town Attorney. The Board needs to protect the rights of the contract.

Robin Pajerek, 18 Huntington Meadow, stated that Shadow Pines has had problems with teenagers drinking in the bushes. She asked if any property maintenance will be required for the grounds and buildings?

LaFountain stated that is also a concern of the Board. If the property doesn’t sell, the maintenance may not stay the same.

Jim Froom, 11 Denonville Ridge, presented signs for www.saveshadowpines.org, and asked if there were any discretionary funds available. He is concerned the current owner is selling equipment and may abandon the property. It may take 60-90 days to find a buyer. Can the Town do basic maintenance of the greens until a buyer can take over the property?
LaFountain reviewed the current Property Maintenance Section of Town Ordinance. For a residential property that is going into foreclosure, the Town up fronts the money to have the property maintained and then charges the tax bill. The Town cannot maintain 210 acres on the property until a buyer is found. Currently the Town has 115 acres of grass that we cut and another 115 acres that is contracted out at a cost of $50,000 annually.

Froom asked about Spot Zoning as discussed in the Comprehensive Master Plan. Froom has copies of Dolomite’s applications in which the golf course is categorized as Recreational Open Space. If the Moratorium Committee suggests Spot Zoning, is it possible?

Town Attorney Horwitz stated the Zoning Ordinance is a flexible document as circumstances change, the ordinance can be updated. Everything will be reviewed once all options are on the table.

Jeff Cady, 1728 Dublin Road, stated he is opposed to the development on Sweets Corners Road. We need to protect the property and the Conservation Easement contract is being violated by a fence. The proposed development includes additional fencing around the property which would also violate that contract. The development rights of this property were purchase by the Town, why is this not a Town wide issue?

LaFountain stated that the Town Attorneys have been reviewing the easement, and will advise the Boards.

Mark Valentine, Town Planning Director, stated that there will be a Public Hearing for the project on April 14, 2016.

Mel Callan asked about the term of the 12 month Moratorium.

LaFountain stated that the Moratorium will be filed with the Secretary of the State, which will take between 10 to 30 days, and will then be official upon filing.

Callan urged residents to go to the website www.saveshadowpines.org or Facebook page to save Shadow Pines.

Additions and Deletions to Agenda

Councilman Moore moved to add Resolution #16T-089 to the agenda, Councilwoman Kohl seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of February 3, 2016 Councilman Quinn seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#16T-085 Adoption of Local Law #1 of 2016, to be Known as “A Local Law to Effect a Moratorium and Prohibition within the Town of Penfield of Public Golf Course Redevelopment” by Moore

WHEREAS, the Town Board of the Town of Penfield wishes to adopt proposed Local Law No. 1 of 2016 which would put into effect a Moratorium and prohibition within the Town of Penfield of public golf course redevelopment on real property located within the Town of Penfield; and

WHEREAS, the Town Board did designate itself as the Lead Agency and has determined that the subject application is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), and no additional environmental review of this action is deemed necessary; and
WHEREAS, the Town Board of the said Town of Penfield held a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on March 2, 2016, at 7:00 PM on said date, to consider the said proposal and to hear all persons interested on the question of the adoption of Local Law No. 1 of 2016, and the Public Hearing was closed and decision was reserved;

NOW, THEREFORE, BE IT

RESOLVED, AND HEREBY IS ENACTED BY THE TOWN BOARD OF THE TOWN OF PENFIELD AS FOLLOWS: Local Law No. 1 of 2016, hereinafter set forth:

Section 1. TITLE. This Local Law shall be known as the **Moratorium On and Prohibition Within the Town of Penfield of Public Golf Course Redevelopment Law**.

Section 2. PURPOSE, INTENT, AND FINDINGS.

The Town Board of the Town of Penfield is aware that there is considerable interest in the potential sale of the public golf courses known as Shadow Lake and Shadow Pines, properties which are more formally identified in Schedule “1”, attached hereto and made a part hereof. The Board wants to make certain that any potential development of these properties is compatible with the needs of its town residents. The Board further believes that there is a need for a study of these properties to address issues that may be associated with potential high density residential development relating to existing local circumstances, potential impacts to roadways, sanitary and storm sewer capacity, drainage, environmental protection overlay districts (EPOD’s), proximity to an active quarry, public safety, the school district, and historic preservation. The purpose of this Local Law is to enable the Town of Penfield to pass a “stop gap” zoning measure for a reasonable time frame to preserve the status quo while the Town considers amendments to the Penfield Zoning Law to ensure that future development preserves the character and quality of life within Town of Penfield neighborhoods and to control and prevent potential harmful and adverse effects of the golf course redevelopment. This Moratorium and Prohibition applies to any other action other than for improvements to a public golf course and/or its appurtenant facilities.

This Law is a police power and land use regulation. This Law is intended and is hereby declared to address matters of local concern, and it is declared that it is not the intention of the Town to address matters of statewide concern. This Local Law is intended to act as and is hereby declared to exercise the permissive “incidental control” of a land use law that is concerned with the broad area of land use planning and the physical use of land and property within the Town, including the physical externalities associated with certain land uses, such as negative impacts on roadways and traffic congestion and other deleterious impacts on a community.

**FINDINGS OF FACT.**

1. Penfield is a community in Monroe County that takes great pride in and assigns great value to its quality of life, and cultural, recreational, scenic and other natural resources.

2. Penfield, New York is a residential community of 34,000 with a small town atmosphere and abundant natural resources including vital waterways and hundreds of acres of parks and trails. The Town is regarded as “a great place to raise a family” because of its honored agricultural heritage, quiet neighborhoods, innovative library, excellent schools, variety of faith communities, accessible small business districts and a culture of wellness that provides rich recreation opportunities for all ages. Penfield residents are informed, motivated and civicly engaged; nearly 150 neighbors serve on the Town’s many boards and advisory committees.
3. Penfield is steeped in its agricultural tradition and is committed to historic preservation; it also looks to the future with community-based long-term comprehensive planning. With a strong public mandate from a 2002 Open Space referendum, Penfield has protected more than 1,200 acres for agriculture and recreational use to date. Penfield has earned its reputation as a statewide leader in Open Space preservation*, and the Town serves as a role model for other communities wishing to protect their natural resources. The 2012 Open Space committee is currently reviewing additional land for future protection.

4. The Town of Penfield and its residents consistently demonstrate their commitment to the preservation of land, natural resources and quality of life for future generations, and together present a collective desire to conserve these critical assets.

*In September 2002, the Town of Penfield received an award from the Upstate New York Chapter of the American Planning Association for its Open Space Plan. The Town was awarded the 2002 Outstanding Planning Project - Implementation, for its efforts toward resource preservation.

5. Preservation of the Town’s irreplaceable recreational and scenic sites, high-quality agricultural land, air quality and water quality, and priceless and unique character, is of significant value to the inhabitants of the Town and to the tourists who visit here.

6. The Town’s rich natural environment is a valuable asset that creates a sense of identity and well-being for residents of the area. Preserving and protecting the scenic, recreational, and other natural resources of the Town is important for both a healthy environment and vibrant economy. Aesthetic issues are real and evoke strong reactions from people. They deeply affect the way people feel about a place - whether or not businesses will want to locate, or people will want to live in and visit a place.

Section 3. SUPERSESSION, INTENT AND EFFECT.

Pursuant to Sections 10(1)(ii)(d)(3), 10(1)(ii)(a)(12), 10(1)(ii)(a)(14) and 22 of the Municipal Home Rule Law, any provisions of Sections 265-a, 267, 267-a, 267-b, 274-a, 274-b, 276, 277, 278, and 279 of the provisions of Town Law which are inconsistent with this Local Law, and only to the extent that they are inconsistent herewith, are hereby superseded by the provisions contained in this Local Law.

Section 4. APPLICATION.

This Local Law shall apply to all current public golf course properties within the Town of Penfield and described in Schedule 1 attached hereto and made a part hereof.

Section 5. DURATION.

This Local Law shall be in effect for a period of twelve (12) months from the effective date.

Section 6. PROHIBITION AND MORATORIUM.

There shall be no permits or approvals given by the appropriate board, agency or official of the Town of Penfield for the purpose of redevelopment in whole or in part of any public golf course within the Town of Penfield for any use other than golf course. Applications to the Town of Penfield for improvements to a public golf course and/or its appurtenant facilities shall not be subject to the Prohibition and Moratorium.
(Resolution #16T-085 – Continued)

Section 7. SEVERABILITY.

If a clause, sentence, paragraph or section of the Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

Section 8. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York Department of State.

Schedule “1”

Shadow Pines Golf Course Properties:

2701 Atlantic Avenue – SBL# 124.09-1-1 (53.10 acres)
1950 Clark Road – SBL# 124.13-1-2.1 (105.30 acres)
1960 Clark Road – SBL# 124.13-1-3 (5.70 acres)
745 Whalen Road – SBL# 124.13-1-4 (47.60 acres)

Shadow Lake Golf Course Property:

1850 Five Mile Line Road – SBL# 124.01-2-45.1 (199.22 acres)

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye

Adopted

#16T-086 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Drainage Easement at 135 Galante Circle by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a License and Hold Harmless Agreement with Ryan Caster and Julie Csuha, owners of property located at 135 Galante Circle, to permit a fence within a portion of a Town of Penfield drainage easement located at 135 Galante Circle. The owners of said property shall submit a License and Hold Harmless Agreement to the Town in a form and substance acceptable to the Town Attorney to be recorded at the Monroe County Clerk’s Office.

Moved: Moore
Seconded: Quinn

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye

Adopted

#16T-087 Setting a Public Hearing to Consider a Conditional Use Permit to Allow Live Music in the Outdoor Dining Area at 2124-2126 Five Mile Line Road – Cha Cha’s Wood Fired Bar and Grill by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit pursuant to §250-5.10. D (17) of the Code to allow live music in the outdoor dining area at 2124-2126 Five Mile Line Road, located in the Four Corners (FC) zoning District;
NOW, THEREFORE, BE IT

RESOLVED, that the Penfield Town Board is best suited to act as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and thus does hereby designate itself as “lead agency” pursuant to SEQRA and has classified this proposal as a Type II action; and be it further

RESOLVED, that the Town Board of the said Town of Penfield shall hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on April 20, 2016, at 7:00 PM on said date, to consider the said application and to hear all persons interested in the question of the issuance of a Conditional Use Permit to allow live music in the outdoor dining area at 2124-2126 Five Mile Line Road in the Four Corners (FC) zoning district; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: Moore
Seconded: Metzler

Vote: Kohl Aye LaFountain Aye
Metzler Aye Moore Aye
Quinn Aye

Adopted

#16T-088 Setting an Informal Neighborhood Discussion Meeting Regarding a Possible Pet Hotel at 125 Panorama Creek Drive by Moore

WHEREAS, Frank Imburgia, 125 Panorama Creek Drive, Rochester, New York 14625 requests an Informal Neighborhood Discussion with the Town Board regarding possible development of a pet hotel, on 11.6 +/- acres at 125 Panorama Creek Drive. The property is owned by 125 Panorama LLC and is Limited Industrial.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the said Town of Penfield shall hold an Informal Discussion at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on April 20, 2016, at 7:00 PM on said date, to consider the possible development of a pet hotel and to discuss with all persons interested on the question of said proposal at 125 Panorama Creek Drive; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the town as prescribed by Law.

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye
Metzler Aye Moore Aye
Quinn Aye

Adopted

Public Works - None
Public Safety - None
Community Services - None

Old Business - None

New Business

#16T-089 Authorization for Supervisor to Sign a Contract with Solar City by Moore

BE IT RESOLVED, on April 15, 2015, the Town Board approved a resolution to allow the Supervisor to sign an Agreement with Larsen Engineers to provide the necessary planning, financial projections, competitive bid, evaluation of bid responses and final recommendations to develop and implement a Solar PV System for town-owned property; and

WHEREAS, after review of all qualified bids, Larsen Engineers recommended selection of SolarCity for the development of a solar PV system on Town-owned property, and,

WHEREAS, based on a review of provided materials, Larsen Engineers is confident that SolarCity will successfully develop the proposed system to generate savings for the Town, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with SolarCity to design and implement a Solar PV System on town-owned property, contract to be reviewed and approved by the Town Attorney.

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye

Adopted

Public Participation

Ed Lindskoog, 40 Willow Pond Way stated that he, Jim Costello, Director of Developmental Services and a representative from Mark IV have walked and surveyed the woods near his property. He is looking for the Town to help with a landscaping plan for the area near Willow Pond.

Councilman Moore asked if the land is privately owned?

Lindskoog said yes, the property is owned by Mark IV, but should remain as open space.

Kevin Gallagher, read the Petition he submitted earlier this evening, “Protect Dublin Hill.”

Robin Pajerek asked what prevents the owner of Shadow Pines from selling the property to someone like Wal-Mart?

LaFountain stated that the Moratorium cannot stop the sale of the property.

Pajerek asked about the long term plans for the quarry. She suggests the Board look at something like a flower garden that was done in Victoria, British Columbia.

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 8:50 PM.