July 23, 2010

Pursuant to Section 62 of the New York State Town Law, I am hereby scheduling a Special Town Board Meeting Work Session, to be held on Wednesday, July 28, 2010 at 7:00 PM in the auditorium. This meeting is to discuss Incentive Zoning practices and any other business that may come before the Board.

R. Anthony LaFountain
Town Supervisor

Cc: Town Board
   Town Clerk
   Media
Town Board Work Session Agenda
July 28, 2010
7:00 pm

TOPIC OF DISCUSSION: INCENTIVE ZONING PRACTICES

and any other business that may come before the Board
Present:
Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler
Councilman Moore
Councilman Quinn

Also Present:
Robert Beedon
James Costello
Katie Evans
Donna Masters
Evan Sheppard
Doug Fox, Consultant

INCENTIVE ZONING PRACTICES

Katie Evans, Planner, prepared background informational material for the Boards’ reference. It lists a summary of all 12 projects that the Town has had, and a list of projects that are in the pipeline that we are aware of. Evan Sheppard also prepared a Findings Statement as well.

Doug Fox, Consultant, advised of State legislation occurring during 1994; he had attended a conference and brought the idea back to the Town Board at that time. He explained the intent of the process and how it would further the goals of the Comprehensive Plan. He further reviewed the formula used for incentive zoning as well as amenities. He included the fact that “rezoning with incentives” has been removed from the current policy.

CW Kohl said that there has been no consistency for each of these applications, if it comes out to a certain amount, it does not equate to what someone else did. How do we do this so that it is fair to all developers?

J. Costello said that consistency is the biggest issue to deal with. We must make this an equitable policy. A list could be developed for what is needed within the community with a pro-rated plan for this.

Katie Evans said that developers are seeking direction from us regarding the incentive zoning process and amenities.

CM Quinn asked if other towns participate in this?

Doug Fox said that Brighton has this and averages 1-2 applications per year.

A group of developers were present for tonight’s Work Session, and Supervisor LaFountain said that this meeting was advertised as a Work Session, not a public information meeting. He opened up the meeting for input from the development and engineers present.

Mr. Antetomaso feels that incentive zoning actually hinders development in Penfield; the Town Board should be sensitive to the future of this. Two out of three developers are in financial trouble.
Mr. Viola said that incentive zoning is out of hand. Other developers such as Mr. Barbato, Mr. Barone and Mr. Trapani added their input regarding incentive zoning as well.

Mr. Bob Keiffer, Engineer, added his comments stating that he is an advocate for developers and is against incentive zoning for various reasons, one of which is inconsistency.

Supervisor LaFountain reminded everyone present that there will be a Public Hearing in August for the Master Plan with adoption of the Plan by end of October.

Katie Evans advised Mr. Barone that she will send a link to the Master Plan to him as he asked.

Jim Costello said that over the last 25 years, nothing has happened in East Penfield, now we do not want to see this part of town become anything other than what it is today regarding higher density development.

Katie Evans advised the Town Board members that Evan Sheppard has worked hard on the Plan along with Doug Fox; we now look for Town Board feedback.

CW Metzler and CM Moore stated that they are fine with this; all other Board members were fine with it as well.

Katie Evans said that a Resolution will be required to accept the DGEIS and set a Public Hearing. Doug Fox said that the comment period does not start until after the Resolution is passed by the Town Board. There are comments from the Scoping Outline from the Penfield Green Initiative as well.

Jim Costello said that holding a Saturday morning meeting for a land use plan may be good, Doug Fox said to invite all committee members to this meeting with the Town Board. Doug added that all Boards’ comments will be in before the next Town Board meeting.

Supervisor LaFountain adjourned the Work Session at 8:25 p.m.