Town Board Work Session Agenda
May 11, 2011
7:00 PM

I. Call to Order

II. Approval of Minutes  - 4/20/11 Special Town Board Work Session
- 4/27/11 Regular Town Board Work Session

III. Monthly Reports - April

IV. Public Hearing - None

V. Guests - None

VI. ACTION ITEMS

Law and Finance
1. Sign Ordinance – Costello/Morehouse
2. Update on Rezoning of properties adjacent to Harris Whalen Park - Costello

Public Works - None

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Setting Public Hearing for Bayside Boat and Tackle – Costello
2. Special Permit for Outdoor Cooking at Humphrey House - Costello
3. Special Permit for Outdoor Seating at Dollops – Costello

Public Works
1. 2011 Drainage Project Update – Benway
2. 2014 Five Mile Line Road – Costello/Benway
3. 2060 Watson Hulburt Rd. Sidewalk Waiver - Benway

Public Safety - None

Community Services
1. Update on Ruoff Property Work – Costello/Benway/Fletcher
2. Schaufelberger Park Update - Costello

VIII. HELD ITEMS
1. Pond Ownership – Staff
2. Four Corners Signage – Costello/Fletcher

IX. Old Business

X. New Business

XI. Executive Session – Real Estate, Litigation and Human Resource Matters

XII. Adjournment
Town Board Work Session Minutes  
May 11, 2011  
7:00 PM

I. Call to Order

Present:

Supervisor LaFountain  
Councilwoman Kohl  
Councilwoman Metzler  
Councilman Moore  
Councilman Quinn  

Also Present:

Geoff Benway  
Jim Costello  
Jim Fletcher  
Lisa Grosser  
Mark Valentine  

II. Approval of Minutes  
4/20/11 Special Town Board Work Session  
4/27/11 Regular Town Board Work Session

CM Moore moved for the approval of the Minutes of April 20, 2011 and April 27, 2011, CM Quinn seconded the motion.

III. Monthly Reports  
All April reports are in except Fire Marshal and Personnel, and those are expected by the end of the week.

IV. Public Hearing  
None

V. Guests  
None

VI. ACTION ITEMS

Law and Finance

1. Sign Ordinance – Costello/Morehouse  
Jim Costello reviewed previous discussions regarding the Sign Ordinance and the possibility of adding banners under Temporary Recreation Permits, in the Zoning Ordinance.

The Board reiterated that they agree with increasing the Temporary Recreation allowance to (4) four times per year for up to (2) two weeks each.

Costello said he would revise the fee schedule to accommodate this revision. He proposes the first permit will be $25.00, each subsequent permit will be no charge. We will also develop a process for tracking the permits internally.
A Public Hearing will need to be held to make the appropriate changes for Temporary Recreation permits. A Resolution will be submitted for both the fee schedule and the scheduling of the Public Hearing.

Costello said, regarding the Sign Ordinance, he would make the corrections to Article II and Article VII of the Section of the Zoning Ordinance. He will submit a Resolution for the Legislative Session on May 18, 2011.

2. Update on rezoning of properties adjacent to Harris Whalen Park - Costello

Jim Costello said he has received a Petition from the neighbors in the Harris Whalen Park area, and has submitted it to the Board for review. There are (2) two neighbors at 2092 and 2096 Penfield Road, that will remain residential. Costello will complete the Environmental Assessment Form and have an Administrative Application. We will need to get the legal description of the boundaries of all of the properties involved. He would like to set a Public Hearing for the June 15, 2011 Legislative Session.

Councilwoman Kohl asked about the NYS Route 250 area properties that were to be included in this rezoning?

Costello said he would like to hold on to that portion and discuss the rezoning of the NYS Route 250 area properties at the next Work Session on May 25, 2011. He is dropping off the petition on Friday to the neighbors.

Costello said he had spoken with Ann Buck, Assessor, and she confirmed that the properties that would be rezoned will not be re-assessed based on zoning. Reassessment would only occur based on use.

Supervisor LaFountain said the properties along Penfield Road, east of the Harris Whalen Park, are already zoned Business-Non-Retail.

Councilwoman Metzler stated that the Comprehensive Plan does not reference Business Non Retail for this area, it states Commercial. She also expressed her concern with adding more banks to the area. There are currently 9 banks in a 1/2 – 3/4 mile stretch along Penfield Road.

Councilman Quinn said he would like to see (1) one developer purchase all (7) seven properties, add one berm between these properties and the school, create the access road with one curb cut. This would eliminate the existing (7) seven driveways with access to Penfield Road.
Supervisor LaFountain said it is not likely (1) one developer would purchase all (7) seven properties. He also stated if we do not want additional banks in the area, we should adjust the zoning first before rezoning these properties.

Costello asked why would we do this? We have someone who is willing to build a structure that would last 50 years. Businesses come and go, and the structure stays. Use is driven by the market, and currently banks and churches are the only ones building.

Supervisor LaFountain said we need to discuss our options with Dick Horwitz, Town Attorney. We are not ready to hold the Public Hearing. We will discuss with Dick this week and invite him to the next Work Session on May 25, 2011.

Public Works - None

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Setting Public Hearing for Bayside Boat and Tackle - Costello
   Jim Costello said that Ken Strimple has purchased Bayside Boat and Tackle. He intends to run his business the same as the previous owner. He is working with DEC to remove an old dock and move another dock to a different location. An application for a Special Permit to allow change in ownership is scheduled for the June 15, 2011 Legislative Session.

2. Special Permit for Outdoor Cooking at Humphrey House - Costello
   Jim Costello said owner of the Humphrey House, Mike Videtti would like to have Uncle Ralph’s cook out at his restaurant on Monday nights from 4:00 to 9:00 PM. He did this last year and obtained a permit for his (3) three events.

   The Board discussed and decided to approve this Special Permit for a time frame of May 1st to Labor Day.

   Costello said he would send an Administrative Permit to the Board for review.

3. Special Permit for Outdoor Seating at Dollops - Costello
   Jim Costello said the Dollops business is doing well and would like to add (3) three tables and chairs for outdoor seating on the shoulder of her property. This permit would be seasonal for the summer months only.

   The Board approved and Costello will send an Administrative Permit to the Board for review.
Public Works
1. 2011 Drainage Project Update – Benway
Geoff Benway submitted a handout to the Board reviewing 2011 drainage projects with updated costs.

The trees have been removed at Willow Pond and restoration has begun. We are monitoring it, and communicating with Department of Environmental Conservation. The Town of Perinton took the debris to their landfill.

Supervisor LaFountain stated we are preparing the Emergency Action Plan, as part of the requirement. The last phase will be getting this requirement downgraded to Class B. He thanked everyone for the nice work on this project.

Benway spoke regarding Allen’s Creek and said there is money in the budget to continue. The Timberline ditch construction project will need some modifications.

Supervisor LaFountain said the next Watershed Committee meeting won’t be until the first Monday in September. We may want to look at adding a meeting before September to stay on top of things.

2. 2014 Five Mile Line Road – Costello/Benway
Costello submitted a handout to the Board. The procedures have been identified to improve the drainage in the area. The original incentive was $3,500 per lot which comes to $24,000. The additional requirements include repairing the pipe under Five Mile Line Road, estimated cost of $5,000. Create an oversized retention pond, estimated cost of $3,000. Add an additional 75 ft of pipe for low spots, estimated cost of $3,000. Clean the swale near the high school parking lot. The total incentive for the extra (7) seven units would be $39,000.

Supervisor LaFountain said with these improvements we will be addressing the drainage for off properties, existing homes on High School Drive, and the High School parking lot. The oversized retention pond will address all existing concerns and future potential issues.

The Board approved.

Costello will submit an Adoption of the Findings Report for Incentive Zoning Resolution. This Resolution will be presented at the next Legislative Session on May 18, 2011.

3. 2060 Watson Hulburt Rd. Sidewalk Waiver – Benway
Geoff Benway said the owner of the property, has requested an easement. The property is a single family home located near the Wayne County line. There are currently no sidewalks in the area. The fee for the waiver is $500.00 and an easement will be obtained.
The Board approved allowing the sidewalk waiver.

Public Safety - None

Community Services
1. Update on Ruoff Property Work - Costello/Benway/Fletcher
Jim Fletcher said we had a slow start because of the rain, but have made great progress. We started back filling the hole today. The removed dirt has been tested. We have completed the first permit reaching the 1,500 ton mark. Arcadis will reapply for an additional permit and work will continue tomorrow.

Supervisor LaFountain said the work should be completed by the end of next week, or the beginning of the following week. This meets the requirements of the Department of Environmental Conservation. It has been a good effort by Costello, Benway and Fletcher working with Arcadis. We will come in under budget on this project.

2. Schaufelberger Park Update - Costello
Jim Costello said they have been doing some water sampling for this property. They will be applying to Department of Environmental Conservation to reclassify the property. The process is not yet completed with Groundwater and Environmental Services.

Supervisor LaFountain said when the reclassification is complete we will move forward with placing the Daniel Penfield statue in this location. Work done at Schaufelberger Park is at the expense of Exxon Mobil. The estimated time for completion is (1-2) one to two years.

VIII. HELD ITEMS
1. Pond Ownership - Staff - Not discussed
2. Four Corners Signage - Fletcher/Costello - Not discussed

IX. Old Business - None

X. New Business

XI. Executive Session - Real Estate, Litigation and Human Resource Matters - No Session tonight

XII. Adjournment - Supervisor LaFountain adjourned the Work Session at 8:00 PM