I. Call to Order

II. Approval of Minutes  May 30, 2012 Work Session, and May 29, 2012 Informal Discussion

III. Monthly Reports - May

IV. Public Hearing – None

V. Guests - None

VI. ACTION ITEMS

Law and Finance
1. 1830 Penfield Road - Grocery Store – Costello
2. 1778 Penfield Road Restaurant – Costello
3. 1802 Penfield Road Mathematics Learning Center – Costello

Public Works
1. Abbotswood Crescent/Baird Road Street Light Petition – DiFrancesco
2. 1226 Shoecraft Road – Request for Sidewalk Waiver – Valentine

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Hydrofracking Petition to Consider a Moratorium – Town Board/Horwitz
2. Southpoint Cove Apartments, Empire Boulevard - Staff

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS
1. Pond Ownership – Staff
2. Dedication of Blue Ridge Road, Cloister Lane and Jomanda Way – Benway
3. Oak Ridge Knolls Pond Modifications – Benway
4. License Agreement Request – 126 Jackson Rd. Ext – Dr. Alan Litvinov - DiFrancesco

IX. Old Business - None

X. New Business - None

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

XII. Adjournment
I. Call to Order

Present:
Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler
Councilman Moore
Councilman Quinn

Also Present:
Geoff Benway
Jim Costello
Lisa Grosser

II. Approval of Minutes – 5/30/12 (Work Session) and 5/29/12 (Informal Discussion)

CM Quinn moved for the approval of the Minutes of May 30, 2012 and May 29, 2012, CW Metzler seconded the motion.

III. Monthly Reports – Reports for the month of May have been received except for Building/Zoning and Public Works, and those will be in by the end of this week.

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. 1830 Penfield Road – Grocery Store – Costello
   Supervisor LaFountain said a letter had been received from the applicant’s attorney asking to hold this item for the June 27, 2012 Work Session. The Board agreed to do so.

2. 1778 Penfield Road Restaurant – Costello
   Jim Costello submitted a Draft Resolution to the Board for its review. At the Public Hearing it was requested that a fence bordering the easterly property line be repaired. Costello reported that it has been replaced and photos of the new fence were circulated to the Board for review. The dumpster enclosure has also been repaired.

Costello also mentioned the upstairs of the property. After some research he found that this space has been approved as an apartment and has been assessed as such for several years. The
Fire Marshal and the Assessor were both aware of the apartment. He will change the Draft Resolution to reflect this.

Supervisor LaFountain suggested some additional wording regarding maintaining the fence and parking on Liberty Street and the surrounding highway. He also suggested that an item is added stating the HVAC unit must function within proper working order to minimize noise to adjacent neighbors. He also asked that the hours of operation be re-worded stating dinners will be served from 4:30 PM to closing and stating the site will close at Midnight.

The Board approved and a Resolution will be prepared for the next Legislative Session on June 20, 2012.

3. 1802 Penfield Road Mathematics Learning Center – Costello Councilman Moore stated that the documents prepared by the applicant should be saved as a template for future reference as it was extremely thorough.

Supervisor LaFountain asked for some modifications to the Draft Resolution in reference to no food service, but stating that there will be a break room for employees. Also re-wording that there will be no adverse impact to parking.

The Board approved and a Resolution will be prepared for the next Legislative Session on June 20, 2012.

Public Works
1. Abbotswood Crescent/Baird Road Street Light Petition – DiFrancesco
   Supervisor LaFountain said that due to Mark DiFrancesco’s absence this item will be held until the next Work Session on June 27, 2012.

2. 1226 Shoecraft Road – Request for Sidewalk Waiver – Valentine Jim Costello submitted the request from the project engineer asking for a sidewalk waiver. Costello continued to say there are currently no sidewalks on the east side of Shoecraft Road. PRC suggests accepting the waiver fee and using it to extend the sidewalks on the west side of Shoecraft Road. This extension would bring the sidewalks currently in front of Meadowbrook Subdivision to Green Pine Lane. Costello said we would also need to obtain an easement.

The Board approved and staff will send a letter to Mr. Keiffer granting the waiver.

Public Safety – None

Community Services – None
VII. INFORMATIONAL ITEMS

Law and Finance

1. Hydrofracking Petition to Consider a Moratorium – Town Board/Horwitz

Supervisor LaFountain said the Board has reviewed the materials submitted by Town Attorney Horwitz. What should our next steps be?

Councilwoman Kohl asked that Town Attorney Horwitz provide the Board with templates for both the one (1) year moratorium and the Local Law.

Councilwoman Metzler stated she would like to review the proposal for the Local Law.

Supervisor LaFountain said he will speak with Town Attorney Horwitz and ask that drafts of both the one (1) year moratorium and the Local Law be submitted to the Board for review.

Councilman Moore asked if there has been any action by Governor Cuomo regarding Hydrofracking.

Councilman Quinn said sources say the Governor is leaning towards issuing permits in Southern Tier counties. When DEC finishes its regulations, it may be a moot point.

Supervisor LaFountain said we will hold our Public Hearing in a 30-60 day time frame. We also want to carefully review road access agreements. LaFountain continued by saying he will meet with Horwitz and prepare a calendar with a time line.

2. Southpoint Cove Apartments, Empire Boulevard – Staff

Supervisor LaFountain said the Public Hearing was held last week and he received a letter today from the NYSDOT approving and directing the applicant’s engineer to begin applying for permits. Jim Costello will have a discussion with PRC and Geoff Benway is working on storm water management and additional items referenced in a May 23rd letter.

LaFountain stated that the Town will be the Lead Agency for SEQR and asked if the Board requires any additional materials for review?

Councilwoman Metzler said we need time to review the information and will determine the steps forward.

Councilwoman Kohl said she would like some additional clarity on the sidewalk. She would like to see more of their vision and how the path will fit into the area.
Geoff Benway said we can walk the site and get a better idea of the topography.

Kohl said the residents of Southpoint Cove may not want a path through their property.

Councilwoman Metzler said maybe they could provide us with a pedestrian access plan.

Councilman Quinn said when we were looking at this area for higher end condominiums, their concern was how to differentiate between private and public walkway.

Kohl asked if the boardwalk that was previously discussed be added?

Jim Costello said the boardwalk will be put in, but we need to work on funding for it first.

LaFountain said sidewalks will go from the west to the east from Bazil’s property to the end of building 9. Then it will become a proposed stonedust path similar to Sherwood Fields, and will end at the DiMaggio property near the Sanibel Restaurant.

Costello said the path may end there and be blocked off until the Town can obtain an easement.

LaFountain suggested everyone get out and walk the area. The goal is to have all access tied to Abraham Lincoln Park.

Costello said he received a call this week from Mr. Lewis who spoke at the Public Hearing and he is concerned with the height of the project and the visual impacts. Benway went to the property to take pictures and said there isn’t much of a view of the bay. We could use a balloon to demonstrate the height of the proposed buildings for Mr. Lewis.

Councilman Quinn asked if the proposed buildings will require any easements?

Benway said all of the proposed buildings are within the normal setback requirements.

Costello said some of the structures are close to the right-of-way, but the green space distance to the macadam surface is extensive.

LaFountain said the setback issue is something this Board will have to deal with.

Quinn asked if one (1) building is inside of the setback?

LaFountain said one (1) or two (2) buildings are within the setback requirements. This will be reviewed as part of the Site
Plan review process. The Town Board has the responsibility for the dimensions, this will not go before the Zoning Board of Appeals. He also said Benway is reviewing storm water management and an area of the parcel that is eroding and will be fixed. He continued to say the question of the height of the project was brought up at the Public Hearing.

Costello said at the Public Hearing it was stated that the four (4) story side of the building has an estimated height of 50 feet from bottom of the grade to the top of the structure. Costello continued to clarify that a four (4) story building would have a height of 60 feet and the three (3) story side of the building would have a height of 50 feet. They are looking at changing the roof scheme and that will make the structure a little taller. Benway took photos of the site today and will forward those to the Board for its review.

Councilwoman Metzler said this is a big, important job that needs to be deliberated.

LaFountain asked that Benway and Costello discuss this application with PRC and be prepared with written comments at the next Work Session on June 27, 2012.

Costello said he will put a call into Scott Sheeley and make sure the DEC is comfortable. He will advise if there are any issues that need to be addressed by the Town as Lead Agency.

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS
1. Pond Ownership - Staff
2. Dedication of Blue Ridge Road, Cloister Lane and Jomanda Way - Benway
3. Oak Ridge Knolls Pond Modifications - Benway
4. License Agreement Request - 126 Jackson Road Ext. - Dr. Alan Litvinov - DiFrancesco

IX. Old Business - None

X. New Business - None

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

XII. Adjournment - Supervisor LaFountain adjourned the Work Session at 7:37 PM.