Town Board Work Session Agenda
April 10, 2013
7:00 PM

I. Call to Order

II. Approval of Minutes  March 27, 2013

III. Monthly Reports - March

IV. Public Hearing – None


VI. ACTION ITEMS

Law and Finance - None

Public Works
1. Release/Modification of Storm Easement, 2906 Atlantic Avenue – DiFrancesco

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Signatures at the Humphrey House, 1783 Penfield Road – Costello

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS
1. Special Improvement Districts/Pond Ownership Information Brochure – Staff

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:
Jim Costello
Lisa Grosser

II. Approval of Minutes – 3/27/13
CM Quinn moved for the approval of the Minutes of March 27, 2013, CW Kohl seconded the motion.

III. Monthly Reports – All reports for March are in except for Personnel.

IV. Public Hearing – None

V. Guests 1. Michael Cavalcanti - Discussion of Conservation Easement at Windham Woods

Supervisor LaFountain introduced Michael Cavalcanti and Don Laudadio.

Mr. Cavalcanti explained that an existing Conservation Easement has had a negative impact on five (5) lots on Willow Bridge Trail. Lot numbers 306-312, which back up to Crossbow Drive, have not sold due to a reduced size backyard. This has become a hardship and sales are being lost.

Cavalcanti went on to explain that by reducing the Conservation Easement 12 1/2 feet, they would be able to expand the size of the rear lots and these properties would be more saleable. Windham Woods has been under development for the past three (3) years. The Conservation Easement was originally put in place to protect the area near lots 316 and 317. Cavalcanti submitted photos to the Board of the area under discussion. The five (5) lots near Crossbow Drive have become a dumping site. Residents have encroached on the existing Conservation Easement. Residents have also removed trees and are mowing grass. The reduction in this Conservation Easement would mitigate problems with regards to the backyards. There is an existing drainage swale which goes to the lots on the south side. The additional 12 1/2 feet would improve visibility and usability. The existing swale would be adjusted to allow more of a backyard for those lots. The increased
backyard size would make the lots more appealing to young families.

Councilman Moore inquired about lot size.

Mr. Laudadio said they range from .26 to .28 acres.

Cavalcanti said the minimum lot size is 12,000 square feet. The houses are a good size and relief is needed to increase the size of the backyard.

Jim Costello asked where the swale currently is and where will it be moved to.

Cavalcanti said the existing swale is just in front of the easement.

Supervisor LaFountain said there is growth in the area of the easement. Many of the trees are not in good shape, will those be removed?

Cavalcanti said he had submitted a letter to the Board stating they are going to save the larger trees. There are not many secondary trees, but there is scrub and garbage in the area that will need to be removed.

Costello asked if additional trees can be added to the Conservation Easement area?

Cavalcanti said yes, trees could be added along the property line which would enhance the buffer zone.

Councilman Quinn asked about the original changes to the lots due to the radius of the road.

Costello said the original cul-de-sacs encroached into the wood lot. The radius of the road was changed to reduce that encroachment. We will need to verify that the neighbors are supportive of adding trees as a buffer along the property line. The Planning Board originally wanted to preserve the buffer area near lots 316-317.

LaFountain asked why the original Conservation Easement was wrapped along the south border?

Costello said there was some growth and they were trying to preserve the natural buffer between this development and Crossbow Drive. Originally it was discussed to add trees to the buffer area between this development and the Gerlach property.

Quinn asked if Cavalcanti had received feedback from the neighbors?
Cavalcanti said he would be speaking to the residents before the Public Hearing.

The Board agreed and LaFountain asked Costello to prepare a Resolution for the next Legislative Session on April 17, 2013.

Costello asked the Board how far the neighbor notification should go?

LaFountain said it is only necessary to notify neighbors who are directly affected: the wrap around properties on Crossbow Drive and Five Mile Line Road. LaFountain suggests Cavalcanti speak to the neighbors that are directly affected ahead of time.

VI. ACTION ITEMS

Law and Finance - None

Public Works
1. Release/Modification of Storm Easement, 2906 Atlantic Avenue - DiFrancesco

Jim Costello said there is an existing easement on this property. Geoff Benway and Mark DiFrancesco spoke with the resident. The resident has agreed to allow a new access easement in the location suggested by Town staff. The new easement will be accepted and then the original easement will be released. Costello continued to say the shed will be placed outside of the new easement area.

Supervisor LaFountain stated the abandonment and the acceptance of the new easement can be done with one (1) Resolution.

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Signatures at the Humphrey House, 1783 Penfield Road - Costello

Jim Costello introduced Stephanie Wilkinson who submitted a historic photo of the property circa 1916. She originally spoke to the Board about adding a patio. Her goal is to design an outdoor deck area to bring the property back to its original design. The deck will be used for outdoor dining. Costello said this property is not historically designated, but on our list of potential designations.

Councilman Moore asked why do you want to have outdoor dining when the season is so limited?
Stephanie Wilkinson said we are considering heater fans and enclosing the deck area with a screen to keep the heat in. This would extend our season three (3) weeks on each end.

Councilman Moore asked what hours would there be outdoor dining.

Ms. Wilkinson said we would close the deck at Midnight. Customers would have to go through the bar or the dining room for access to the deck.

Councilwoman Metzler asked if there would be any outdoor entertainment.

Wilkinson said there will be no entertainment, only food and drink.

Costello said according to the NYS code an emergency means of egress may be required.

Wilkinson said the handicapped entrance does go off the deck. There would be three (3) points of entry. The only way to get to the deck from the street is via the handicapped ramp, but the entrance would be through the back.

LaFountain asked if the ramp lift can be left open. This will help to channel the traffic on and off the deck.

Wilkinson agreed to keep the ramp lift open.

Moore asked if there are any noise issues or concerns regarding the Four Corners Zoning.

Costello said the zoning allows the business to stay open until Midnight. Betty Perkins is a resident across the street, and there isn’t much else.

Metzler said this is an appropriate use and she likes the design.

Councilwoman Kohl said the design is beautiful. She asked if the construction will start this summer.

The Board agreed and Supervisor LaFountain instructed Costello to prepare a Resolution for the next Legislative Session on April 17, 2103. The Public Hearing will be scheduled for mid May and construction can start early June.

Public Works - None

Public Safety - None

Community Services - None
VIII. HELD ITEMS
1. Special Improvement Districts/Pond Ownership Information Brochure - Staff

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 7:31 PM.