Town Board Work Session Agenda
July 24, 2013
7:00 PM

I. Call to Order

II. Approval of Minutes – June 26, 2013

III. Monthly Reports - June

IV. Public Hearing – None

V. Guests – Marc Swan – Office Space at 805 Liberty St.

VI. ACTION ITEMS

Law and Finance
1. Carpet and Flooring Office at 1788 Penfield Road - Costello
2. Review of Rendering for 1830 Penfield Road – Costello
3. Mavis Tire – Fairport Nine Mile Point Road – Costello

Public Works - None

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS

1. Special Improvement District/Pond Ownership - Benway

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 – 6/26/13
CM Moore moved for the approval of the Minutes of June 26, 2013, CW Metzler seconded the motion.

III. Monthly Reports – All reports for June have been received.

IV. Public Hearing – None

V. Guests – Marc Swan – Office Space at 805 Liberty Street
Supervisor LaFountain introduced Marc Swan, who is the Pastor for the Grace Church in Irondequoit. Pastor Swan is in the process of leasing space at 805 Liberty Street.

Costello submitted the Approval Resolution from 2010 for the Mary Kay Training facility for the Board’s review.

Pastor Swan stated that his church is currently leasing space in Irondequoit for its worship services. He is interested in using the 900 square foot building for administrative purposes during the week. Regular staff will be the Pastor and a part-time secretary. The Pastor may also meet with parishioners on site. Their Boards will have monthly and quarterly meetings that would consist of no more than eight (8) people. The church has been established for seven (7) years and they would like to get their own facility in Penfield, where Pastor Swan is a resident.

LaFountain asked the Board to review the Approval Resolution given to them by Costello and advise if they feel this application would meet the criteria for the streamline process. LaFountain added that he feels this use is less intrusive than the previously approved Mary Kay facility.

Councilwoman Metzler asked when did the previous tenant vacate?

Costello said in 2012, there has been no lapse.
Councilman Moore inquired if there would be any church services at the Liberty Street location?

Pastor Swan said no, we have over 150 parishioners.

Costello asked about signage.

Pastor Swan said they will utilize a sign and will follow the Town’s Sign Ordinance. He hopes this will only be a one (1) year lease and he may only need a temporary sign. The sign would say Grace Church office and list their website.

Metzler asked if there would be a church van parked on site.

Pastor Swan said no.

LaFountain said the parking area accommodates the staff. There is a previous agreement for shared parking with Canandaigua National Bank.

Pastor Swan said he had been in touch with Robert Lindsay regarding the parking agreement with Canandaigua National Bank.

Councilman Quinn said he doesn’t feel this is a like use, and a Public Hearing should be held. Residents should be made aware of what type of business is moving into the area.

Costello suggests that the streamline process is followed, but add sending postcards to the neighbors with contact information to call staff with any questions. He added we can send postcards to residents within 500 feet of the applicant as a courtesy.

LaFountain asked Costello to add postcard notification as a standard practice to the streamline process. We want to be consistent with future applications.

Costello advised Pastor Swan that the Board would have to approve his sign package. He also suggested he meet with the Fire Marshal at the property to ensure that the site complies with the current NYS Building Code.

The Board agreed that the streamline process would be appropriate subject to the neighbors being properly notified as proposed by Costello.

VI. ACTION ITEMS

Law and Finance
1. Carpet and Flooring Office at 1788 Penfield Road - Costello
   Jim Costello submitted a Draft Resolution for the Board to review. The conditions are standard and include the leasing of a 900 square foot building, one (1) to two (2) employees and no showroom at this time. The sign will have to receive approval from the Board. No vehicles are to be left parked overnight.
The applicant will use existing dumpsters, and will schedule appointments with clients only during business hours. Parking is adequate for their needs.

Supervisor LaFountain asked if the business is successful, does the applicant have an opportunity to expand at that location?

Costello said yes, but the applicant would have to come before the Board for a Conditional Use Permit.

LaFountain asked if there will be a showroom?

Costello said the applicant would not have a showroom initially. He would have to acquire additional space for a showroom and come before the Board for approval.

LaFountain asked the Board to review the Resolution by Friday, August 2\textsuperscript{nd} and it will be submitted for the next Legislative Session on August 7\textsuperscript{th}, 2013.

2. Review of Rendering for 1830 Penfield Road – Costello
Supervisor LaFountain stated at the Work Session on June 12, 2013 there was a discussion regarding exterior improvements. After the Work Session, both he and Costello met with Skrombolas and Amore on site.

Jim Costello submitted photographs of 1830 Penfield Road for the Board’s review. He continued to say he had met with the applicant because the rendering that was submitted to the Board for approval did not match the improvements that were discussed. Costello reviewed the photo of the rear of the building that was sided most recently. It is visible on east the side of the building where two (2) colors of siding were blended. The Board wants to see consistency and have the entire building be one (1) identical color. Costello suggests matching the back of the building and using the darker brown color siding. This siding should be replaced all around the building so that it is one (1) color. The roof is fairly new and Costello suggests keeping it as is.

Costello said recently the Fire Marshal followed up on a complaint that the tenants upstairs are not taking care of their trash.

Marcos Skrombolas said he just changed refuse collectors.

Costello asked Skrombolas to forward him a copy of the recent contract for refuse collection. He will give this to our Code Compliance Officer for his file.

Councilman Quinn reiterated that the color of the siding is not as important as the conformity of using one (1) color on the entire building.
Costello added that the applicant will also add a peak roof on the entrance and awnings over the windows.

Quinn asked if the applicant will paint the brick exterior brown to match the siding?

Costello said yes, there is also additional landscaping that will need to be completed. Costello suggested the applicant meet with the Town’s Landscape Consultant for suggested plantings in the area around the restaurant.

LaFountain asked that the fence area be cleaned up as well.

Quinn asked if the roof will match?

Costello said yes, it will not be replaced.

Quinn asked if the windows would be replaced?

Skrombolas said they are double pain thermal windows, only a couple of screens need to be replaced.

Costello added that the windows should also be cleaned up.

Quinn asked about the gutters.

Thomas Amore said they will be painted the burgundy trim color.

LaFountain asked the applicant what his time line is.

Amore said ASAP, we have been discussing this since November 2012.

Costello advised Amore that the approval had already been given. He has had the opportunity to work on the interior of the restaurant.

Amore stated he is borrowing money and does not want to secure the loan until he has full approval.

Skrombolas stated it would take about a week to have someone start the exterior.

Amore said the dining room is painted and the rug has been ordered. Next he will have the kitchen area steam cleaned.

Quinn said he is okay with the application if all four (4) sides of the building are sided the same color, the brick is painted, windows cleaned up and landscaping is done.

LaFountain said a Condition of Approval was to come before the Board to approve the exterior improvements. He asked Costello to put together a letter to the applicant for the Board to approve.
Amore asked how long before he would receive the letter.

Costello said probably two (2) days.

Metzler asked where Amore is with the sign package.

Costello stated that he had been in touch with Amore’s son. He is working on a design for a front lit sign. Backlit illuminated signs are no longer allowed in the Four Corners District.

LaFountain stated that the approval for this restaurant is for the operation as described by Amore. Any other operators would have to go through this process again. LaFountain continued to say the applicant will receive the letter from the Board by next week.

3. Mavis Tire – 2146 Fairport Nine Mile Point Road

Jim Costello reviewed that we had met with Dr. Fallone at the last Work Session on June 26, 2013. Costello has been speaking with Dan Saperstone who oversees the Farash property. They are in negotiations over the acquisition of one (1) acre of property on the north side of the project. This area was previously approved for Walgreens and is part of the Incentive Zoning. Costello asked Dr. Fallone to explain how much of that property he is taking. Saperstone will have to show how the remaining property is still developable.

Dr. Fallone said the parcel is 2.2 acres and he is only taking a 20 foot strip which does not go the length of the property. Saperstone is now offering approximately 1.3 acres.

Costello said Fallone is proposing to keep the rear of the property for green space. He will also have to add a buffer for the neighbors.

Councilman Quinn asked if you take an additional 1.3 acres would you develop more land?

Dr. Fallone said he can do whatever the Board wants.

Costello said the immediate residents should be pleased with the amount of green space to buffer the rear of the parcel. This buffer makes the project more viable.

Quinn asked about zoning.

Costello said the parcel is zoned Business Non Retail.

Councilman Quinn inquired about Incentive Zoning; what are the remaining incentives?

Costello said the total Incentive is $200,000 to be used towards drainage and sidewalks in the area. Jeremiah’s will be responsible for $68,000. The property just south of Jeremiah’s
will be responsible for $45,000. The remaining property will be responsible for $100,000.

LaFountain said leftover funds can go towards landscaping. We want to make sure the money stays in the area.

Quinn asked about cross access.

Costello said the proposed road would run parallel with the car wash.

Quinn asked if there is a rear connection; how will that affect ingress/egress and curb cuts.

Costello said it will not affect them. We need to obtain an easement from Trau to tie into the M & T Bank parking area for the access road. The access management plan has a very specific design that must be worked around.

LaFountain suggested Costello forward the plan of the proposed access road to the Board.

Quinn said he is not opposed to this development; he just wants to get a better handle on it. He doesn’t see the point of keeping the green space in the rear if the properties around this parcel are developable.

LaFountain said Dr. Fallone wanted to meet with the Board to see if they would be receptive to this type of project.

Costello said if the Board does decide to move forward, the next step would be to hold a Public Information Meeting; we could then make a determination on whether or not to move forward.

LaFountain suggests keeping the green space to buffer the noise, due to the type of business they are proposing.

Costello asked Dr. Fallone why he was inquiring about the additional acreage.

Dr. Fallone said they want to face the garage doors to NYS RTE 250. The building is only 50 feet deep and if you move it closer to the road, you may actually get room to add an additional line of trees to buffer between the BN-R and GB zoning.

Costello said he would provide an overall plan of the area for the Board to review. He will have the proposed access road superimposed over the map.

Councilman Moore said he is concerned with regards to noise. He is very interested in hearing about buffering or fencing to mitigate noise.
Councilwoman Metzler said the noise may not be what we think it will be.

Moore said he would have to be convinced that the noise issues are addressed.

Dr. Fallone asked if the Board felt the green space in the rear of the parcel should remain.

Metzler said whatever mitigates the noise best.

Moore asked what is the distance from the back of the building to the nearest residence?

Costello said the distance is similar to the distance from Jeremiah’s Restaurant to Doodlebugs.

LaFountain said the length of the property is 500 feet.

Costello added that the access road will go behind the parking area.

LaFountain said the distance from the parking area to the nearest residence is 200 feet. There are three (3) homes that touch the back of the property.

Costello suggested Fallone do some sound testing at Mavis Tire’s existing facilities.

Quinn added that he should take sound readings in the bay and at 500 feet and 1,000 feet.

LaFountain asked that any information regarding the surrounding properties be submitted to the Board with a map. He also added that sound testing should include behind the building.

Public Works - None

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works - None

Public Safety - None

Community Services - None
VIII. HELD ITEMS
   1. Special Improvement District/Pond Ownership - Benway

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 8:30 PM.