TOWN OF PENFIELD
3100 Atlantic Avenue, Penfield, NY 14526-9798

Town Board Work Session Agenda
September 25, 2013
7:00 PM

I. Call to Order

II. Approval of Minutes – September 11, 2013

III. Monthly Reports - None

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. 1794 Penfield Road, Deck and Ice Cream Addition – Costello
2. 2041 Penfield Road, Office Building – Costello
3. 1229 Fairport Nine Mile Pt. Rd., Abbington Phase I-D - Costello

Public Works - None

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. 1589 Penfield Road, Sale – Costello
2. Expansion Southpoint Marina, 1384/1420 Empire Blvd Update - Costello

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS
1. Special Improvement District/Pond Ownership – Benway
2. Mavis Tire – 2146 Fairport Nine Mile Point Road – Costello

IX. Old Business - None

X. New Business - None

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

XII. Adjournment
Town Board Work Session Minutes
September 25, 2013
7:00 PM

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 – 9/11/13
CM Quinn moved for the approval of the Minutes of September 11, 2013, CW Kohl seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. 1794 Penfield Road, Deck and Ice Cream Addition – Costello
Jim Costello reviewed that the Public Hearing was held September 18, 2013. Costello has prepared a draft resolution for the Board to review. The resolution contains the Four Corners District zoning requirements. Additional requirements include that the dumpster must be enclosed, signage requirements and setbacks cannot be exceeded.

Supervisor LaFountain asked Costello to include that speakers are not allowed on the deck.

The Board agreed and the resolution will be submitted at the next Legislative Session on October 2, 2013.

2. 2041 Penfield Road, Office Building – Costello
Jim Costello reviewed that the Public Hearing was held September 18, 2013. The Town Board has been requested to issue a Special Permit. The applicant recently went before the Planning Board and a resolution of approval is being prepared for their next meeting September 26, 2013. All concerns have been addressed.
Town Engineer, Geoff Benway said there are no outstanding drainage issues. The grading plan addresses area drainage concerns. Sidewalks are required and a curb cut will be removed.

Supervisor LaFountain stated that changes are to meet NYSDOT requirements. He also asked that wording regarding drainage be added to the resolution as discussed at the Public Hearing.

Councilman Quinn asked if this location is a school bus stop?

Costello said yes, it is.

Quinn suggested we notify the School District to see if the bus stop can be moved during construction.

Costello said he would include this in the discussion at the preconstruction meeting.

Supervisor LaFountain asked Costello to include that the dumpster needs to be enclosed as part of the resolution.

Councilwoman Metzler stated she had reviewed the recent Planning Board meeting and they were very thorough and she has no concerns.

The Board agreed and a resolution will be prepared for the next Legislative Session on October 2, 2013.

3. 1229 Fairport Nine Mile Point Road, Abbington Phase I-D – Costello

Jim Costello reviewed that the Public Hearing was held September 18, 2013. Costello continued to say Town Engineer, Geoff Benway initially had concerns about drainage, but all have been resolved. No trucking will be allowed adjacent to the Vendel property; this was also a condition of approval with previous phases.

Councilman Quinn asked about sidewalk access from the new development into Whitespire Lane.

Costello said there are three (3) properties that are currently being constructed. The sidewalk will be installed prior to the final grade and seed for those lots.

Supervisor LaFountain stated that the drainage goes south to the pond and then exits north.

The Board agreed and a resolution will be prepared for the next Legislative Session on October 2, 2013.

Public Works - None

Public Safety - None
VII. INFORMATIONAL ITEMS

Law and Finance
1. 1589 Penfield Road, Sale – Costello
Jim Costello stated that the Town had been contacted one (1) year ago by the adjacent property owners who were interested in purchasing this property. The parcel is 1.28 acres and was appraised for $7,000. The parcel is in a flood plain area that serves no other use than to retain or detain stormwater.

Councilman Moore confirmed that the parcel is of no use to the Town.

Costello said the purchaser will resubdivide the parcel into his existing property and use it for storm water management purposes.

The Board agreed and a resolution will be submitted at the next Legislative Session on October 2, 2013.

Supervisor LaFountain added that Town Attorney Horwitz will need to review the resolution.

2. Expansion Southpoint Marina, 1384/1420 Empire Blvd. Update – Costello
Jim Costello stated that Passero had submitted a revised plan and he went on to review the details in a presentation to the Board.

Supervisor LaFountain reviewed that two (2) weeks ago Staff and the Board stopped work on Parts II and III of the EAF. We wanted to review the updated information as it had changed from the original submittal.

Costello said the original application was submitted in late April for 225 additional boat slips. DEC had concerns about encroachment into the adjacent area with landside construction as well as loss of recreational use of the cove area with the additional slips. The encroachments into the adjacent area included the bioretention area, the pool deck and the walk out area. The applicant has offered public access that will go from the walking area, along the apartment complex to Abraham Lincoln Park. The applicant then met with the DEC and decided to revise the plan.

Costello continued to say the applicant has proposed a new site plan with a 20% reduction in docking. The applicant is now requesting 184 boat slips. Originally there were 37 slips in the encroachment area, which has been reduced to 15 slips. Parking has also been reduced from 343 to 342 spots. The pool area has also been moved out of the encroachment. The walkway will remain in the encroachment and pre-existing parking will also remain in the encroachment area. DEC was concerned about boat traffic to and from the site. The changes are significant enough to prepare...
a new Part I of the EAF. Data was also provided to the DEC regarding water depths in the area. The applicant has not yet received a response from the DEC.

Costello continued to say he is meeting with DEC officers tomorrow on the bay and will ask if they have reviewed the revised document. He will be meeting with Tom Haley, DEC Permit Administrator and hopes Scott Sheeley and Scott Jones may also be in attendance.

Supervisor LaFountain added that representatives from Irondequoit, Webster and the Monroe County Sheriff’s Department will also be at that meeting. LaFountain continued to say a revision of Part I of the EAF is appropriate. The Board will also want to go back and review Parts II and III.

Costello said he also attended the preconstruction meeting with DEC regarding the remediation. The DEC has given the go ahead to start, and activity will begin only pertaining to the remediation, and not construction.

LaFountain said he had also attended the preconstruction meeting regarding the remediation and they wanted to start as early as this week. Signage is required in the area and it will be closer to next week before they begin. He asked Costello to keep the Board informed as the process begins.

Councilman Quinn asked if there will be any changes to the entrance for the remediation project.

Costello said no, they will be accessing the site via the old sand and gravel pit entrance.

Costello added that we need to wait for a response from the DEC regarding the revised plan before we can react. He said one question that had been asked is “why didn’t the applicant remove everything from the encroachment area” with this revised plan. The applicant’s response was because the DEC officer said twenty feet of encroachment here or there wasn’t a major concern.

Councilwoman Metzler asked if Costello could obtain those comments in writing from the DEC officer.

LaFountain said we are waiting for the comments to be received from the DEC on the updated plan. He added that while the Board is still reviewing they continue to welcome additional public comments and feedback. Anything additional received will be included as part of the permanent record.

Public Works - None

Public Safety - None

Community Services - None
VIII. HELD ITEMS
   1. Special Improvement District/Pond Ownership – Benway
   2. Mavis Tire – 2146 Fairport Nine Mile Point Road – Costello

IX. Old Business – None

X. New Business – None

XI. Executive Session – Real Estate, Litigation and Human Resource Matters – The Board went into an executive session.

XII. Adjournment – Supervisor LaFountain adjourned the Work Session at 7:30 PM.

Lisa Grosser, Deputy Town Clerk