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

Town Board Work Session Agenda
November 13, 2013
7:00 PM

I. Call to Order

II. Approval of Minutes – October 23, 2013

III. Monthly Reports - October

IV. Public Hearing – None

V. Guests – 7:00 PM – Victory Garden
   7:30 PM – Ken Brownell – Panera Bread, 2152 Fairport Nine Mile Pt. Rd.

VI. ACTION ITEMS

Law and Finance
1. Expansion of Southpoint Marina, 1384-1420 Empire Blvd. - Update – Costello
2. Request for Approval Sign Modification – Legacy, 2140 Five Mile Line Road – Costello
3. Abbington Place Residents Petition for Haul Road - Benway

Public Works
1. Barry, 1364 Jackson Rd. - Environmental Permit Extension – Benway/Tette
2. 2013-2014 Snowplowing - Williams

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Petition to Establish 2152 and 2164 Fairport Nine Mile Pt. Rd., Special Improvement District - Costello

Public Works
1. Review of Tufa Glen and Allen's Creek Watershed Studies - Benway

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:
Geoff Benway
Jim Costello
Lisa Grosser
Rick Giesselman

II. Approval of Minutes – 10/23/13
CM Quinn moved for the approval of the Minutes of October 23, 2013, CW Metzler seconded the motion.

III. Monthly Reports – Reports for October are in except for three (3) departments.

IV. Public Hearing – None

V. Guests 7:00 PM – Victory Garden

Dot Brennis, Vice Chair for the Penfield Community Victory Garden gave the yearly State of the Garden address. This year there were 89 beds which is at full capacity. The parking lot was expanded and a berm was created as a service project for some Nazareth College students. The berm was decorated with marigolds donated by Bauman Farms. A water system was installed as part of an Eagle Scout project by David Fernandez which includes underground water lines and spigots throughout the garden. Robin Hamm volunteered to create a website for the garden that is linked through the Town’s Recreation website.

Chris Mandel, Committee Member stated that two (2) beds were donated for families who utilize the Penfield Ecumenical food shelf; this was very successful and will be continued next year. Also, well over 100 pounds of extra produce was gathered and donated to the food shelf.

Dot said garden program classes were held and a waiting list had to be created for the children’s program because there was so much interest. The Victory Garden also participated in the Town’s Wellness Fair and had a float for the Fourth of July parade.
Dot continued to say the operating budget for the Penfield Community Victory Garden is $2,240 and funds will be encumbered for next years purchases. For 2014 there is approximately $300 set aside for equipment repairs and they would like to purchase a new riding mower and an electric starter for the tiller.

Supervisor LaFountain asked if there were plans to expand the number of beds next year?

Brennis said it could be done, but is not planned for next year.

Councilwoman Kohl asked if more beds were rented this year than last year?

Brennis said she didn’t believe so; they may not have been at full capacity last year.

LaFountain asked about the can drop off.

Brennis said it went well; they collected a couple of bags of cans per week.

LaFountain asked if any Eagle Scout projects were planned for next year?

Brennis said she would like to have an open shelter put up over the picnic area.

Kohl asked if the parking area is sufficient.

Brennis said the space is sufficient; the grading of the lot needs improvement. After a rainfall the water pools in areas of the lot and it should be re-graded.

Geoff Benway said he is aware of the issue and there is a Town project planned for next year to change the stormwater system in the area. After the improvement, water will drain towards Terrace Hill Drive. The project is scheduled for spring of 2014.

Councilwoman Metzler said this has been a great collaboration between a Community Group and Town staff.

Eric Schaff, Marathon Engineering and Brian Donavan, Donovan Real Estate Services, LLC spoke on behalf of their client Ken Brownell, Panera Bread.

Schaff reviewed that the site is a .6 acre parcel located near Doodlebugs and Jeremiah’s Restaurant, which is on the east side of NYS RTE 250 and the south side of NYS RTE 441. There is a signalized entrance and the parcel is part of the Incentive
Zoning for the area. A 3,800 square foot single story restaurant is being proposed. The concept that was given to the Board for review is an early, working concept. He would like to submit the application in early January and have the Public Hearing in February 2014.

Schaff continued to discuss key elements for the proposed restaurant. The access road would be used as entrance to the site and there will be an exit only out to NYS RTE 250. The east/west driveway will access Panera Bread, and could line up with the Jeremiah’s Restaurant entrance. A connection will be included for the properties to the north. A drive thru window is also being proposed and stacking requirements will be met. A monument sign will be requested on NYS RTE 250, in addition to the building mounted signs. Included will be standard landscaping and dark sky compliant lighting. Schaff stated that they will also work with Town Engineer Geoff Benway regarding drainage.

Supervisor LaFountain inquired about the location of the drive thru.

Brian Donavan said orders would be placed at the rear of the building and picked up on the east side.

Councilman Quinn asked about the remaining part of the parcel.

Schaff said that is being sold to the adjacent parcel north.

Councilwoman Kohl said she would like to see a diagram of the entire area, including Jeremiah’s Restaurant, so she could review the overall layout including entrances, exits and stacking.

Councilwoman Metzler asked if Panera Bread had given estimated volumes for the drive thru?

Donavan said he does not have those numbers.

Quinn asked how will this new restaurant impact the existing Panera Bread in Panorama Plaza?

Donavan said they intend to keep both restaurants open. There is a different customer base for each location. Breakfast and lunch are the major part of the business. Penfield is large enough to support both restaurants.

Quinn said he supports cross access and he would need to see how it works with this applicant. He doesn’t like the egress off the drive thru. He is concerned how traffic will circulate and go back out to the street.

Metzler agreed cross access was part of the original concept for this area several years ago and should be reviewed.
Quinn asked about LUAMP and if the photo submitted would be the proposed color scheme?

Schaff said the final design would be site specific.

Councilwoman Kohl said the Panorama restaurant has outdoor dining, will this location also request outdoor dining?

Donavan said yes, they would like to offer outdoor dining.

Councilman Moore asked the hours of operation.

Schaff said hours would be similar to the Panorama location which are: Monday through Friday 6:00 AM to 9:00 PM, and Saturday and Sunday 7:00 AM to 8:00 PM.

Moore asked how many parking spaces are estimated?

Geoff Benway said there are 79 parking spaces.

Jim Costello said the parking will be shared and will also go with the parcel to the south.

Quinn asked if there is already an existing directory sign at the location?

Costello said yes, it will be difficult to get a second free standing sign approved.

LaFountain asked what is the size of the Panorama restaurant?

Donavan said 5,700 square feet. Panera only needed 4,000 square feet for the restaurant, but decided to take the space because it was available.

LaFountain asked for clarification on the submitted map, what are the red and yellow lines.

Donavan said the red lines are the purchased portion and the far right yellow line is the incentive zoning portion of the parcel.

Costello said Councilwoman Kohl’s suggestion was good; this application should be superimposed onto the overlay for the entire area for the Board to review.

Schaff said he doesn’t anticipate a need to do a traffic study.

Metzler said the focus should be on internal traffic.

Schaff said he would like to come back to the December 11th Work Session with more details, submit the application January 8th, and have the Public Hearing on February 5, 2014.
Costello asked if the entrance point would line up with Jeremiah’s Restaurant?

Schaff said it can.

Benway said the entrance points should line up, and the road also needs to be tied into the access road that goes through the car wash property to the north.

Metzler asked on the next set of submitted plans, could the incentive zoning line be more distinct as to delineate the approved boundaries. She also asked if this would be less square footage than originally approved for this incentive zoning area?

Costello said yes, significantly less.

LaFountain stated that this application will be on the agenda for the December 11th Work Session, he asked that the applicant submit paperwork to the Board for its review prior to this meeting.

Costello advised Schaff to submit the documents electronically to him and he will forward them to the Board.


Costello said the Board spoke with Dr. Fallone several months ago. The proposal was to build a Mavis Tire on the front portion of the parcel and have the rear of the parcel remain as a buffer. The Board requested sound testing.

Robert Fallone said Mavis Tire will provide their-own sound studies. Their garages are air conditioned and the doors remain closed. The sound studies were done at their Greece location which is on Ridge Road and there are residential properties located behind the site.

Costello asked did you negotiate to obtain a portion of the Incentive Zoning parcel?

Fallone said yes, the current parcel for Mavis Tire is 113 feet on NYS RTE 250; the remaining incentive zoned portion, leftover from Panera, is 112 feet on NYS RTE 250. He is looking at purchasing and developing both parcels. He would like to have two (2) businesses similar to the Dunn Tire on Empire Blvd.

Councilman Quinn asked Costello if we can sit down with both applicants to review the entire area?

Fallone stated he is working with T.Y. Lin and he can have them work with Marathon Engineering.

Councilman Moore said he personally has concerns about allowing this type of operation at this location. The constant noise from
the operation may impact the area. This may be too intensive and not the best location for this type of application.

Councilwoman Kohl said she could see office space or another low key restaurant in the area.

Moore said this type of an operation is not suitable for this location.

Councilwoman Metzler agrees this was supposed to be transitional development leading up to a higher commercial level. We also need to be mindful of the residential area.

Supervisor LaFountain asked what is the size of the frontage on NYS RTE 250?

Fallone said 113 feet for the Mavis parcel and 112 feet for the additional incentive zoning parcel.

LaFountain asked what is the intended use for the additional parcel?

Fallone said he would like to do a street of shops like Baytowne Plaza.

Costello said you don’t have a lot of width with this parcel, you do have depth. Costello advised Fallone he will need to create a buffer for the neighbors. Your original request included 50% of the parcel for retail and 50% buffer.

Metzler suggested a variety of services of low impact type businesses.

Costello said we did advise Fallone at the first meeting that automotive repair was not the intent of the Incentive Zoning.

LaFountain asked Fallone what his intent would be with the site and a street of shops.

Fallone said with the extra parcel there would be 20,000 sq. ft. of available space, which could be broken up into 2,000 sq. ft. shops and restaurants. He will keep the side setbacks at 20 feet and include parking.

Costello said the Board would like to see a proposed layout. The parking will be shared and will also require cross access.

Fallone inquired about the cross access to the northerly properties.

Costello said there would have to be an exit to Penfield Road.
LaFountain said we need to have T.Y. Lin and Marathon Engineering share the broader overview. Also, we need to include the access road and access easement. Based on the LUAMP component we need to see how it all fits together.

Geoff Benway said Trau still has additional parcels to develop.

LaFountain asked Fallone to put the two (2) parcels together and prepare some concepts for the Board to review. Please put together some concepts, but don’t invest a lot of money on a sketch plan.

Fallone asked if he can have access to NYS RTE 250?

Costello said that isn’t going to happen, it is not part of the LUAMP process. Costello asked Fallone to contact him and he could review the LUAMP with him.

VI. ACTION ITEMS

Law and Finance
1. Expansion of Southpoint Marina, 1384-1420 Empire Blvd. – Update – Costello

Supervisor LaFountain said the Board has been working on Parts II and III of the EAF. The most recent communication from the NYS DEC is a letter dated October 11, 2013. Both he and Jim Costello met with the DEC today. Costello noted that the Board needs to make a decision of significance or non-significance.

LaFountain continued to say there are five (5) common threads that need to be reviewed: dredging, biology, traffic and impacts to wetlands and the turbidity.

Councilwoman Kohl agreed with Supervisor LaFountain and stated the biology in the area is of importance. We want to be sure there are no negative impacts. There are still traffic concerns and more information is needed to complete the EAF forms. There are many environmental concerns in the Irondequoit Bay area.

LaFountain stated the Board will continue working on Parts II and III of the EAF. An Environmental Impact Statement will be required; we are heading towards a Positive Declaration.

Councilwoman Metzler said as with all applications, all options must be properly vetted. Additional information is needed regarding the project and specific factors. If alternatives exist, they must be presented in the Environmental Impact Statement.

Jim Costello said the Board will work with Town Attorney Horwitz to complete Parts II and III of the EAF. A Resolution will be submitted to accept Parts II and III of the EAF and declare a Positive Declaration. A scoping session will then be scheduled and all comments will be submitted to the involved agencies.
Metzler stated that the Conservation Board has also been reviewing this application. Residents are aware and insightful. The Board must acquire as much information as possible.

LaFountain asked once the input from the Board members is complete, can we get the EAF back for review in the next week to ten days.

Costello said yes.

The Board agreed and LaFountain said a Resolution will be prepared accepting Parts II and III of the EAF, identifying the Board as Lead Agency and declaring a Positive Declaration, for the next Legislative Session on December 4, 2013.

John Caruso stated they have offered information and studies throughout the entire project; we have tried to be out in front. The alternative analysis’ are in our documents, including a 20% reduction in the number of boat slips requested. We will work diligently and timely to get all additional required information to the Board. Caruso asked if they can offer scoping in lieu of going through the scoping session? He asked, do we need to go through the 30 day process to put it out there?

Costello said SEQRA does provide for the applicants to submit a scoping outline. The outline needs to be reviewed by the Lead Agency and all involved agencies. The involved agencies need to review and add comments to the scoping outline if appropriate. He suggested the applicant take the issues brought up by the Board and have the involved agencies review. Costello advised, if you want the scoping session, we can have that quickly.

Caruso said we will work with Town Staff. We don’t need to have another Public Hearing, we have already responded to public comment.

Costello said it would be more appropriate to have a Public Hearing. It depends on what comes out of the scoping session.

Caruso asked if the Supervisor and Costello had anything new from their meeting with the DEC today?

Costello said the concern regarding the biology may be an issue because of the time of year. The DEC may ask for something that can only be done during warmer weather.

Caruso said there is an existing biology study from the other end of the bay. We don’t want to do another biology study without details of exactly what the DEC needs.

Costello said the DEC has expressed concern about the biology in the area. They will have to identify what they want done.
Caruso said he is looking for a benchmark from the DEC.

LaFountain said he and Costello can facilitate the conversation with the DEC. He added, we will have that meeting sooner than later so all parties have an understanding.

Costello said that is the function of the scoping outline. The scoping will identify the concerns of the EIS. The DEC must identify what they want in the study and give an analysis of what needs to be done.

Caruso said he will put together the scoping outline.

Costello asked Caruso to submit it to him, and he will send it to all involved agencies for input.

Caruso said we understand the concerns regarding traffic, wetlands and the turbidity and have addressed these issues.

Costello said in the past 25 years that area has been dredged twice. In the next 15-20 years it will need to be dredged again. The impacts from dredging need to be reviewed and we need to discuss what maintenance will be required in the future.

Caruso said the turbidity is impacted by rain fall, boat and wave action. He doesn’t want the EIS to be all about the DEC.

Costello said the DEC has been balanced and wants the impacts to be evaluated. The main issues need to be reviewed.

Metzler said other projects have had to satisfy the DEC, even though historically the DEC has not specifically divulged all of their concerns.

Costello added, the DEC is not the Lead Agency, the Town Board is.

Caruso said he hopes the Town Board can be satisfied, even if the DEC is not satisfied.

Dan Daniele, said it will now be another eight (8) months before a decision can be reached. This means there will be no boating season next year. We may have to revert back to the original plan requesting 225 slips.

Costello said if you decide to revert back, the Board needs that information soon as it will change the EAF. Costello added you must also understand that the Board and the DEC may not approve the change. You will have to show alternatives and impact.

Daniele said if biology is an issue, we will obtain a taking permit for the eagle. If we have extra time and extra money spent we can revert back to the original project.
Costello said you worked hard to get where you are now with the DEC. If you open up more water surface area, it will be a positive impact. If the application is reverted back, it may create additional or more significant adverse impact to the environment.

Mario Daniele said he had recently attended a Restaurant Association meeting that included two (2) Senators. The Senators spoke about serving the community and creating jobs, opportunities and development. Laws make it difficult to create business. This Board needs to tell us what is needed up front.

Costello said that is the scoping session’s function.

Councilman Moore asked if we can get the DEC on the phone and get specifics.

Costello said that is the DEC’s responsibility as an involved agency to provide details of what they require.

2. Request for Approval of Sign Modification – Legacy, 2140 Five Mile Line Road – Costello
Jim Costello said Grand Vie is now fully owned by Legacy. The property is owned by Mark IV Enterprises. Half of the complex is Village Wood, which is a Legacy component. They currently have a back lit illuminated sign. They would like to add “Legacy” to the existing sign. The Historic Preservation Board reviewed this application and will issue a Certificate of Appropriateness pending the Town Board’s approval.

Supervisor LaFountain asked what the current code requires?

Costello said they have two (2) businesses now and theoretically they could double the size of the current sign and still meet code, but they do not want to do that.

Councilman Quinn said the sign is currently back lit, but the code does not allow for back lit signs in that area.

Costello said yes it is allowed as a pre-existing, non-conforming use. There are two (2) or three (3) backlit signs left in the Four Corners Area. If the Town Board agrees, the Historic Preservation Board will issue a Certificate of Approval. The applicant will be putting a smaller sign on the existing sign. The Historic Preservation Board conditioned its approval on the applicant bringing the sign into compliance with Code if this sign falls into disrepair.

LaFountain asked who are the other businesses that have back-lit signs in the Four Corners Area?
Costello said Pen-Fair Service, Starbucks and Legacy. The same structure is allowed as long as it stays in place it is considered pre-existing, non-conforming. If a new business came in they would only be allowed a front lit sign.

Quinn stated that he is not in favor of allowing this. This is not the same sign, they are adding to it. He would prefer they use the existing sign.

Councilwoman Metzler and Councilwoman Kohl both stated they are okay with allowing the sign.

Councilman Moore said the Legacy is a new sign and doesn’t fall under a pre-existing, non-conforming use.

LaFountain stated he agrees with Quinn and Moore, this does not fall under a pre-existing, non-conforming use. Can they increase the size of the sign, as allowed by code to incorporate both signs into a new sign?

Costello said they can have a bigger sign with both names. The Historic Preservation Board may not approve a larger sign. Costello will discuss a larger sign with the Historic Preservation Board.

3. Abbington Place Residents Petition for Haul Road – Benway Geoff Benway spoke with Bill Boyce regarding his schedule for the remaining material. There are only a couple of piles left, the machine will be moved from its current location and removed from the site in the spring of 2014. No more fill is required for the site and they will be digging the pond shortly. Most activity on the site will be dying out over the next couple of weeks and the trucking activity will diminish.

The Board discussed and agreed to have Benway send a letter to the residents/petitioners advising that the work is almost complete and there is not need for a haul road.

Councilwoman Metzler said she wanted to acknowledge and respond to the petition. The residents need to get up to speed with the progress, and be advised that the activity is going to stop for now. We will review this again in 2014.

Public Works
I. Barry, 1364 Jackson Road – Environmental Permit Extension – Benway/Tette
Geoff Benway stated that Ben Barry came before the Board in May 2013 and obtained an Environmental Permit which will expire November 15, 2013. He has also had permits in 2009 and 2010.

Ben Barry asked if the permit only lasts for six (6) months can he wait to renew in the spring of 2014?

Benway said yes, that is fine.
Supervisor LaFountain asked is the soil screening an agricultural operation or a commercial operation?

Barry said commercial.

LaFountain said if it is a commercial operation, then there is a different process and you need to have a conversation with Staff and the Board.

Benway said we have had preliminary discussions at PRC.

LaFountain said as long as you are not screening soil through the winter we need to have a discussion about that activity to be certain we are heading in the right direction next year. He suggested Benway and Costello have a discussion at PRC and invite Mr. Barry back to a future Work Session to discuss this further with the Board.

2. 2013-2014 Snowplowing – Williams
Supervisor LaFountain said we received quotes for snowplowing both residential streets and Town owned parking lots. The bids were reviewed and Ronnie Williams prepared an evaluation for the Board which compares current costs versus bids. It was also recommended to start with only one (1) residential route, not three (3) residential routes.

The evaluation broke down costs which included labor, overtime, fuel costs and vehicle maintenance expenses. The savings for using a contractor for the Town parking lots is $59.00 per event. The savings for one (1) resident route is $525.00 per event, which is $18,000 estimated savings annually based on ten storms.

Supervisor LaFountain added that the Public Works Department has lost employees and the Highway and Parks and Facilities employees were absorbed into the Public Works Department. All existing employees will still be utilized.

Councilman Quinn asked what residential route is being suggested?

Rick Giesselman said zone 5, which is the Creek Street area.

Quinn asked if the contractor would be dispatched at the same time as our highway employees would be? Would there be a delay for the residents in that area?

Giesselman said the response time from initial contact would be 30 to 40 minutes. Their offices are located at NYS RTE 104 in Ontario. It will take two (2) to four (4) hours to complete the route.

Quinn asked if the contractor’s trucks will be presentable?
Giesselman said A P Enterprises has 45 loaders in their fleet, and works all around Monroe County. They sandblast and paint their fleet and have purchased new trucks in anticipation of getting this work. They run a great operation.

Councilwoman Metzler said she would have more of a comfort level if we started with only the Town parking lots versus picking a neighborhood as a test case. Metzler stated she is not comfortable supporting this.

Councilwoman Kohl is not comfortable using contractors in neighborhoods. This could be a turn off to residents. She prefers we start with the Town parking lots, it’s not as personal.

Councilman Moore said we should try zone 5. If after a couple of big snow falls we decide it’s not working out, can the Town take over? I’m willing to give it a shot, but I want to know what we can do if it doesn’t work out.

Giesselman said the contract has those items in it. We have the ability to stop using the contractor and go back to using our own Town plows.

LaFountain we may have to hire additional employees if the contract was pulled. There are people in the Highway Department coming up for retirement. We are looking to do this on a trial basis as a way to save money.

Metzler said there are certain services that should remain within the Town. She is also concerned for the morale of employees.

Quinn shares Metzler’s and Kohl’s concerns, but does not see a reason not to give it a shot. We want to make sure the contractor can handle the work. He is concerned about having a delay in plowing for the residents. The annual savings of $18,000 for one (1) residential route is substantial and there are 17 routes total.

Moore suggests giving both Town parking lots and one residential area a one (1) year trial; if it’s not working we pull the plug.

Benway asked if residents in the neighborhood should be notified?

Jim Costello, said he doesn’t feel notification is necessary. Residents will call if there is a problem.

Moore asked if the quote includes salt?

Giesselman said the quote includes the Town supplying the salt.

LaFountain clarified that the contractor must supply his own loader on site to fill the trucks with salt. They also must supply their own equipment and gas. The contractor will need to
stake out the route on their own. We will assess after the first run and report back to the Board.

Councilwomen Metzler and Kohl did not agree. Councilmen Moore and Quinn and Supervisor LaFountain agreed and a Resolution will be submitted at the next Legislative Session on November 20, 2013.

Public Safety - None
Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Petition to Establish 2152 and 2164 Fairport Nine Mile Pk. Rd. - Special Improvement District - Costello

Jim Costello said the Fire Marshal requested a fire hydrant be installed for Jeremiah’s Restaurant. The applicant agreed it was a good idea. The additional hydrant is not compliant with the Monroe County Water Authority’s Design Criteria because it will be located closer to existing hydrants (on RTE 250 and at Doodlebugs Child Care Center) than permitted, and they require that it be a private hydrant. A Special Improvement District can be created and all involved parties would fund that district to address private ownership.

Councilman Quinn asked if the existing hydrant can be moved?

Costello said no, Doodlebugs paid to have it installed at its current location. An additional hydrant is needed for Jeremiah’s Restaurant and the remaining vacant property to the south and north yet to be developed such as the Panera Bread site and the portion of the property that Fallone is purchasing to add onto the Reece property. Doodlebugs will not need to be tied in. There is an existing hydrant on the other side of NYS RTE 250. A Petition will need to be prepared and will include the cost, plan, location and the legal description. A Public Hearing will be held in January 2014.

Quinn said he feels it was ridiculous of the Water Authority to require the hydrant for Doodlebugs be placed where it is.

Costello noted that the Fire Marshal required its location at the time it was constructed as no other construction was proposed for the site.

Geoff Benway said we can review the layout of the rest of the plaza to determine where the new hydrant is best located.

Costello said once the district is formed, we can add new users as they are approved by the Board.
Public Works

1. Review of Tufa Glen and Allen’s Creek Watershed Studies - Benway

Geoff Benway said the Stormwater Coalition has done rapid assessments. The first was done in the Tufa Glen Creek. The reason for doing this is because there are new regulations that will be based on TMDL (total maximum daily load.) They are going to put a numeric limit on the amount of pollutants that can be put in any site which will reduce downstream pollution. The TMDL’s may be deferred, which means there won’t be limits assigned. The evaluation identified 45 potential projects. It is an older subdivision and suggestions include a bio swale and rain garden. The criteria has been rated based on impact. We will use these evaluations going forward when trying to obtain grant money from the Stormwater Coalition.

Benway continued to say the Allen’s Creek watershed is a 12,000 acre watershed, of which only 3% is located in Penfield. Part of the problem with the pollutants is that there is an existing outlet valve from the canal. The evaluation identified 70 potential projects, none of which were located in Penfield. There are 42 hot spots and 31 stream repair projects. We had previously done our own study for this area, and significant funding would be required to move forward. A copy of these studies can be found on our website. The Watershed Management Committee has also been updated.

Public Safety - None

Community Services

VIII. HELD ITEMS

I. 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 9:29 PM.

Lisa Grosser, Deputy Town Clerk