

Village Board Workshop Meeting

May 14, 2014

4:00 p.m.

Minutes

BOARD MEMBERS PRESENT

Glenn Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles Hopson, Trustee

BOARD MEMBERS ABSENT

Joyce Lobene, Mayor

OTHERS PRESENT

Craig Byham, Luther Jacobs Way
David Pelusio, Village Plaza Owner
Patrick Laber, Schultz Associates
Kris Schultz, Schultz Associates
Donna Stassen, Administrative Assistant
Jacqueline Sullivan, Village Clerk
David Wohlers, Clark Street

Trustee Granger called the meeting to order at 4:00 p.m.

Mr. David Pelusio addressed the Village Board by thanking them for their time and recapping that at the start of the project when he first bought the plaza he had thought about adding apartments to the Village Plaza and that he was forwarded a copy of the design study that was done by the Village of Spencerport with ideas of how the Village Plaza should look. Mr. Pelusio commented that he has spent a lot of time pursuing the combined project of retail and residential along with the need for incentive zoning.

Mr. Pelusio continued Mr. Schultz indicated at this time grant opportunities are available from NYS that could be used for potential relocation of the electric lines and the installation of additional docks along the canal. Mr. Pelusio indicated that he would donate the land that the electrical wires are located on along with the funds needed to relocate the electrical wires and the installation of additional docks and parking lot at the west end of the plaza for the park. Mr. Pelusio reiterated that he would donate the 50% Village financial match if the grant application was successful.

Mr. Pelusio indicated that he would resubmit the incentive to include the 50% cash match to a successful grant to relocate the electrical wires, install 2 docks; in addition the land would be donated to the village. Mr. Pelusio will pay Kris Schultz's time to prepare the grant application for submission.

Trustee Nellis-Ewell indicated that there is no guarantee that the Village will receive the grant for the project; and questioned if the grant is a good fit for the project.

Mr. Schultz responded that he feels that the project is a match for the grant funds.

Mr. Pelusio added that he will pay all costs associated with the grant application.

Mr. Schultz indicated that he appreciates the meeting and that this is an opportunity for the project to move forward and is the Village Board going to allow Schultz Associates to make application to NYS for grant funding on behalf of the Village and Mr. Pelusio for this project? Mr. Schultz asked if he could meet with Attorney Stowe regarding the project.

Trustee Nellis-Ewell commented that there are not any approved plans and that there is not a formal response to the initial incentive request.

Mr. Pelusio responded that he did mail a letter to the Mayor indicating that he did withdraw his application for incentive zoning.

At this time Mr. Pelusio is requesting to reapply for incentive zoning to include the application for this grant.

Trustee Hopson questioned the time frame on the grant.

Clerk Sullivan indicated awards are announced in the fall but sometimes funds are held up for a year.

Mr. Schultz explained that it is a reimbursement grant and that funds need to spend in order to receive their 50%.

Trustee Penders questioned what circuits are being buried.

Mr. Schultz responded that RG&E's would be relocated and SME's would be buried.

Trustee Penders confirmed that this is a matching grant.

Mr. Schultz responded that is correct.

Trustee Penders questioned how far along the project needs to be for the grant.

Mr. Schultz responded that progress on the project needs to be established for the grant however all approvals are not necessary.

Trustee Penders questioned if the grant is awarded however the project is not completed does the Village look unfavorable?

Clerk Sullivan responded that it is hard to say but that she thinks that it does and that the Village was not prepared with a viable project during application.

Trustee Granger questioned if this is an active project.

Mr. Pelusio responded that legally he feels that he would need to reapply to the Village Board for the project to include the grant application.

Mr. Schultz commented that he has been indicating that the project is on and active.

Clerk Sullivan commented that as far as incentive zoning is concerned there are public hearings to be held, the Village engineer needs to look at the project and that the grant application process the ahead of an approved project. The Village would only be eligible for half of the \$11 million in funds allotted in this round of funding. Clerk Sullivan continued that it is her understanding that the Village needs to prove that they have the 50% match and that the entire project needs to be on Village property.

Discussion ensued led by Mr. Schultz regarding the incentive zoning process and the need for public hearings. Mr. Schultz added that he wanted to confirm that the Village Board continues to be receptive to the project.

Trustee Penders confirmed that the entire cost of the project is \$750,000.

Mr. Schultz indicated that was correct.

Trustee Granger questioned if the application could be done.

Clerk Sullivan responded that there were comments from agencies regarding the SEQR process that need to be addressed as well and that because incentive zoning has not been granted that this is not a viable project at this time and that if the grant is awarded the Village has somehow misrepresented themselves if the project cannot be completed.

Trustee Penders added that he feels that both of the lawyers involved did not give either party's the best advice.

Mr. Wohlers commented as a planning board member that he does not want to see incentive zoning indicating an approved project without planning board review.

Mr. Pelusio responded that if incentive zoning is passed the planning board's role is for style and colors.

Mrs. Stassen responded that the planning board role is for site approval and detail design but not the density of the project.

Mr. Byham questioned that if the Village Board accepts the incentive zoning application they have accepted the height of the building and the placement of stores.

Mrs. Stassen responded that it is correct and that is how incentive zoning works.

Trustee Granger suggested a “straw-pole” regarding the project and applying for grant funds.

Clerk Sullivan commented that taking a “straw-pole” is probably not a good idea since the Village Attorney has not taken a look at the project or the grant criteria and that the grant application may be putting the cart in front of the horse.

Trustee Penders commented that that the Village Board can approve applying for the grant and then talk to the Village Attorney about it.

Trustee Granger asked the Board members if they felt applying for the grant was appropriate

Trustee Nellis-Ewell – Nay

Trustee Hopson – Aye

Trustee Penders – Aye

Trustee Granger – Aye

Trustee Granger indicated that the Village will talk to their attorney and determine what needs to be completed.

There being no further questions the meeting was unanimously adjourned at 5:05 p.m.