



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## **PENFIELD TOWN BOARD AGENDA Wednesday, March 6, 2013, 7:30 PM Supervisor R. Anthony LaFountain, presiding**

- I Call to Order - Pledge of Allegiance - Roll Call
- II Public Hearing #1 - To Allow the Expansion of Rosey's Italian Café with Additional Outdoor Dining at 2135 Five Mile Line Road  
  
Public Hearing #2 – To Allow a Sit-down Restaurant at 1830 Penfield Road  
  
Public Hearing #3 - To Consider Final Subdivision and Site Plan Approval to Allow 28 Residences in Phase II and III of the Abbington Place Subdivision on 10.69 Acres at 1229 Fairport Nine Mile Point Road
- III Communications and Announcements
- IV Public Participation
- V Additions and Deletions to Agenda
- VI Approval of Minutes – February 6, 2013
- VII Petitions
- VIII Resolutions by Function
  - Law and Finance
  - 13T-084 Authorization to Attend NYS Town Clerk's Association Conference
  - 13T-085 Adopting Changes to the Town of Penfield Design and Construction Specifications
  - 13T-086 Updated Appointments to the Committees Overseeing the Development of the Route 250 Mixed Use District and the Manitou Lake Mixed Use District
  - 13T-087 Authorizing Purchase of a Portion of Property at 1833 and 1839 Penfield Road from REAT Holdings LLC
  
  - Public Works - None
  - Public Safety - None
  - Community Services
  - 13T-088 Authorization for Supervisor to Sign Recreation Contracts
- IX Old Business
- X New Business
- XI Public Participation
- XII Adjournment

PENFIELD TOWN BOARD RESOLUTION NO. 03T-084 DATE: March 6, 2013

BY: Councilman Moore \_\_\_\_\_ Law and Finance \_\_\_\_\_ COMMITTEE

NAME: Authorization to Attend NYS Town Clerks Association Conference \_\_\_\_\_

WHEREAS, the New York State Town Clerks Association's 31st Annual Conference has been scheduled at the Hyatt Regency in Buffalo, New York, April 28 through May 1, 2013, and

WHEREAS, this conference provides training and educational opportunities for Town Clerks including education credits for Registered Municipal Clerks, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk, Amy M. Steklof and Deputy Clerk, Lisa Grosser are hereby authorized to attend the 2013 New York State Town Clerks Association Conference and the funds to attend this conference are included in the Town Clerk 2013 Budget.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 03T-085  
6, 2013

DATE March

BY Councilperson Moore

Law & Finance COMMITTEE

NAME Adopting Changes to Town of Penfield Design and Construction Specifications

WHEREAS, the Town of Penfield Specifications provide guidance to developers and engineers for the design and construction of new development, and

WHEREAS, the Town staff periodically review the specifications to insure that they are consistent with current regulations and codes, and

WHEREAS, a Public Hearing was held on February 27, 2013 at 7:30 PM to review the recommended changes to the Town Specifications.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Penfield hereby adopts the recommended changes and additions to the Town of Penfield Design and Construction Specifications, and

BE IT FURTHER RESOLVED, these changes will become effective upon the adoption of this resolution.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 03T-086 DATE March 6, 2013

BY Councilman Moore

Law & Finance COMMITTEE

NAME Updated Appointments to the Committees Overseeing the Development of the Route 250 Mixed Use District and the Manitou Lake Mixed Use District

WHEREAS, the Town of Penfield has received a grant from the Genesee Transportation Council for the preparation of the proposed Route 250 Mixed Use District and the Manitou Lake Mixed Use District; and

WHEREAS, the Town of Penfield seeks to have prepared mixed use zoning districts and supporting documentation as proposed in its Unified Planning Work Program (UPWP) grant application; and

WHEREAS, the creation of the proposed mixed use zoning districts and supporting documentation to said district were recommendations of the 2010 Comprehensive Plan; and

WHEREAS, the Town Board created the Mixed Use Committees by resolution 13T-054 on January 17, 2013, and

NOW, THEREFORE, BE IT RESOLVED, that individuals within the project areas have agreed to serve and are hereby appointed to the Mixed Use Core Committee, the Route 250 Mixed Use Sub-committee and the Manitou Lake Mixed Use Sub-committee and are identified on the amended Schedule A attached hereto.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

**SCHEDULED 'A'**

**MIXED USE DISTRICT PROJECT  
COMMITTEE MEMBER LIST  
AMENDED MARCH 6, 2013**

**Consultants**

<i>First Name</i>	<i>Last Name</i>	<i>Firm</i>
Tom	Fromberger	MRB Group
Steve	Lovett	ELM
Jim	Sipes	Sand County Studios

**Core Committee**

<i>First Name</i>	<i>Last Name</i>	<i>Representing/Affiliation</i>	<i>Date Appointed</i>
Dan	Aken	Engineer/Planner	January 17, 2013
Jim	Costello	Town of Penfield	January 17, 2013
Roseann	Denoncourt	Zoning Board/Small Business Owner	January 17, 2013
Phyllis	Ely	Town of Penfield	January 17, 2013
Katie	Evans	Town of Penfield	January 17, 2013
Tony	Favro	Genesee Transportation Council	January 17, 2013
Daniel	Hallowell	NYSDOT	March 6, 2013
AJ	Hetzke	Planning Board	March 6, 2013
Bob	Keiffer	East Penfield/Engineer	January 17, 2013
Andy	Moore	Town Board	January 17, 2013
Zach	Nersinger	Town of Penfield	January 17, 2013
John	Travis	Appraiser	January 17, 2013
Mark	Valentine	Town of Penfield	January 17, 2013
Dave	Woodward	Agriculture/East Penfield HOA	January 17, 2013
		Route 250 sub-committee rep.	
		Manitou sub-committee rep.	

**Rte. 250 Sub-committee**

<i>First Name</i>	<i>Last Name</i>	<i>Representing</i>	<i>Date Appointed</i>
Jeff	Commisso	Rte. 250 Resident	January 17, 2013
Kevin	Fitzpatrick	Eastside YMCA	January 17, 2013
Larry	Grossman	Grossman's Home and Garden	January 17, 2013
Bill	Wickham	Wickham's Farm Market	January 17, 2013
Terry	Williams	East Penfield HOA	January 17, 2013
Aimee	Rinere	Whalen Meadows/Shire Court Rep 1	January 17, 2013
Alex	Carroll	Whalen Meadows/Shire Court Rep 2	January 17, 2013
Peg	Salone	Country Club East Rep 1	January 17, 2013
Kathi	Milch	Country Club East Rep 2	January 17, 2013
Dave	Staerr	Outlet and Gun Club Rep	January 17, 2013
Eileen	LeFevre	Renwick Run Rep.	January 17, 2013
Joe	Viola	Thomlinson Rep	January 17, 2013
Tom	Glanton	Mallory Lane Rep.	January 17, 2013

**Manitou Lake Sub-committee**

<i>First Name</i>	<i>Last Name</i>	<i>Representing</i>	<i>Date Appointed</i>
Ruth	Grace	ACCGPG/Penfield Resident	January 17, 2013
Mike	Guyon	Town of Brighton/Penfield Resident	January 17, 2013
Bill	Howe	Allens Creek Valley HOA	January 17, 2013
Arthur	Woodward	Farm Brook/Panorama Trail Rep.	March 6, 2013
Jack	Odenbach	The Dolomite Group	January 17, 2013
Dave	Rinaldo	Monroe County Parks	January 17, 2013
Jim	Rowe	Ellison Heights HOA	January 17, 2013
Andris	Silins	Genesee Conservation League	January 17, 2013
Tim	Hampton	Thomas Cove Resident	January 17, 2013

PENFIELD TOWN BOARD RESOLUTION NO. 03T-087      DATE March 6, 2013

BY Councilman Moore

Law & Finance COMMITTEE

NAME Authorizing Purchase of a Portion of Property at 1833 and the Property at 1839  
Penfield Road From REAT Holdings LLC – SBL#s - Part of 139.06-4-6 and All of  
139.06-4-7

WHEREAS, The Town Board proposes to purchase a portion of property at 1833 Penfield Road, consisting of 0.052 +/- acres and all of the property at 1839 Penfield Road, consisting of 0.244 +/- acres, totaling 0.276+/- acres for the purpose of creating a public parking facility in the southeast quadrant of the Penfield Four Corners; and

WHEREAS, the Town of Penfield has had an appraisal prepared by Midland Appraisal Associates to determine a fair market value for said property, that being \$120,000; and

WHEREAS, the property owner, REAT Holdings, LLC has offered to sell said properties for \$120,000; and

WHEREAS, the Penfield Town Board is best suited to act as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and thus does hereby designate itself as “lead agency” pursuant to SEQRA; and

BE IT RESOLVED, that the subject action is determined to be an Unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has determined that the purchase of the subject properties will not create an adverse impact to the environment;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to sign a Purchase and Sale Contract for the purchase of said properties, a part of 1833 Penfield Road and all of 1839 Penfield Road in the amount of \$120,000; and

BE IT FURTHER RESOLVED, that this resolution is adopted subject to a thirty (30) day Permissive Referendum period and the Town Clerk be, and she is hereby directed to post and publish a Notice in the manner prescribed by law.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_



PENFIELD TOWN BOARD RESOLUTION NO. 03T-088 \_\_\_\_\_ DATE 3-06-13

BY LINDA KOHL \_\_\_\_\_ COMMUNITY SERVICES COMMITTEE

NAME AUTHORIZATION FOR SUPERVISOR TO SIGN RECREATION CONTRACTS

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following recreation contracts:

Amend Resolution #13T-075 to add Sabrina Renner to attend.

Steve Grills, 245 Cypress Street, Rochester, NY 14620, to provide entertainment “Steve Grills and the Roadmasters” Saturday, September 14, 2013 for “Tastin the Blues” for a fee of \$1,550.00. Voucher to be submitted on 8/21/13.

Tim Clark, 111 Illinois Street, Rochester, NY 14609, to provide entertainment group “Dang” for Independence day celebration on Saturday June 29, 2013 for a fee of \$450.00. Voucher to be submitted on 6/5/13.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote:  
Kohl \_\_\_\_\_  
LaFountain \_\_\_\_\_  
Metzler \_\_\_\_\_  
Moore \_\_\_\_\_  
Quinn \_\_\_\_\_