



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

PENFIELD TOWN BOARD AGENDA

Wednesday, April 17, 2013, 7:30 PM

Supervisor R. Anthony LaFountain, presiding

- I Call to Order - Pledge of Allegiance - Roll Call
- II Public Hearing #1 - To Allow a landscaping office at 1739 Penfield Road located in the Four Corners (FC) zoning district

Public Hearing #2 - To Allow a Sit-down Restaurant with outdoor dining at 2084 Five Mile Line Road located in the Four Corners (FC) zoning district

- III Communications and Announcements

- IV Public Participation

- V Additions and Deletions to Agenda

- VI Approval of Minutes – March 20, 2013

- VII Petitions

- VIII Resolutions by Function

Law and Finance

13T-103 Authorize the Town Comptroller and Safety Coordinator to attend PERMA Annual Meeting

13T-104 Setting a Public hearing to Consider a Reduction in Area of a Conservation Easement at 32, 36, 40, 44, 48, 64 and 68 Willow Bridge Trail in Phase III of the Windham Woods Subdivision

13T- 105 Setting a Public Hearing for a Conditional Use Permit to Allow Construction of an Outdoor Dining Area at Signatures at the Humphrey House at 1785 Penfield Road

13T-106 Setting a Public hearing to Consider Issuance of a Conditional Use Permit to Allow a Dog Grooming Business at 1850 Penfield Road

13T-107 Setting a Public Hearing for a Conditional Use Permit to Allow a Sit-down Restaurant with Outdoor Dining at 1794 Penfield Road

Public Works
13T-108 Undertaking with the New York State Department of Transportation

Public Safety - None

Community Services
13T-109 Authorization for Supervisor to Sign Recreation Contracts

- IX Old Business
- X New Business
- XI Public Participation
- XII Adjournment

PENFIELD TOWN BOARD RESOLUTION NO. 13T-103 DATE: April 17, 2013

BY: Andy Moore _____ Law and Finance _____ COMMITTEE

NAME: Authorize the Town Comptroller and Safety Coordinator to attend the PERMA annual meeting.

Whereas, the Town Comptroller is on the Board of Directors for the workers compensation carrier, Pubic Employers Risk Management Association, and

Whereas, the PERMA Board Meeting will be held on May 22nd, 2013 at Bolton Landing, New York and is paid fully for mileage and hotel expenses by PERMA, and

Whereas, the PERMA annual conference will be held on May 23rd and May 24th, 2013 at Bolton Landing, New York and is paid fully for mileage and hotel expenses by PERMA, and

Be It Resolved, that the Town Comptroller attend the PERMA Board Meeting and PERMA annual conference at no cost to the Town of Penfield, and

Be It Further Resolved that the Safety Coordinator attend the PERMA annual conference at not cost to the Town of Penfield.

MOVED: _____

SECONDED: _____

VOTE:	Kohl	_____
	LaFountain	_____
	Metzler	_____
	Moore	_____
	Quinn	_____

BY Councilman Moore

Law & Finance COMMITTEE

NAME Setting a Public Hearing to Consider a Reduction in Area of a Conservation Easement at 32, 36, 40, 44, 48, 64 and 68 Willow Bridge Trail in Phase III of the Windham Woods Subdivision - Cloverland Properties LLC

WHEREAS, an request has been received by the Penfield Town Board to a reduction in the area of a Conservation Easement at 32, 36, 40, 44, 48, 64 and 68 Willow Bridge Trail in Phase III of the Windham Woods Subdivision;

NOW, THEREFORE, BE IT

RESOLVED, that 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 further

RESOLVED, that the subject application is determined to be Type II action pursuant to the State Environmental Quality Review Act (SEQRA);

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the said Town of Penfield shall hold a public hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on May 15, 2013, at 7:30 PM on said date, to consider the request for a reduction of a Conservation Easement at 32, 36, 40, 44, 48, 64 and 68 Willow Bridge Trail in Phase III of the Windham Woods Subdivision and to hear all persons interested on the question said request; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: _____

Seconded: _____

Vote:	Kohl	_____
	LaFountain	_____
	Metzler	_____
	Moore	_____
	Quinn	_____

BY Councilman Moore

Law & Finance COMMITTEE

NAME Setting a Public Hearing for a Conditional Use Permit to Allow Construction of an

Outdoor Dining Area at Signatures at the Humphrey House at 1785 Penfield Road – SBL#

139.09-1-16.1 – Chef’s Recipe 0703 LLC

WHEREAS, an application has been received by the Penfield Town Board to consider the issuance of a Conditional Use Permit pursuant to Article III-3-97 of the Code to allow the construction of an outdoor dining at 1785 Penfield Road, located in the Four Corners (FC) zoning district;

NOW, THEREFORE, BE IT

RESOLVED, that 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 further

RESOLVED, that the subject application is determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA);

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the said Town of Penfield shall hold a public hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on May 15, 2013 at 7:30 PM on said date, to consider the said application and to hear all persons interested on the question of the issuance of a Conditional Use Permit to allow the construction of an outdoor dining area at 1785 Penfield Road, in the Four Corners (FC) zoning district; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: _____

Seconded: _____

Vote: Kohl _____

LaFountain _____

Metzler _____

Moore _____

Quinn _____

PENFIELD TOWN BOARD RESOLUTION NO. 13T-106

DATE April 17, 2013

BY Councilman Moore

Law & Finance COMMITTEE

NAME Setting a Public Hearing to Consider Issuance of a Conditional Use Permit to Allow a
Dog Grooming Business at 1850 Penfield Road – SBL# 139.06-2-46 – Jaime Bunting & Brooke
Childs

WHEREAS, an application has been received by the Penfield Town Board to consider the issuance of a Conditional Use Permit pursuant to Article III-3-97 of the Code to allow a dog grooming at 1850 Penfield Road, located in the Four Corners (FC) zoning district;

NOW, THEREFORE, BE IT

RESOLVED, that 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 further

RESOLVED, that the subject application is determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA);

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the said Town of Penfield shall hold a public hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on May 15, 2013, at 7:30 PM on said date, to consider the said application and to hear all persons interested on the question of the issuance of a Conditional Use Permit to allow a dog grooming business at 1850 Penfield Road, in the Four Corners (FC) zoning district; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: _____

Seconded: _____

Vote: Kohl _____

LaFountain _____

Metzler _____

Moore _____

Quinn _____

PENFIELD TOWN BOARD RESOLUTION NO. 13T-107

DATE April 17, 2013

BY Councilman Moore

Law & Finance COMMITTEE

NAME Setting a Public Hearing for a Conditional Use Permit to Allow a Sit-down Restaurant With
Outdoor Dining at 1794 Penfield Road – SBL# 139.05-2-23.101 – Dominic Sprague – Dom’s
BurgerTime, Inc.

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit pursuant to Article III-3-97 of the Code to allow a sit-down restaurant with outdoor dining at 1794 Penfield Road, located in the Four Corners (FC) zoning district;

NOW, THEREFORE, BE IT

RESOLVED, that 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 further

RESOLVED, that the subject application is determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA);

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the said Town of Penfield shall hold a public hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on May 15, 2013, at 7:30 PM on said date, to consider the said application and to hear all persons interested on the question of the issuance of a Conditional Use Permit to allow a sit-down restaurant with outdoor dining at 1794 Penfield Road, in the Four Corners (FC) zoning district; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the town as prescribed by Law.

Moved: _____

Seconded: _____

Vote: Kohl _____

LaFountain _____

Metzler _____

Moore _____

Quinn _____

PENFIELD TOWN BOARD RESOLUTION NO. 13T-109

DATE 4-17-13

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-097 – Remove Stephen Wegman, 45 Holcroft Road, Rochester, NY 14612, Stage Manager, Penfield Players Melodrama Production, and replace with Kathy Doremus, 5375 Fosdick Road, Ontario NY 14519, Stage Manager, Penfield Players Melodrama Production.

Mark Vogt, 3217 Pine View Dr., Walworth, NY 14568, Co-Instructor for Sports ABCs for Tots, 8/5 – 8/9/13 and 8/19/13 – 8/23/13, for a fee of 35% of total revenue. Voucher to be submitted on 9/4/13.

Ed Porto, 97 Keyel Dr., Rochester, NY 14625, Co-Instructor for Sports ABCs for Tots, 8/5 – 8/9/13 and 8/19/13 – 8/23/13, for a fee of 35% of total revenue. Voucher to be submitted on 9/4/13.

Cathy Downs, 2120 Clover St., Rochester, NY 14618, Instructor for Sporty Sprouts, 7/8 – 7/17/13 & 8/19 – 8/28/13 for a fee of 70% of program revenue per session. Vouchers to be submitted on 8/7/13 and 9/4/13.

The Barn Owl, 1807 Penfield Road, Penfield, NY 14526, Instructor for nature programs at The Barn Owl, 5/4 – 12/31/13, for a fee of 70% of program revenue. Vouchers to be submitted on 6/5/13, 7/3/13, 8/7/13, 9/4/13, 10/2/13, 11/6/13, 12/4/13 and 1/8/14.

Dorothy Brenneis, 28 Woodside Dr., Penfield, NY 14526, Instructor for Spring Into the Children's Garden, 05/31/13 – 06/14/13, and Summertime is Garden Time, 07/09/13 – 08/20/13, for the fee of 70% of program revenues. Vouchers to be submitted 06/19/13 and 08/21/13.

Bonnie Hawk, 91 Coachman Dr., Penfield, NY 14526, Instructor for Disease Control in the Organic Vegetable Garden, 5/1/13 and 5/4/13, and Good Bug/Bad Bug, 5/14/13 and 5/18/13, for a fee of 70% of program revenue. Voucher to be submitted on 6/5/13.

Robin Hamm, 91 Coachman Dr., Penfield, NY 14526, Instructor for Secrets Marketing Companies Don't Want You to Know, 6/8 – 6/15/13 and 7/20 – 7/27/13, for a fee of 70% of program revenue. Vouchers to be submitted on 6/19/13 and 8/7/13.

Theresa Brigandi, 1758 Penfield Rd., Penfield, NY 14526, Instructor for Getting Started on Facebook, 7/20/13, and Facebook for Business, 7/27/13, for a fee of 70% of program revenue. Voucher to be submitted 8/7/13.

Penfield Racquet Club, 667 Panorama Trail W, Rochester, NY 14625, Swim Lessons - 6 month - Age 3, Pre-Natal Yoga/Aqua Fusion, Water Yoga, All Out Kettle Ball, Boot Camp with Phil, HIIT – High Intensity Interval Training, Swinger Golf Fitness, and Yoga Sculpt, 6/3 – 8/29/13, for a fee of 70% of the total program revenue. Vouchers to be submitted 6/19, 7/17, and 8/7/13.

Penfield High School Robotics, 25 High School Drive, Penfield, NY 14526, Robotics LEGO Camp, 7/19 and 8/9/13, for a fee of 70% of the total program revenue less expenses. Vouchers to be submitted 8/7 and 8/21/13.

Carolyn Valenti, 84 Mahogany Run, Pittsford NY 14534, Cheerleading Camp Director, 7/8-7/11/13, for a fee of \$255.00 plus \$1.00 per paid participant (\$2.00 per participant for any camp with enrollment exceeding 59 participants). Voucher to be submitted 7/17/13.

Gymnastics Training Center, 2051 Fairport Nine Mile Point Road, Penfield, NY 14526, Gymnastics Camp, 8/5-8/16/13 for a fee of 70% of the total program revenue. Voucher to be submitted 8/21/13.

Way Farm, 2009 Harris Road, Penfield NY 14526, Horse Camp, 7/15 - 8/16/13, for a fee of 70% of the total program revenue. Vouchers to be submitted 8/7 and 8/21/13.

Danielle Staversky, 626 Cranberry Lane, Macedon, NY, 14502, Jazzy Dance Camps Director, 7/15-8/15/13, for a fee of \$280.00 plus \$1.00 per participant (\$2.00 per participant for camps with enrollments exceeding 59). Vouchers to be submitted 7/17 and 8/21/13.

Big Oak Driving Range, North Washington Street, PO Box 430, East Rochester, NY 14445, Jr. Golf, 7/8-7/18/13 for a fee of \$50.00 per paid participant. Voucher to be submitted 7/17/13.

Penfield Boosters, 25 High School Drive, Penfield NY, 14526, Patriots Summer Track and Field, 6/13 – 7/25/13 for a fee of 80% of the total revenue less expenses. Vouchers to be submitted 7/3 and 8/7/13.

Maureen Ward, 46 Reynolds Road, Webster NY 14580, Great Handmade Cards, 6/25/13 for a fee of 70% of the total program revenue. Voucher to be submitted 7/3/13.

Martha Sweeney, 74 Redwood Drive, Penfield, NY 14526, Painting and Drawing, 6/17-8/5/13, for a fee of 70% of the total program revenue. Vouchers to be submitted 6/19 and 8/7/13.

Kathryn Boone, KB Dog Training, 28 Landing Park, Rochester, NY 14625, Dog Obedience Classes, 7/22-8/26/13, for a fee of 70% of the total program revenue less expenses. Vouchers to be submitted 8/7 and 8/21/13.

Lara Haase, 87 City View Drive, Rochester NY 14625, Cardio Hoop, 6/19-8/14/13, for a fee of 70% of the total program revenue. Vouchers to be submitted 7/3 and 8/7/13.

Rhonda Flint, 560 Helendale Road, Rochester NY 14609, Pilates Mat Class and Vinyasa Yoga, 6/24-8/20/13 for a fee of 75% of the total program revenue per class for 10 or less registrants or a fee of 70% of the total program revenue per class for over 10 registrants. Vouchers to be submitted 7/3, 8/7 and 8/21/13.

Sandra Sanzotta, 911 Lothario Circle, Webster NY 14580, Low Impact Aerobics, 7/6-8/17/13 for a fee of 70% of the total program revenue. Vouchers to be submitted 7/17 and 8/21/13.

Glenda Bondy, P.O. Box 25721, Rochester, NY 14625-0721, Zumba Gold, 6/19-8/14/13, for a fee of 70% of the total program revenue. Vouchers to be submitted 7/3 and 8/7/13.

Mary Lynne DiFolco, 1213 Shoecraft Road, Webster, NY 14580, Golf - Sharpen your Short Game, Beginner Golf, and Intermediate Golf, 5/30-7/31/13, for a fee of 70% of the total program revenue. Vouchers to be submitted 6/5, 7/17, & 8/7/13.

Marcia Orlandini, 11 Brookside Drive, Fairport, NY 14450, Volleyball Co-ed Play, 6/20-8/15/13, for a fee of \$25.00 per class. Vouchers to be submitted 7/3 and 8/7/13.

Teresa Stango-Listrani, 508 South Drive, Rochester, NY 14612, Instructor for Science & Nature Camp Animals & Nature Program, 6/18/13 – 6/20/13, Science & Nature Camp Junior Explorers, 8/6/13 – 8/9/13, and Nature's Art, 8/20/13 – 8/22/13, for the fee of 70% of the program revenue. Vouchers to be submitted 7/3/13 and 9/4/13.

Allen Hopkins, 111 Newcastle Rd. Rochester, NY 14610, Presenter for Civil War program on 4/27/13 for a fee of \$50. Voucher to be submitted 4/17/13.

Moved: _____
Seconded: _____

Vote:
Kohl _____
LaFountain _____
Metzler _____
Moore _____
Quinn _____