PENFIELD TOWN BOARD MEETING AGENDA
Wednesday, July 20, 2011
Supervisor R. Anthony LaFountain, presiding

I Call to Order – Pledge of Allegiance – Roll Call

II Communications and Announcements

III Public Participation

IV Additions and Deletions to Agenda

V Approval of Minutes – None

VI Petitions

VII Resolutions by Function

Law and Finance
11T-176 2011 Budget Amendment-Highway Salt Account
11T-177 Authorization to Place Stop Signs at the Intersection of Valley View Drive and Hilltop Drive
11T-178 Authorization to Maintain Properties and Assess the Charges to the 2012 Property Tax Bills
11T-179 Establishment of the Abbington Place Subdivision Special Improvement District
11T-180 Approval of Issuance of a Special Permit to Allow the New Ownership and Operatorship of the Bayside Boat and Tackle Shop and Snack Bar at 1350 Empire Blvd – Ken Strimple
11T-181 Approval of Issuance of a Special Permit to Allow an Attorney’s Office at 1751 Penfield Road – Basch & Nickerson LLP
11T-182 Approval of Issuance of a Special Permit to Allow a Sushi Bar at 1825 Penfield Road – Bi Ling Han – Sushi King in Penfield

Public Works - None

Public Safety – None

Community Services
11T-183 Authorization for Supervisor to Sign Recreation Contracts

VIII Old Business

IX New Business

X Public Participation

XI Adjournment
Penfield Town Board, July 20, 2011

The Regular meeting of the Penfield Town Board was held on Wednesday, July 20, 2011 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present: R. Anthony LaFountain Supervisor
Linda Kohl Councilwoman
Paula Metzler Councilwoman
Andrew Moore Councilman
Robert Quinn Councilman

Also Present: Amy Steklof Town Clerk

Absent: Dick Horwitz Town Attorney

Supervisor LaFountain called the meeting to order

The Pledge of Allegiance was led by Taylor Walders and Rory Cushman, members of the Young, Open and Honest Players (YOHP).

Pam Mount, Recreation Supervisor announced that this years YOHP Summer Musical is "The Mystery of Edwin Drood." Performances will be held August 11 - 13, 2011 at 7:00 PM at the Penfield High School Auditorium, 25 High School Drive. Mr. Walders and Ms. Cushman performed a number from the show.

Communications and Announcements

1. The next Town of Penfield Passport Night will be held Thursday, August 4, 2011 from 5:30 PM to 7:30 PM. For more information go to www.monroecounty.gov or www.penfield.org.

2. Please remember that the purpose of Have-A-Heart traps is to humanely trap wildlife. For more information on proper usage please contact Animal Control at 340-8616 or the Town Clerk at 340-8629.

3. Allen Hopkins and the Canal Crew will perform on Thursday, July 21, 2011 at 7:00 PM for Kids Fest Thursdays at the Penfield Amphitheater.

4. Movie Nights at Rothfuss Park on Five Mile Line Road will show "The Karate Kid" on Friday, July 22, 2011 beginning at dusk, approximately 8:30 PM.

5. The Jim Doser Group will perform on July 26, 2011 at 7:00 PM at the Penfield Amphitheater for the Cool Jazz Series Tuesdays.

6. Video footage was shown of the completed Department of Public Works Oil and Stone Road Project.

7. Video footage was shown of the newly renovated court rooms. Judge Jim Mulley applied for and received a Judicial Grant for the renovations.

8. Supervisor LaFountain spoke today at the Congressional and State Legislative redistricting Public Hearing in reference to what it means to the Town of Penfield.

9. E-mails have been received by the Supervisor pertaining to the amount of litter in Channing Philbrick Park. The Town is working closely with the Sheriff’s Department as well as with local security informing the public that it is a carry in and carry out park. Extra containers have been provided.

10. A free public hike, hosted by the Trails Committee will be held on Saturday, August 13, 2011 from 9:00 AM to 11:00 AM at Ellison Park. Participants should meet at the south entrance at 1008 Penfield Road. Register by calling 340-8655.
Communications and Announcements

11. The Penfield National All-Star Team has made it to the District 4 Championship Game in the Little League World Series Tournament. The game began at 6:00 PM this evening, July 20, 2011 on Zabkar Field at the Penfield Little League complex.

12. Saturday, July 23, 2011 Ruby Shooz will perform on stage at the Penfield Amphitheater at 7:00 PM.

13. Saturday, July 30, 2011 Gap Mangione and his Big Band will perform on stage at the Penfield Amphitheater at 7:00 PM.

14. Councilwoman Kohl’s next Community Chat will be held Saturday, August 13, 2011 from 9:00 – 10:30 AM at Starbucks, 1806 Penfield Road.

15. Video footage was shown of the Oakwood Cemetery Walk held on Thursday, July 14, 2011. The walk was led by Town Historian Kathy Kanauer.

16. Video footage was shown at the end of the Town Board meeting of the Local History Room “Little Nellie” grave site visit at the Bergen Cemetery. Little Nellie was the Publisher of the Town’s newspaper in the 1800’s. Kathy Kanauer narrated the video.

Public Participation

Mel Callan, 1410 Harris Road stated that she felt it was inappropriate for Legislator Quatro to make a political speech at the last Town Board meeting. She would like the Town Board to put a halt to political partisan speeches at Town Board meetings.

Additions and Deletions to Agenda - None

Approval of Minutes - None

Petitions

The Town is in receipt of a petition signed by neighbors surrounding the property of 871 Embury Road for not being code compliant.

Resolutions by Function

Law and Finance

#11T-176  2011 Budget Amendment – Highway Salt Account by Moore

WHEREAS, during 2011, the Highway Department completed all the available funds for salt purchases due to the severe Winter of 2011, and

WHEREAS, during 2011, the Highway Department has funds available from the medical insurance account and the unappropriated surplus, and

WHEREAS, the Town Board desires to have an up-to-date budget in relation to current income and expenditures,

NOW, BE IT RESOLVED, that the following 2011 Budget Amendment be approved for the Highway Funds as follows:

Highway Fund Revenue:

<table>
<thead>
<tr>
<th>Descriptions</th>
<th>Amount</th>
<th>Revised Amount</th>
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<tr>
<td>Unappropriated Surplus</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$50,000</strong></td>
<td><strong>$350,000</strong></td>
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Highway Fund Appropriations:

<table>
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<tr>
<th>Descriptions</th>
<th>Amount</th>
<th>Revised Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highway Salt Purchase</td>
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<td>$415,000</td>
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<tr>
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<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$50,000</td>
<td>$415,000</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED, that the following 2011 Budget Transfer be approved as follows:

Highway Fund Appropriations:

<table>
<thead>
<tr>
<th>From Description</th>
<th>Amount</th>
<th>To Description</th>
<th>Amount</th>
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<tr>
<td>Medical Insurance</td>
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<td>Highway Salt Purchase</td>
<td></td>
</tr>
</tbody>
</table>

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye   LaFountain Aye  Metzler Aye   Moore Aye   Quinn Aye

Adopted

#11T-177 Authorization to Place Stop Signs at the Intersection of Valley View Drive and Hilltop Drive by Moore

WHEREAS, Pursuant to New York State Vehicle and Traffic Law, Section 1660, the Penfield Town Board is given the authority to authorize the establishment of and placement of traffic control devices on Town Highways within the Town of Penfield and,

WHEREAS, The Town Board has received a recommendation from the Penfield Transportation Committee to install (3) STOP signs at the Intersection of Valley View Dr. and Hilltop Dr. (All Way Stop) and,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the installation of said traffic control devices, and directs the Highway Department to install said STOP signs at the intersection of Valley View Dr. and Hilltop Dr. and,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a schedule of said traffic control devices shall be kept on file in the Office of the Town Clerk.

Moved: Moore
Seconded: Quinn

Vote: Kohl Aye   LaFountain Aye  Metzler Aye   Moore Aye   Quinn Aye

Adopted

#11T-178 Authorization to Maintain Properties and Assess the Charges to the 2012 Property Tax Bills by Moore

WHEREAS, on October 2, 1996, the Town Board of the Town of Penfield adopted Article IV-4-28 of the Penfield Zoning Ordinance entitled “Property Maintenance”; and

WHEREAS, the purpose of Article IV-4-28 of the Penfield Zoning Ordinance is to prevent the gradual encroachment of blight, deterioration, unsightliness and property devaluation and to assure that all premises within the Town of Penfield are maintained in a manner that will assure the health, safety and welfare of the general public; and
RESOLUTION #11T-178

WHEREAS, the property owner of 1952 Penfield Road, SBL #139.07-2-12.1 has failed to maintain the exterior areas and secure the vacant residence and garage at the subject property which continues to be a concern for the health, safety and welfare of the surrounding neighbors; and

WHEREAS, the Town staff has continually requested the property owner to maintain at this location with no result:

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Building and Zoning Administrator to have the property appropriately maintained; and

BE IT FURTHER RESOLVED, that the Town Board further authorizes that the cost of said maintenance and any necessary subsequent maintenance during the 2011 season also be charged to the 2012 property tax bill for the subject property.

Moved: Moore
Seconded: Metzler

Vote:

Kohl  Aye   LaFountain  Aye
Metzler  Aye   Moore  Aye
Quinn  Aye

Adopted

RESOLUTION #11T-179

Establishment of the Abbington Place Subdivision Special Improvement District by Moore

WHEREAS, a Public Hearing was held on July 6, 2011 to consider the Petition and to hear all persons interested in the establishment of the Abbington Place Subdivision Special Improvement District.

NOW, THEREFORE, BE IT RESOLVED, that the annexed Order be executed by the Town Supervisor and members of the Town Board to establish the Abbington Place Subdivision Special Improvement District.

Moved: Moore
Seconded: Kohl

Vote:

Kohl  Aye   LaFountain  Aye
Metzler  Aye   Moore  Aye
Quinn  Aye

Adopted

RESOLUTION #11T-180

Approval of Issuance of a Special Permit to Allow the New Ownership and Operatorship of the Bayside Boat and Tackle Shop and Snack Bar at 1350 Empire Blvd – Ken Strimple by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Special Permit pursuant to Article III-3-94 of the Code to allow new ownership and operatorship of the Bayside Boat and Tackle Shop and its accessory snack bar located at 1350 Empire Blvd., located in the LaSalle’s Landing Development (LLD) zoning district; and

WHEREAS, the Town Board of the said Town of Penfield held a Public Hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on June 15, 2011, at 7:30 PM on said date to consider the said application and hear all persons interested on the question of the issuance of a Special Permit to allow new ownership and operatorship of the Bayside Boat and Tackle Shop and accessory snack bar at 1350 Empire Blvd., in the LaSalle's Landing Development zoning district and the Public Hearing was closed and decision was reserved.
NOW, THEREFORE BE IT RESOLVED, that the applicant’s request for a Special Permit to allow new ownership and operatorship of the Bayside Boat and Tackle Shop and its accessory snack bar located at 1350 Empire Blvd. is hereby GRANTED subject to the following conditions:

1. The applicant shall obtain a Special Permit from the Town Clerk and pay the appropriate fee.

2. The applicant's operation, as proposed and approved, shall consist of the following components:
   - Continuation of the bait and tackle shop
   - Continuation of the snack stand
   - The rental, sales and service of paddleboats and canoes
   - The rental of fishing and pontoon boats with engines not to exceed 50 hp for pontoon boats and greater than 50 hp for all other rental boats
   - Restoration of the fishing pier on the west side of the property

3. The applicant has indicated that he proposes to install future improvements to the site in the adjacent area of the Irondequoit Bay wetland such as:
   - Installation of fire pits
   - Installation of a gazebo
   - Realignment of the dock to gain safer access to the dredged channel
   - Ice skating rink on the Bay.

The applicant is advised that he will be required to obtain an Article 24 Permit from the New York State Department of Environmental Conservation and Special Permits from the Penfield Town Board for those proposed improvements as well as any other aspects of this business that may be proposed at a later date. The applicant shall comply with all of the requirements of said Article 24 Permit and Town Special Permits to ensure that the purpose and intent of the Freshwater Wetland Act, the Local Waterfront Revitalization Program and the LaSalle's Landing Development Plan are met and satisfied. The applicant submitted a Bayside Boat and Tackle Phased Development Plan dated July 13, 2011 as requested by the Board. The applicant is advised that he may not request approval for activities in Phase II of the plan until such time as all aspects of Phase I are in full compliance with the conditions of this Resolution.

4. The Board has granted the applicant’s request to allow him to utilize up to and not to exceed 50 hp engines to accommodate his pontoon boats. All other rental boats will have engines with less horsepower as shown in the fleet inventory submitted by the applicant. As a condition of allowing the increase in horsepower, the applicant shall be required to enter into an agreement with the Town of Penfield which shall ensure that the applicant shall not request an Article 24 Permit for the purpose of maintenance dredging in Irondequoit Bay at any time. Said agreement shall be executed by the applicant by September 1, 2011. Failure to submit said agreement will result in the revocation of the Board’s condition that the applicant be permitted to utilize engines up to 50 hp to accommodate his pontoon boats and fishing boats.

5. No gasoline storage tanks shall be permitted at this location at any time. All gasoline containers shall be filled from a remote location and brought to the site. All fueling of engines shall be done in such a manner that no gasoline is spilled into Irondequoit Bay. The Fire Marshal shall ensure that the containers are properly stored on the subject premises.
6. The applicant shall comply with all requirements of the Penfield Fire Marshal to ensure that this operation maintains compliance with the New York State International Building and Fire Safety Codes.

7. The applicant shall meet with the Monroe County Sheriff’s Marine Unit by August 1, 2011 to ensure that all vessels on site that are proposed to be rented to the public are seaworthy and compliant with all applicable boater safety rules and regulations. A representative of the Marine Unit shall submit a report of his/her findings to the Director of Developmental Services. Any and all deficiencies shall be remedied to the Marine Unit’s satisfaction within 30 days of its report. Further, the applicant is advised that he will be responsible for the ongoing compliance of all State, County and Town Codes to ensure that the safety of his customers and others enjoying Irondequoit Bay is maintained at all times.

8. The applicant shall comply with the requirements of the Monroe County Health Department prior to the opening of the snack bar.

9. The applicant shall be required to provide perpetual public access over said property for the purpose of providing public pedestrian access to Irondequoit Bay in a form acceptable to the Town Attorney.

10. The applicant shall be permitted to utilize the proposed fishing pier on the west side of the property for fishing and tie off for only non-motorized vehicles such as paddleboats, kayaks and canoes and shall be open to the public for fishing during the appropriate hours of operation. Said fishing pier shall be refurbished to the satisfaction of the Penfield Building Inspector.

11. Any modification to the existing signage on this site shall comply with the requirements of the Penfield Sign Ordinance.

12. This operation shall comply with all Federal, State, County and Town Codes.

13. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Special Permit pursuant to the requirements of Article XI-11-14 of the Zoning Ordinance.

AND, BE IT FURTHER RESOLVED, that the applicant's proposal is classified as a Type II Action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA). The Town Board, acting as lead agency for this proposal has determined that this proposal will not have a significant effect on the environment based on its following findings:

1. All of the components of the applicant's proposal are consistent with and further the goals and objectives the policies established for Penfield's Local Waterfront Revitalization Program (LWRP) and the LaSalle's Landing Development Plan.

2. The Town Board originally granted approval of the Bayside Boat and Tackle Shop in Resolution #134 on May 20, 1998. The prior owner has retired and sold the business and its ancillary components to the applicant. The applicant proposes to operate the boat and tackle shop as it has been since 1998, but would like to improve the existing fishing pier which is in need of repair; would like to increase the permitted horsepower of the engines on his fleet of 20 boats from the permitted 10 hp (granted on May 22, 2000) to a not to exceed 50 hp for his pontoon boats and less than 50 hp for all other rental boats subject to entering into an agreement to prohibit maintenance dredging for the purpose of minimizing environmental impacts to Irondequoit Bay.
3. The applicant has indicated that he proposes future improvements to the property including, but not limited to the installation of fire pits, warming huts to accommodate ice skating on the Bay and picnic pavilions. The applicant is advised that such uses must be reviewed and approved by the New York State Department of Environmental Conservation and the Town Board of the Town of Penfield prior to their installation.

4. The configuration of the fishing pier is sized accordingly to adequately accommodate the passive use of non-motorized boats, while providing recreational fishing on Irondequoit Bay from this site. Furthermore, the applicant proposes to realign the boat dock on the east side of the property so that it is closer to the channel that is periodically dredged by the owners of the Southpoint Marina. The realignment of the dock will provide safer access to the channel, while minimizing water turbidity in that area of the Bay. This action will require an Article 24 Permit from the New York State Department of Environmental Conservation.

5. The applicant proposes to continue the rental, sales and service of motorized and non-motorized boats at this location. All boats to be stored on the premises shall be stored to the rear of the boat and tackle shop and Oak Orchard Canoe Shop to minimize visual impacts from Empire Blvd. and no storage area shall encroach onto any adjacent property at any time.

6. In order to promote public access to Irondequoit Bay, the Board has required the applicant to provide a pedestrian access easement over his property to the satisfaction of the Director of Developmental Services. Said easement shall be in a form acceptable to the Town Attorney.

Moved: Moore  
Seconded: Quinn

Vote:    
Kohl       Aye     LaFountain      Aye
Metzler    Aye     Moore            Aye
Quinn      Aye

Adopted  

#11T-181 Approval of Issuance of a Special Permit to Allow an Attorney’s Office at 1751 Penfield Road – Basch & Nickerson LLP by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Special Permit, pursuant to Article III-3-97 of the Code to allow an attorney’s office at 1751 Penfield Road, located in the Four Corners (FC) zoning district; and

WHEREAS, the Town Board of the said Town of Penfield held a Public Hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on July 6, 2011, at 7:30 PM on said date, to consider the application and hear all persons interested on the question of the issuance of a Special Permit to allow an attorney’s office at 1751 Penfield Road, in the Four Corners (FC) zoning district and the Public Hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the applicants’ request for a SPECIAL PERMIT to allow an attorney’s office at 1751 Penfield Road is hereby GRANTED subject to the following conditions:

1. The applicants shall obtain a SPECIAL PERMIT from the Town Clerk and pay the appropriate fee. The SPECIAL PERMIT is non-transferable. Any subsequent owner or operator shall be required to apply for and obtain a SPECIAL PERMIT from the Town Board to operate a business at this location.
(Resolution #11T-181 - Continued)

2. The applicants shall comply with the occupancy requirements that have been established by the Penfield Fire Marshal in accordance with the International Building Code and obtain any/all necessary permits.

3. Adequate on-site parking shall be available at all times to accommodate the applicants’ business.

4. The applicants shall submit a sign package for the property that complies with the requirements of the Penfield Zoning Ordinance relating to the Four Corners Area.

5. This operation shall comply with all Federal, State, County and Town Codes.

6. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Special Permit pursuant to the requirements of the Zoning Ordinance.

AND BE IT FURTHER RESOLVED, that the applicants’ proposal is classified as a Type II action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA).

The Town Board, in granting the Special Permit, does so based on its following findings:

1. The applicants propose to purchase the single family residence at 1751 Penfield Road and relocate their law office to that site, specializing in Intellectual Property Law.

2. In addition to the two (2) applicants, they have a staff of two (2) additional full-time and three (3) part-time employees on site at any time. They anticipate one (1) to two (2) client visits per week as they generally meet their clients off site.

3. The applicants propose to maintain the residential character of the structure, but also propose to add a small addition to the structure to comply with ADA requirements for access, the bathroom and a conference area.

4. The applicants propose to utilize existing parking on the site, but may add two (2) to three (3) spaces to accommodate staff parking, if needed.

5. This use will continue to provide a needed service to the residents of Penfield and is a use consistent with the goals of the Four Corners Plan.

Moved: Moore
Seconded: Metzler

Vote: Kohl Aye  LaFountain Aye
    Metzler Aye  Moore Aye
    Quinn Aye

Adopted

Approval of Issuance of a Special Permit to Allow a Sushi Bar at 1825 Penfield Road – Bi Ling Han – Sushi King in Penfield

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Special Permit, pursuant to Article III-3-97 of the Code to allow a sushi bar to operate at 1825 Penfield Road, located in the Four Corners (FC) zoning district; and
WHEREAS, the Town Board of the said Town of Penfield held a Public Hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on July 6, 2011 at 7:30 PM on said date, to consider the said application and hear all persons interested on the question of the issuance of a Special Permit to allow a sushi bar at 1825 Penfield Road, in the Four Corners zoning district and the Public Hearing was closed and decision was reserved.

NOW, THEREFORE BE IT RESOLVED, that the applicant’s request for a SPECIAL PERMIT to allow a sushi bar to operate at 1825 Penfield Road is hereby GRANTED subject to the following conditions:

1. The applicant shall obtain a SPECIAL PERMIT from the Town Clerk and pay the appropriate fee. The SPECIAL PERMIT is non-transferable. Any subsequent owner or operator shall be required to apply for and obtain a SPECIAL PERMIT from the Town Board to operate a business at this location.

2. The applicant shall comply with the occupancy requirements that have been established by the Town Board and the Penfield Fire Marshal, in accordance with the International Building Code and obtain any/all necessary remodeling permits. The applicant shall be permitted to have seating for no more than twenty-seven (27) patrons as shown on a seating plan submitted by the applicant on July 8, 2011. The seating shall consist of three (3) seats at the sushi counter; four (4) tables with two (2) seats at each; and four (4) tables with seating for four (4) at each and a table and two (2) seats for patrons waiting for pick-up. Any future intent on the applicant’s part to increase seating capacity shall be reviewed and approved by the Town Board.

3. Adequate on-site and off-site parking shall be available at all times to accommodate both the applicant’s business as well as the NQ Nails Salon, which also operates from this location.

4. The applicant proposes to have four (4) to five (5) full-time employees on the site at any time. Any intent to install additional employees at this location shall be reviewed and approved by this Board. All employees of the business shall be required to park their vehicles (excluding the delivery vehicle) on property located at 1805 Penfield Road to ensure that public parking and on-site parking facilities are open to patrons of this and other businesses in the southeast quadrant of the Four Corners.

5. The applicant does not propose to do any deep frying nor does he anticipate the need to install a hood venting and ancillary fire suppression system. He proposes to utilize a microwave, hot plate, toaster and residential stove to address his cooking on the site. The Fire Marshal shall ensure that the applicant complies with the requirements for the type of cooking proposed and no increase in scope occurs at any time.

6. The applicant shall be responsible for properly screening and maintaining the dumpster that services this property and shall ensure that all food wastes and other associated waste products are properly disposed of at all times.

7. All proposed signs shall comply with the requirements of the Penfield Zoning Ordinance and the Four Corners Design Standards Manual.

8. This site shall comply with all Federal, State, County and Town Codes.

9. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Special Permit pursuant to the requirements of the Zoning Ordinance.
AND, BE IT FURTHER RESOLVED, that the applicant’s proposal is classified as a Type II action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA).

The Town Board, in granting the Special Permit, does so based on its following findings:

1. The applicant proposes to operate a sushi bar at 1825 Penfield Road in a leased space that was previously leased as the Kakachi Sushi restaurant. The business will operate in the same location on the first floor adjacent to the NQ Nail Salon while the second floor will continue to be utilized as apartment space.

2. The applicant proposes to have four (4) to five (5) full-time employees on site at any given time. The applicant has requested an increase in seating from eight (8) as approved by the Board for the previous operator to seating for twenty-seven (27) and a table with two (2) seats for pick-up. The applicant represented that 70% percent of his business is take-out and delivery with the remaining 30% being devoted to sit-down dining.

3. The subject property has nine (9) on-site parking spaces to serve the NQ Nail Salon consisting of two (2) employees, the former Penfield Hardware Store which is currently vacant and the proposed sushi bar; therefore, the applicant and his employees shall be required at all times to park their vehicles (excluding the delivery vehicle) at 1805 Penfield Road, property, also owned by the applicant’s landlord, to minimize parking concerns in the southeast quadrant of the Four Corners.

4. The applicant has been advised that he will be required to ensure that the dumpster servicing this site shall be properly screened and maintained and closed at all times to prevent vermin in the Four Corners and has been advised that failure to comply with the conditions set forth by this Board may result in the revocation of the Special Permit granted to him.

5. The applicant’s proposal is consistent with and furthers the goals and objectives the Four Corners zoning district.

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye Metzler Aye Moore Aye Quinn Aye

Adopted

Public Works - None
Public Safety - None
Community Services

#11T-183 Authorization for Supervisor to Sign Recreation Contracts
By Kohl

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following Recreation Contracts:

Stephen Phillips, 1726 Jackson Rd., Penfield, NY 14526, Introducing the Soccer Ball instructor, 7/5/11 - 7/8/11, for the fee of $21.00 per day, voucher to be submitted 7/20/11.

Tess Pullano, 79 Lazy Trail, Penfield, NY 14526, Introducing the Soccer Ball instructor, 7/5/11 - 7/8/11, for the fee of $18.00 per day, voucher to be submitted 7/20/11.
Penfield Town Board, July 20, 2011

(Resolution #11T-183 – Continued)

Dorothy Brenneis, 28 Woodside Drive, Penfield, NY 14526, Children’s Victory Garden instructor, 5/21/11 – 8/16/11, for a fee of 75% of the program revenues. Voucher to be submitted 7/20/11 and 8/3/11.

Teresa Stango-Listrani, 508 South Drive, Rochester, NY 14612, Awesome Art and Science and Nature Program Instructor, 8/8/11 – 8/18/11, for the fee of $725.00 for Awesome Art Camp and $825.00 for Jr. Explorers Camp, plus an additional $.50 per participant for both camps. Voucher to be submitted 8/17/11.

Wayne Smith, 80 Wheelock Road, Penfield, NY 14526, Co-Director of Little Tykes Lacrosse, 7/12/11 – 7/21/11, for the fee of 40% of the program revenues, (voucher to be submitted 7/20/11) and Director of Girls Lacrosse Camp, 7/25/11 – 7/28/11, for the fee of $260.00 plus $1.00 per participant. Voucher to be submitted 8/3/11.

Heidi Rasmussen, 1865 Gloria Drive, Fairport, NY 14450, Co-Director of Little Tykes Lacrosse, 7/12/11 – 7/21/11, for the fee of 40% of the program revenues. Voucher to be submitted 7/20/11.

Cathy Downs, 4 Elmbrook Dr., Pittsford, NY 14534, Director Summer Sporty Sprouts Program, 7/11/11 – 8/31/11 for a fee of 80% of program revenue per session. Voucher to be submitted 8/03/11 & 9/07/11.

Leslie Howlett, 799 Somerset Drive, Webster, NY 14580, Girls Field Hockey Camp Director, 8/8/11 – 8/12/11, for the fee of $215.00, plus $1.00 per registered participant. Voucher to be submitted 8/17/11.

Jeff Rogers, 14 Helmsford Way, Penfield, NY 14526, Boys Basketball Camp Director, 8/1/11 – 8/5/11, for the fee of $350.00, plus $2.00 per registered participant. Voucher to be submitted 8/3/11.

JJ Schembri, 18 Winterset Drive, Rochester, NY 14625, Director of Boys Lacrosse Camp, 7/25/11 – 7/28/11, for the fee of $300.00 plus $2.00 per registered participant. Voucher to be submitted 8/3/11.

Bushido Kai Judo Club, c/o Heiko Rommelman, 240 Curtice Park, Webster, NY 14580, to supervise and provide instruction for the Bushido Kai Judo programs for youth 6/28/11 - 8/09/11 adults 7/11/11 - 8/17/11 for the fee of 70% of program revenues. Voucher to be submitted on 8/03/11.

Bushido Kai Judo Club, c/o Heiko Rommelman, 240 Curtice Park, Webster, NY 14580, to supervise and provide instruction for Adult Jujiitsu Self Defense, 6/28/11 - 8/09/11 for the fee of 75% of the total program revenue. Voucher to be submitted 8/03/11.

Moved: Kohl
Seconded: Quinn

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<tr>
<th>Vote</th>
<th>Kohl</th>
<th>Aye</th>
<th>LaFountain</th>
<th>Aye</th>
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<td></td>
<td>Metzler</td>
<td>Aye</td>
<td>Moore</td>
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<td>Quinn</td>
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Adopted

Old Business - None

New Business - None

Public Participation - None

Adjournment

Supervisor LaFountain adjourned the meeting at 8:10 PM.

Amy Steklof
Town Clerk