PENFIELD TOWN BOARD MEETING AGENDA
Wednesday, August 1, 2012
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 – June 20, 2012

VI Petitions

VII Resolutions by Function

Law and Finance
12T-167 Town of Penfield Fund Balance Policy
12T-168 Town of Penfield Investment Policy
12T-169 Establishment of Extension No. 55 to the Penfield Consolidated Sanitary Sewer District – Ashlyn Rise Subdivision
12T-170 Approval of Issuance of a Special Permit to Allow a Sit-down Restaurant with Outdoor Dining at 1785 Penfield Road – The Humphrey House
12T-171 Setting a Public Hearing to Consider an Amendment to the Zoning Ordinance and Zoning Map to Allow 9.83 Acres of R-1-12 Zoned Property at 1994-B and 6.61 Acres of Multiple Residence Zoned Property at 1994-C Empire Blvd. to be rezoned to General Business
12T-172 Authorize the Town Supervisor to Sign a Contract with the University of Rochester Medical Center School of Nursing
12T-173 Setting a Public Hearing for the Matter of Establishment of Ashlyn Rise Subdivision sidewalk District #16
12T-174 Authorization to Remove Fence Erected within Bounds of Town Highway of Aspen Drive

Public Works - None

Public Safety - None

Community Services
12T-175 Authorization for Supervisor to Sign Recreation Contracts

VIII Old Business
IX New Business
X Public Participation
XI Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, August 1, 2012 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present:  R. Anthony LaFountain  Supervisor  
Paula Metzler  Councilwoman  
Robert Quinn  Councilman  

Also  
Present:  Amy Steklof  Town Clerk  
Richard Horwitz  Town Attorney  

Absent:  Linda Kohl  Councilwoman  
Andrew Moore  Councilman  

Supervisor LaFountain called the meeting to order.

Communications and Announcements

1. Passport night will be held in the Penfield Town Hall Auditorium on Thursday, August 2, 2012 from 5:30 to 7:30 PM. For more information call Town Clerk, Amy Steklof at 340-8629 or visit www.monroecounty.gov/clerk-passports.php.

2. Deer Management Permits (DMP’s) will be available beginning Monday, August 13, 2012 through Monday, October 1, 2012. For more information, log onto the New York State Department of Environmental Conservation website at www.dec.ny.gov or contact the Town Clerk’s office at 340-8629.

3. The next American Red Cross Blood Drive in Penfield is scheduled for Thursday, August 23, 2012 at the Penfield Community Center from 2:00 to 7:00 PM. Contact 1-800-Red-Cross (1-800-733-2767) to schedule an appointment for donation.

4. The Penfield Trail’s Committee will sponsor a free guided hike on Saturday, August 11, 2012 beginning at 9:00 AM and ending around 11:00 AM. For more information contact Penfield Recreation at 340-8655.

5. The Penfield Public Library will host the Overdrive Digital Book Mobile on August 13 and 14, 2012. The Book Mobile will be open each day from 1:00 PM to 7:00 PM. For more information visit www.penfieldlibrary.org.

6. “Saturdays on Stage” presents “Gap Mangione and his Big Band” on August 4, 2012 at 7:00 PM at the Penfield Amphitheater. For more Amphitheater events visit www.penfield.org.

7. “Kids Fest Thursdays” presents “Mike Kornrich Band” on August 2, 2012 at 7:00 PM at the Penfield Amphitheater.

8. The Penfield Little League, 11 year old National Team, will represent Penfield, District 4 and Section 1 of the New York State Championship Tournament on Saturday, August 4, 2012 at Vanest Little League in the Bronx.

9. Resurfacing projects have begun on portions of State Routes 104 and 441 in the Towns of Webster and Penfield. For complete details visit www.dot.ny.gov.
(Communications and Announcements - Continued)

Penfield History/Trivia

In what year did the Sodus Bay Railway establish a passenger stop at the present day intersection of Empire Boulevard and Plank Road?

A) 1857  
B) 1898  
C) 1901  
D) 1920

The answer is “C”

Public Participation - None

Additions and Deletions to Agenda

Councilwoman Metzler moved to withdraw Resolution #12T-169, Councilman Quinn seconded.

Approval of Minutes

Councilman Quinn moved to approve the Minutes of June 20, 2012. Councilwoman Metzler seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#12T-167 Town of Penfield Fund Balance Policy by Moore

WHEREAS, the Government Accounting Standards Board Statement 54 requires that the Town disclose their fund balance classification policies and procedures, and

WHEREAS, during 2012, the Bonadio & Co., LLP (auditors) recommended that the Town of Penfield amend the current policy to include a definition of committed fund balance and establish a flow of funds hierarchy, and

WHEREAS, the auditors have reviewed the revised policy and are in agreement with the changes, and

NOW BE IT RESOLVED, that the attached Fund Balance Policy be approved.

Moved: Metzler  
Seconded: Quinn

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

Adopted

#12T-168 Town of Penfield Investment Policy by Moore

WHEREAS, the Town of Penfield Investment Policy had not been reviewed since 2006, and

WHEREAS, during 2012, the Bonadio & Co., LLP (auditors) recommended that the Town of Penfield amend the current investment policy to review the authorized financial institutions that are specified in the policy to be sure that they are still relevant, and

WHEREAS, the auditors have reviewed such revised policy and are in agreement with its contents, and

NOW BE IT RESOLVED, that the attached Investment Policy be approved.
Moved: Metzler  
Seconded: Quinn  

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

Adopted

#12T-169 Establishment of Extension No. 55 to the Penfield Consolidated Sanitary Sewer District – Ashlyn Rise Subdivision by Moore - WITHDRAWN

#12T-170 Approval of Issuance of a Special Permit to Allow a Sit-down Restaurant with Outdoor Dining at 1785 Penfield Road – The Humphrey House 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 a sit-down restaurant with outdoor dining at 1785 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 18, 2012 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 a sit-down restaurant with outdoor dining at 1785 Penfield Road, in the Four Corners (FC) 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 sit-down restaurant with outdoor dining at 1785 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 restaurant at this location.

2. The applicant shall be permitted to operate the proposed business between the hours of 11:00 AM and 12:00 AM on a daily basis consistent with the permitted hours of operation for the Four Corners zoning district as set forth in Article III-3-102 of the Zoning Ordinance. The restaurant shall be closed to the public at midnight on a nightly basis.

3. The applicant shall comply with the occupancy requirements that have been established by the Penfield Fire Marshal in accordance with the New York State Building Code and obtain any/all necessary permits from the Building Department.

4. Adequate on-site and off-site parking shall be available at all times to accommodate the applicant’s business. At no time shall adjacent property owners or the right-of-way of Motts Lane be adversely impacted by those patronizing this business.

5. The applicant shall obtain a Liquor License from the New York State Liquor Authority prior to serving alcohol at this location; furthermore, the applicant shall ensure that the primary use of the property remains as a sit-down restaurant and that the sale of alcohol is secondary and incidental to the sale of food.
6. The applicant has requested outdoor dining for 32 patrons to be placed on the east side of the restaurant. The applicant shall be required to comply with the requirements of the Penfield Fire Marshal and the New York State Liquor Authority regarding the outdoor dining area. Further, the applicant shall be allowed no more than 32 patrons in the outdoor dining area (8 tables with 4 seats at each table). All tables and chairs shall be removed from the outdoor dining area at the end of the season and stored internally on or off the site. The outdoor dining area shall consist of a paver base and shall be properly fenced to prevent access to the area for other than handicapped and emergency response.

7. The applicant shall not be permitted to have any type of entertainment to the exterior of the restaurant. The applicant shall be permitted to have entertainment within the restaurant incidental and complimentary to dining; however said entertainment shall not be audible to the exterior of the restaurant. The applicant shall not be permitted to have any type of live entertainment within the restaurant or on the deck. The applicant shall only be permitted to have “piped” background music within the restaurant and on the deck. In no case shall the music exceed the boundaries of the property.

8. The applicant shall be responsible for the continuous maintenance of the hood and exhaust system and at no time shall odors emanate from the site that may cause a nuisance to area property owners.

9. The applicant will be responsible for constructing a dumpster enclosure on the property that is properly sized to enclose the dumpster, cardboard container and grease container. The location, design and size of said enclosure shall be approved by the Director of Developmental Services.

10. The applicant shall be permitted to utilize the exiting sign on the premises to identify the proposed restaurant, as it will have the same name as the previous restaurant, The Humphrey House. Any proposed change in the sign will require a review and approval by the Town Board.

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

12. 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) and no additional environmental review regarding this proposal is necessary.

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

1. The applicant proposes to occupy the site at 1785 Penfield Road, which was formerly occupied by a restaurant known as the Humphrey House.

2. The applicant proposes to retain the name of the Humphrey House for the proposed restaurant and will have the same occupancy as the Humphrey House, that being 148 persons, with an additional 32 persons permitted in a proposed outdoor dining area on the east side of the restaurant.
3. There are adequate parking facilities on site to accommodate this business, as demonstrated by the previous two (2) operators of the Humphrey House which operated from this site for approximately the last 40+ years. Any increase in intensity of scope or occupancy (such as increase in seating) shall be reviewed and approved by the Town Board to ensure that the site can properly accommodate any proposed increase in scope.

4. The applicant stated that it will comply with all applicable codes and regulations pertaining to the operation of a sit-down restaurant and sale of alcohol in the Town of Penfield.

5. The applicant’s proposal is consistent with and furthers the goals and objectives of the Four Corners zoning district in that her business results in the continuation of a business that was a mainstay of the Four Corners for the last 40+ years.

6. The applicant proposes to end dining service at 10:00 PM and to close the business by midnight on a nightly basis. This proposal complies with the permitted hours of operation in the Four Corners zoning district and will ensure that this business will not create and adverse impacts to area residents.

7. The applicant does not propose to have any live entertainment on the premises at any time and the Board has required that no live music be permitted on site without it granting a Special Permit for such entertainment. The applicant proposes the use of “piped” background music both within the restaurant and in the outdoor dining area.

The Board bases its findings to APPROVE this application on the following:

4. Submissions and oral testimony of the applicant at the Public Hearing on July 18, 2012.
WHEREAS, the Planning Board, acting as lead agency pursuant to the requirements of Part 617.6 of the State Environmental Quality Review Act, has required the preparation of Draft and Final Environmental Impact Statements and has prepared a Negative Declaration regarding the proposed action; and

WHEREAS, it is the Town Board’s intent to seek public input on and evaluate the request for an amendment to the Zoning Ordinance and Zoning Map to allow 9.83 of 20.1 acres of 1994-B Empire Blvd. and 6.61 acres at 1994-C Empire Blvd to be rezoned from R-1-12 and Multiple Residence respectively, to General Business;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield will hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526 on August 22, 2012, at 7:30 PM on said date, to consider said proposal and to hear all persons on the question of amending the Zoning Ordinance and Zoning Map of the Town of Penfield to allow a 9.83 acre portion of the 20.1 acre R-1-12 zoning at 1994-B Empire Blvd. and 6.61 acres at 1994-C Empire Blvd. zoned Multiple Residence to be rezoned to General Business, and more particularly described in Schedule “A” attached hereto and made a part hereof; 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 not to be 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: Metzler
Seconded: Quinn

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

Adopted

See Schedule “A” at end of Minutes

#12T-172 Authorize the Town Supervisor to Sign a Contract with the University of Rochester Medical Center School of Nursing

WHEREAS, the Town of Penfield desires to offer a flu vaccination clinic to area residents; and

WHEREAS, The University of Rochester Medical Center School of Nursing offers a flu vaccination clinic, (URMC Flu Initiative), and

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with the University Of Rochester Medical Center School of Nursing to provide said flu vaccination clinic for the Town of Penfield.

Contract is on file in the Town Clerk’s Office.

Moved: Metzler
Seconded: Quinn

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

Adopted
WHEREAS, a written Petition has been presented to the Penfield Town Board, duly dated and verified to contain the required signatures and having been filed with the Town Clerk of the Town of Penfield, Monroe County, New York, for the Establishment of Ashlyn Rise Subdivision Sidewalk District (#16), and

WHEREAS, the boundaries of said Sidewalk District are described in Schedule A, attached hereto and made a part hereof and as shown on Exhibit 1, incorporated herein by reference, and

WHEREAS, the proposed improvements consist of concrete sidewalks in compliance with the approved subdivision plans and the construction specifications of the Town of Penfield, and

WHEREAS, the entire cost of the sidewalk improvements to be constructed within said Sidewalk District shall be borne by the developer of the Ashlyn Rise Subdivision, and

NOW, THEREFORE, BE IT RESOLVED; that the Town Board of the Town of Penfield shall hold a Public Hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on the 5th, day of September 2012 at 7:30 PM on said date, to consider the said Petition and to hear all persons interested in the subject thereof and concerning the same, and for such other action on the part of the Town Board with relation to said Petition as may be required by Law, 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 of the aforesaid Public Hearing, and that a copy of this Resolution shall be posted on the official sign board of the Town as prescribed by Law.

Moved: Metzler
Seconded: Quinn

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

Adopted

See Schedule "A" at end of Minutes

WHEREAS, Section 319 of the New York State Highway Law prohibits the construction or placement of obstructions within the bounds of a highway; and

WHEREAS, on or about June 27, 2012, the property owner of 87 Aspen Drive in the Town of Penfield constructed, or allowed to be constructed, a wood fence within the bounds of the highway adjacent to the property; and

WHEREAS, the town staff has continually requested the property owner remove the fence obstruction within the bounds of the highway at this location with no result:

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Director of Public Works to have the fence removed from the bounds of the highway; and

BE IT FURTHER RESOLVED, that the Town Board further authorizes that the cost of said removal also be charged to the 2013 property tax bill for the subject property.
Moved: Metzler  
Seconded: Quinn

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

Adopted

Public Works - None

Public Safety - None

Community Services

#12T-175 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:

Mandy Elliot, 2272 Penfield Road, Penfield, NY 14526, Instructor for Music Train and Ukulele 9/20/12 – 12/20/2012 for a fee of 70% of program revenues. Vouchers to be submitted on 9/19/12 and 11/7/12.

Reinhold M. Spath, SRA, 27 Cottage Grove Circle, North Chili, NY 14514-1257, Women’s Fall Soccer League, 9/8/12 – 11/3/12, for a fee of $4.00 per game. Voucher to be submitted 9/5/12.

The following persons to provide service as Girls Basketball Camp Instructors, 7/16/12 – 7/20/12, for the fee of $22.50 per day. Voucher to be submitted 8/1/12.

Margaret Fitzpatrick, 12 Chatworth Cir. N, Fairport, NY 14450
Kasey Kelleher, 12 Saybrooke Drive, Penfield, NY 14526
Katie Kayes, 13 Surrey Place, Penfield, NY 14526
Alicia Flanagan, 1720 Penfield Rd., Penfield, NY 14526
Jessica Landuyt, 2118 Baird Rd., Penfield, NY 14526

Mark Vogt, 3217 Pine View Drive, Walworth, NY 14568, Director of Penfield Recreation Girls Basketball Camp, 7/16/12 – 7/20/12, for the fee of $380.00, plus $1.00 per participant ($2.00 per participant for camps with enrollment exceeding 59 participants). Voucher to be submitted on 8/1/12.

Meghan Mialloy, 100 Timber Brook Lane, Penfield, NY 14526, Assistant Director, Penfield Recreation Girls Basketball Camp, 7/16/12 – 7/20/12, for the fee of $150.00. Voucher to be submitted 8/1/12.

The following persons to provide service as Girls Lacrosse Camp Instructors, 7/16/12 – 7/20/12, for the fee of $22.50 per day: Voucher to be submitted 8/1/12.

AnnMary Baker, 221 Devonshire Drive, Rochester, NY 14625
Maddie Loewenguth, 30 Random Knolls Drive, Penfield, NY 14526

Mackenzie Jordan, 36 P Brook Hill Lane, Rochester, NY 14625, Assistant Director, Penfield Recreation Lacrosse Camp, 7/16/12 – 7/20/12, for the fee of $180.00. Voucher to be submitted 8/1/12.

Leslie Howlett, 799 Somerset Drive, Webster, NY 14580, Girls Field Hockey Camp Director, 7/30/11 – 8/3/12, for the fee of $215.00, plus $1.00 per registered participant. Voucher to be submitted 8/15/12.

Jeff Rogers, 14 Helmsford Way, Penfield, NY 14526, Boys Basketball Camp Director, 7/30/11 – 8/3/12, for the fee of $350.00, plus $1.00 per participant ($2.00 per participant for camps with enrollment exceeding 59 participants). Voucher to be submitted 8/15/12.
(Resolution #12T-175 – Continued)

JJ Schembri, 18 Winterset Drive, Rochester, NY 14625, Director of Boys Lacrosse Camp, 7/23/12 – 7/26/12, for the fee of $300.00 plus $1.00 per participant ($2.00 per participant for camps with enrollment exceeding 59 participants). Voucher to be submitted 8/1/12.

Moved:  Quinn  
Seconded:  Metzler

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<th>Kohl</th>
<th>Absent</th>
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<td>Quinn</td>
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Adopted

Old Business - None

New Business - None

Public Participation

A question was received via Twitter, “What is going on with the parking on 441 where Dollup Gourmet and other businesses are? It looks difficult to maneuver.”

Supervisor LaFountain stated that the Town has plans to put in place an access road and connecting sidewalks to help alleviate the congestion issue.

Councilwoman Metzler stated that the business east of Dollup had their parking lot repaved and barriers put in to separate their private property from Dollup and the Tailor Shop. Councilwoman Metzler continued to say that this has caused concern with some customers, but the Town has no jurisdiction over the property owner’s decision in this regard.

Adjournment

Supervisor LaFountain adjourned the meeting at 7:52 PM.

Amy Steklof
Town Clerk
SCHEDULE “A”

Baytowne

Area to be Re-zoned from Multiple Residence (MR) to General Business (GB) District

All that tract or parcel of land situate in part of Town Lot 66, Township 13, Range 4, Phelps & Gorham Purchase, Town of Penfield, County of Monroe, State of New York, and being more particularly described as follows:

Commencing at the point of intersection between the easterly right-of-way line of Empire Blvd. (State Highway No. 99 - variable width) and the southerly right-of-way line of Brandt Point Drive (60’ wide); thence, North 88°50'44" East, on the said southerly right of way line of Brandt Point Drive, a distance of 619.59 feet to a point of curvature on the northwesterly corner of Lot 3 (Liber 10613 of Deeds Page 513) of the Rodney Farms Re-subdivision of Lots 4, 5, 6 & 7 as filed in the Monroe County Clerk’s Office at Liber 279 of Maps Page 64 and the Point of Beginning. Thence, the following four courses on the said southerly right of way line of Brandt Point Drive:

Northeasterly on a curve to left, having a radius of 180.00 feet, an arc length of 94.25 feet and a central angle of 30°00'00" to a point of tangency; thence

North 58°50'44" East, a distance of 150.00 feet to a point of curvature; thence,

Easterly on a curve to right, having a radius of 170.00 feet, an arc length of 89.01 feet and a central angle of 30°00'00" to a point of tangency; thence,

North 88°50'44" East, a distance of 214.06 feet to a point on the division line between Lot R-4 on the east and said Lot 3 on the west, as shown on said Rodney Farms Re-subdivision Map; thence, the following six courses on said division line:

South 01°09'16" East, a distance of 121.89 feet to a point; thence,

South 09°44'46" East, a distance of 30.42 feet to a point; thence,

South 06°05'17" East, a distance of 90.25 feet to a point; thence,

South 15°22'11" East, a distance of 206.32 feet to a point; thence,

South 05°16'52" East, a distance of 60.36 feet to a point; thence,

South 01°49'41" East, a distance of 27.09 feet to a point on the division line between said Lot 3 on the north and Lot 1 on the south, as shown on said Rodney Farms Re-subdivision Map; thence,

South 88°38'46" West, on said division line, a distance of 671.31 feet to a point on the westerly line of said Lot 3; thence,

North 10°31'52" East, on the said westerly line of Lot 3, a distance of 418.30 feet to the Point of Beginning.

Parcel of land to be rezoned having an area of 6.610 acres, more or less.

Baytowne

Area to be Re-zoned from Single Family Residential Use (R-1-12) District to General Business (GB) District

All that tract or parcel of land situate in part of Town Lot 66, Township 13, Range 4, Phelps & Gorham Purchase, Town of Penfield, County of Monroe, State of New York, and being more particularly described as follows:

Commencing at the point of intersection between the easterly right of way line of Empire Blvd. (State Highway No. 99 - variable width) and the southerly right-of-way line of Brandt Point Drive (60’ wide); thence, the following five courses on the said southerly right-of-way line of Brandt Point Drive: North 88°50'44" East, a distance of 619.59 feet to a point of curvature; thence, Northeasterly on a curve to left, having a radius of 180.00 feet, an arc length of 94.25 feet and a
central angle of 30°00'00" to a point of tangency; thence, North 58°50'44" East, a distance of 150.00 feet to a point of curvature; thence, Easterly on a curve to right, having a radius of 170.00 feet, an arc length of 89.01 feet and a central angle of 30°00'00" to a point of tangency; thence, North 88°50'44" East, a distance of 214.06 feet to a point on the division line between Lot R-4 on the east and Lot 3 (Liber 10613 of Deeds Page 513) on the west of the Rodney Farms Re-subdivision of Lots 4, 5, 6 & 7 as filed in the Monroe County Clerk’s Office at Liber 279 of Maps Page 64, thence, South 01°09'16" East, on said division line, a distance of 40.38 feet to the Point of Beginning. Thence, the following eight courses through said Lot R-4:

North 88°50'44" East, a distance of 52.38 feet to a point; thence,

South 60°23'07" East, a distance of 38.80 feet to a point; thence,

North 88°35'19" East, a distance of 201.92 feet to a point; thence,

South 67°02'39" East, a distance of 56.11 feet to a point; thence,

South 88°38'22" East, a distance of 143.27 feet to a point; thence,

South 16°51'22" East, a distance of 178.50 feet to a point; thence,

South 01°28'17" East, a distance of 709.67 feet to a point; thence,

South 88°52'08" West, a distance of 451.76 feet to a point on the division line between said Lot R-4 on the east and Lot 1 on the west, as shown on said Rodney Farms Re-subdivision Map; thence, the following eight courses on said division line and on the said division line between Lot R-4 on the east and Lot 3 on the west:

North 01°27'16" West, a distance of 223.99 feet to a point; thence,

South 88°38'46" West, a distance of 11.10 feet to a point; thence,

North 01°49'41" West, a distance of 243.82 feet to a point; thence,

North 05°16'52" West, a distance of 60.36 feet to a point; thence,

North 15°22'11" West, a distance of 206.32 feet to a point; thence,

North 06°05'17" West, a distance of 90.25 feet to a point; thence,

North 09°44'46" West, a distance of 30.42 feet to a point; thence,

North 01°09'16" West, a distance of 81.51 feet to the Point of Beginning.

Parcel of land to be rezoned having an area of 9.831 acres, more or less.
DESCRIPTION OF ASHLYN RISE SUBDIVISION
SIDEWALK DISTRICT (#16)

All that tract or parcel of land, situate in the Town of Penfield, County of Monroe, State of New
York, all as shown on a map entitled "Map Showing Ashlyn Rise Subdivision Sidewalk District
(#16)", prepared by Costich Engineering, P.C., having Drawing Number 4758-SWD, dated
7/27/2012, and being more particularly bounded and described as follows:

Commencing at a point on the westerly right-of-way line of Fellows Road (49.5’ R.O.W.), said
point being on the common property line between lands owned now or formerly by Samuel and
Elisa Trapani (T.A.# 140.02-01-58.2) to the southwest and lands owned now or formerly by Eric
Palma & Erin Hackett (T.A.#140.02-01-61) to the northeast; thence

A. S01°05'10"E, along said westerly right-of-way line of Fellows Road, distance of 72.08 feet
to the point and place of beginning; thence

1. S01°05'10"E, along said westerly right-of-way line of Fellows Road, a distance of
   503.38 feet to a point; thence
2. S88°56'14"W, a distance of 8.25 feet to a point; thence
3. S18°17'14"W, a distance of 242.54 feet to a point; thence
4. S15°25'14"W, a distance of 168.69 feet to a point; thence
5. S59°19'14"W, a distance of 138.76 feet to a point; thence
6. S36°52'14"W, a distance of 210.17 feet to a point; thence
7. S88°49'44"W, a distance of 24.11 feet to a point; thence
8. N00°51'23"W, a distance of 997.30 feet to a point; thence
9. N89°38'50"W, a distance of 776.72 feet to a point; thence
10. N00°13'13"E, a distance of 450.11 feet to a point; thence
11. S89°46'47"E, a distance of 250.00 feet to a point; thence
12. N00°13'13"E, a distance of 120.20 feet to a point; thence
13. S87°16'54"E, a distance of 312.86 feet to a point; thence
14. N00°22'46"E, a distance of 26.91 feet to a point; thence
15. S89°37'14"E, a distance of 32.59 feet to a point; thence
16. S65°01'44"E, a distance of 310.18 feet to a point; thence
17. S43°40'40"E, a distance of 437.54 feet to the point and place of beginning.