



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## LEGAL NOTICE

### Public Hearing Notice

Wednesday, January 20, 2021 at 7:00 PM

2146 Fairport-Nine Mile Point Road

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PLEASE TAKE NOTICE, that at a Regular Meeting of the Penfield Town Board held at the Town Hall, 3100 Atlantic Avenue, Penfield, New York, on Wednesday, December 16, 2020, a resolution setting a Public Hearing was adopted:

WHEREAS, an application has been received by the Penfield Town Board, pursuant to §250-12.2, §250-13.2 and §255-8 of the Code, to consider an application for Incentive Zoning, a Conditional Use Permit and Preliminary and Final Site Plan approval for the development of a 3,500 square foot Burger King restaurant and a 3,500 square foot office building on 1.45+/- acres in the Business Non-Retail (BN-R) zoning district at 2146 Fairport-Nine Mile Point Road; and

WHEREAS, this proposal is a modification to a project previously approved by the Town Board on December 19, 2018, in Resolution 18T-214, for the development of a 4,500 square foot retail building and a 4,500 square foot office building;

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 January 20, 2021 at 7:00 PM on said date, to consider said application and to hear all persons on the question of consideration of said application; and be it further

RESOLVED, that the Penfield Town Board acting as "lead agency" within the meaning of the State Environmental Quality Review Act (SEQRA) hereby designates itself as "lead agency" pursuant to SEQRA and classifies this proposal as an Unlisted action; and

BE IT FURTHER RESOLVED, 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.

Dated: December 17, 2020

Amy M. Steklof, RMC/CMC  
Town Clerk  
Town of Penfield

*This meeting will be video recorded and broadcast live via the town's website [www.penfield.org](http://www.penfield.org) and the Town's Government Access Cable Channel 1303.*

*Questions regarding video coverage contact Penfield TV at (585) 340-8661.*

*Town Clerk: (585) 340-8629 | [clerk@penfield.org](mailto:clerk@penfield.org) | [www.penfield.org](http://www.penfield.org)*