

Letter of Intent

January 31, 2022

Empire Bay Properties, LLC
185 Main Street,
East Aurora, NY 14052

Re: 1129 Empire Boulevard, Rebranding and Reopening of the former MacGregor's Restaurant as a Bar-Bill, Zoning District - LLD

Honorable Members of Town of Penfield Board:

It is our intent to reopen and rebrand the former MacGregor's Restaurant located at 1129 Empire Boulevard in the Town of Penfield.

Our family owns and operates the iconic Bar-Bill Tavern (www.barbill.com) in Buffalo, NY. For over 50 years the Bar-Bill has been home to what many argue are the best chicken wings available in the birthplace of the "Buffalo Wing". Sports hero's and celebrities alike have made the Bar-Bill a must stop over the years.

Rochester is a natural location for our third restaurant. Our restaurants are not franchises. Ownership remains with Clark, wife Katie and sons, John and Harry. Our business model is based on providing a great work environment for our people, high quality products for our customers and being the best neighbor and an asset the community can be proud of.

We are planning only cosmetic work to the premises, painting and cleaning specifically. There will be no changes to the exterior of the building or to the property.

We hope to be open to the public, summer 2022.

Best,



Clark W Crook

Member



TOWN OF PENFIELD
DEVELOPMENTAL SERVICES APPLICATION FORM

APPLICATION TYPE

- Sketch Plan Administrative Review Special Permit
 Preliminary/Final Site Plan Conditional Use Permit Special Use Permit
 Preliminary/Final Subdivision Zoning Map Amendment*

(* Indicate requested district change in the project description)

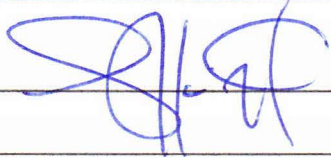
PROJECT INFORMATION

Project Name: Bay City Fryers, LLC
 Project Address: 1129 Empire Boulevard
 City, State, ZIP: Penfield, NY 14609
 Project Description: reopening of the former MacGregors restaurant as a Bar-Bill concept.

Parcel Tax ID#: 108.05-2-9.1
 Zoning District: LLD Project Size (acres): 2.38

Owner(s) Name: Empire Bay Properties, LLC
 Mailing Address: 185 Main Street, East Aurora, NY 14052
 Email: clark@barbill.com
 Phone: 716-864-2933

Applicant Name: Clark W Crook
 Address: 5677 Vermont Hill, South Wales, NY 14139
 Email: clark@barbill.com
 Phone: 716-864-2933

Applicant Signature:  Date: 02/1/2022

Agent/Engineer: _____
 Company: _____
 Address: _____
 Email: _____
 Phone: _____

APPLICATION FEES

Town Board Fee	\$ 500.00
Square footage (for Engineer Review Fee)	
Check #	Total \$ 500.00

- See *Required Fees Table* for \$\$ Amounts

FOR OFFICE USE ONLY

Application # _____ Date Received: _____

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Empire Bay Properties, LLC			
Name of Action or Project: Bay City Fryers, LLC			
Project Location (describe, and attach a location map): 1129 Empire Boulevard, Penfield, NY 14609			
Brief Description of Proposed Action: Rebrand and reopen former MacGregors Restaurant as a Bar-Bill (www.barbill.com) concept.			
Name of Applicant or Sponsor: Clark W Crook		Telephone: 716-864-2933	
		E-Mail: clark@barbill.com	
Address: 5677 Vermont Hill			
City/PO: South Wales		State: NY	Zip Code: 14139
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: New York State Liquor Authority			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 2.38 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 2.38 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input checked="" type="checkbox"/> Parkland			


5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: Clark W Crook	Date: 02/01/2022	
Signature: 	Title: Member	