



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

TOWN BOARD WORK SESSION AGENDA

Wednesday, September 16, 2026 at 6:30 PM

Supervisor Kevin Berry, presiding

- I. Call to Order
- II. Approval of Minutes – August 19, 2026
- III. Guests
 - a. Peter Vars BME - Parker Hill Drive Requested Rezoning - Valentine
- IV. Public Participation
- V. Action Items
 - a. Resolution 26T-156 Adopting a Local Law to Amend 250-2.2 (Terms Defined)
 - b. Sidewalk Waiver Request for Green Spark Solar (Northrup Road) - Valentine
 - c. 32 Crowne Pte - Hold Harmless Agreement Request - Valentine
- VI. Informational Items
- VII. Held Items
- VIII. Old Business -
- IX. New Business -
- X. Next Work Session Meeting - October 21st, 2026
- XI. Adjournment

*This meeting will be video recorded and broadcast LIVE via the town's website www.penfieldny.gov and the Town's Government Access Cable Channel 1303.
Questions regarding video coverage contact Penfield TV at (585) 340-8661.*

PENFIELD TOWN BOARD RESOLUTION NO. 26T- 156 DATE: September 16, 2026

BY: Councilperson Getz

COMMITTEE: Law and Finance

NAME Adopt a Local Law to Amend Penfield Town Code Section 250-2.2 (Terms Defined)

WHEREAS, the Town Board identified a need to clarify definitions related to restaurants, bars and similar establishments to enhance review and interpretation of the Town's Zoning Code; and

WHEREAS, the Town of Penfield wishes to consider an amendment to Town Code Section 250-2.2 (Terms Defined), which is attached hereto as Schedule A; and

WHEREAS, this was classified as a Type II action pursuant to Section 617.5 (c) (26) of the State Environmental Quality Review Act (SEQRA) and no further environmental review was required; and

WHEREAS, the Penfield Town Board conducted a public hearing to consider the local law on August 5, 2026; and

WHEREAS, this proposed amendment will allow for more consistent review and interpretation of the Town's zoning regulations.

NOW, THEREFORE, BE IT

RESOLVED, AND HEREBY ENACTED BY THE TOWN BOARD OF THE TOWN OF PENFIELD AS FOLLOWS:

Local Law No. 7 of 2026, set forth in attached Schedule A; and

BE IT FURTHER RESOLVED, after its adoption by the Town Board of the Town of Penfield, this local law shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____

Schedule A

Town of Penfield Local Law No. 7 of 2026

A LOCAL LAW TO AMEND PENFIELD TOWN CODE SECTION 250-2.2 (TERMS DEFINED)

Be it enacted by the Town Board of the Town of Penfield as follows:

Section 1. Legislative Intent and Purpose. The purpose of the amendment is to modify the Town's existing definitions related to various types of restaurants and drive-through facilities. The intent is to ensure clarity and consistency in interpretation of permitted and conditionally permitted uses.

Section 2. Amend 250-2.2 Terms Defined. The terms defined section shall be modified with strikethrough text being removed and new definitions depicted in underlined text being added.

BAR

See definition for Tavern.

DRIVE-THROUGH

A physical design feature added to a retail establishment's building that allows customers to place orders, pay for, and/or pick up various goods or products through a designated window or lane while remaining in their cars.

RESTAURANT, DRIVE-THROUGH/DRIVE-UP ONLY

A permanent building used for the sale of meals, food and/or beverage items where customers place orders, pay, and receive food and/or beverages through a designated window or lane while remaining in their cars.

RESTAURANT, SIT-DOWN

~~A permanent building used for the serving of meals where customers are seated principally at a table and are waited on when seated, where a full line of meals is offered, where the main portions of the meals are not precooked, prepackaged or prepared in any manner such as this, in~~

~~anticipation of customers, and further where, under proper authority, alcoholic beverages may be served and where the meal is not customarily or occasionally eaten in vehicles.~~

A permanent building used for the sale of meals, food and/or beverage items where customers place orders, pay, and receive food and/or beverages on the premises.

RESTAURANT, SIT DOWN WITH DRIVE THROUGH

A permanent building used for the sale of meals, food and/or beverage items where customers place orders, pay, and receive food and/or beverages on the premises and/or through a drive-through.

RESTAURANT, TAKE-OUT

A permanent building used for the sale of meals, food and/or beverage items where customers place orders in person, online, or by phone, and food and/or beverages are prepared and packaged for consumption off the premises.

TAVERN

An establishment that is open to the public and serves alcohol but is only required to have a limited food menu.

Section 3. Severability. The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

Section 4. Effective Date. This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law.

NEW BUSINESS

PENFIELD TOWN BOARD RESOLUTION NO. 26T- 157 DATE: 9/16/2026

BY Councilperson Getz

COMMITTEE: Law & Finance

NAME Appointment of Full-Time Laborer – Facilities Division – Public Works

WHEREAS, The Town of Penfield has a vacancy for Facilities Laborer Full-time; and

WHEREAS, The Town Supervisor and Town Board have reviewed and considered all candidates who applied for this position; and

WHEREAS, all Monroe County Civil Service and Town of Penfield fair hiring procedures have been followed; and

NOW, THEREFORE, BE IT RESOLVED, that Darnell Rojas-Robinson, be given a probationary appointment as Laborer full-time in the Public Works Department (Facilities Division) at an hourly rate established by the Town Board and in accordance with Town Policies effective September 18, 2026.

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____