Proceedings held before the Planning Board of Brighton at 2300 2300 Elmwood Avenue, Rochester, New York on February 18, 2015 commencing at approximately 7:30 p.m.

PRESENT: William Price, Chairman
Laura Civiletti
David Fader
John J. Osowski
James Wentworth
Jason Babcock Stiner

NOT PRESENT: Daniel Cordova

Ramsey Boehner, Town Planner
Kenneth W. Gordon Town Att. (sitting in for Mr. Dollinger)

FIRE ALARM PROCEDURES WERE GIVEN

MS. CHAIRMAN: Good evening Ladies and Gentlemen, I would like to call to order the February 18, 2015 meeting of the Town of Brighton's Planning Board to order. We will approve the December 17, 2014 minutes.

MS. CIVILETTI: I move to approve the December 17, 2014 minutes with any corrections.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. CHAIRMAN: Can I have a motion to approve the January 21, 2015 minutes.

MR. OSOWSKI: I'll move to approve the January 21, 2015 minutes.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION CARRIED
Jason Babcock-Stiner abstained

MR. CHAIRMAN: Mr. Secretary were the public hearings properly advertized for February?

MR. BOEHNER: Yes, they were properly advertised as required in the Brighton Pittsford Post of February 12, 2015.

10P-01-14 Application of JPP Real Estate, LLP owners, for Site Plan Modification to pave 52.2 % of the rear yard on property located at 2195 Monroe Avenue. All as described on application and plans on file. TABLED AT THE OCTOBER 15, 2014 MEETING – PUBLIC HEARING REMAINS OPEN.

MR. WILLIAMS: Good evening members of the Board my name is Rich Williams. I am appearing on behalf of the applicant Joe Valenti one of the principles of the applicant. I don't have anything prepared tonight and I don't have anything to add to anything that has already been presented to the Board. I am certainly here to answer any questions that any of the Board members may have and certainly some of the Board members who were not present at the last meeting and or I think we have some new Board members since this application was first presented. So with that I will turn it back to the Board.

MR. CHAIRMAN: Do any of the Board members have questions two were not here last time and I apologize James Westworth is here and also Jason Babcock Stiner was absent last time. I would like to ask the public if there are any comments or questions? There being none thank you very much.

2P-01-15 Application of 250 Metro Park, LLC, owner, for Conditional Use Permit Approval to allow for an office and warehouse/distribution facility, with ancillary retail sales of heavy duty truck and trailer parts on property located at 250 Metro Park. All as described on application and plans on file.

MR. LASHER: Good evening Don Lasher applicant at 250 Metro Park and Ken Isner, President of Fry heavy duty and we are seeking a Conditional Use Permit for a small retail use and space.

MR. CHAIRMAN: For the record just tell us briefly what the operation and modifications to the building or the site that you are intending.

MR. LASHER: Fry Heavy Duty is a distributer of heavy duty truck parts and equipment. The space that they are taking is approximately 10,000 ft of storage space, 1500 ft of what we will call office space part of that about 600 sq ft is what is called retail space but it is very industry specific for heavy duty truck and trailer parts. There really are no changes to the building other than we demised it to accommodate two tenants instead of one and no changes to the site plan.

MR. CHAIRMAN: So there are no changes to the site plan so essentially it is all the same and no need for any parking additions or garbage dumpsters or lighting?

MR. LASHER: No we actually went in front of the Architectural Review Board a couple of months ago like July and we changed the windows on that building at that time but other than that no changes to the building. Just a demising wall against the warehouse section of the building down the center and the same with the office we demise that down the center as well.

MR. CHAIRMAN: Any other questions?

MR. BOEHNER: A little bit for the record. Could you tell us a little bit about how much retail you guys do and how that works?

MR. LASHER: Volume or square footage of the entire space?

MR. BOEHNER: Basically volume.

MR. LASHER: Because of the nature of their business feel free to jump in any time, the nature of their business is so specific to heavy truck and trailer equipment it is not really a walk up set of traffic it is usually fleet managers or another service that somebody else from a heavy machine shop is coming in so it is very specific. I would say 85% is deliveries, they call in and we deliver to them like Walmart we stock parts or them and also for their trucks.

MR. BOEHNR: So you are basically a distributer people don't come in.

MR. LASHER: The most we would see is a local mechanic comes in for parts or somebody comes in for a wheel.

MR. BOEHNER: So the retail is minor?

MR. LASHER: Yes, very minor.

MR. BOEHNER: The last question I have is there a dumpster on the site now and what do you do with the trash?

MR. LASHER: There is a small storage space at the back corner of the site that is designated for both tenants. There is a tenant on the east side -

MR. BOEHNER: Are there dumpsters or garbage cans?

MR. LASHER: Well, there is nothing there now but the plan is for a dumpster.

MR. BOEHNER: Do you know if that is going to be enclosed?

MR. LASHER: It is not.

MR. BOEHNER: Would that be a problem if that needed to be enclosed?

MR. LASHER: No.

MR. BOEHNER: Okay.

MR. LASHER: I don't know if we need to place a dumpster there to be honest.

MR. ISNER:There is very little trash and if we did we have a 3 or 4 yard dumpster on the right side of our other building.

MR. WENTWORTH: I noticed an inconsistency in drawing A11 the elevations of the handicapped bathrooms look to be appropriate but note the 36 inch grab bar not the 24 inch bar.

MR. CHAIRMAN: Other questions or comments? This is a public hearing does anyone care to address this application? Very good we will move on.

2P-02-15 Application of Brighton Corners, LLC, owner and S.E. Baker and Company, agent, for Site Plan Modification to construct a bank video teller drive-thru lane on property located at 1900 Monroe Avenue. All as described on application and plans on file.

MR. BAKER: Good evening my name is Stewart Baker of S.E. Baker and Company and I am here to apply for site modification plan for 12 Corners Plaza and a proposed tenant that we are in negotiations with which involves a site plan modification to seek a Conditional Use Permit for a drive-thru or a modification of the drive-thru teller that is pre-existing there now. I have several people with me here this evening and I am going to do a quick introduction if I may and try to outline what our goals and objectives are and have them speak. I have Mitch Mclaughlin from five star bank, here this evening. I have Paul Sylvestry from Harter Secrest and Emory who is the bank's counsel. I have a representative from Costich Engineering Garth Wintercorn who helped us with our design and I also have David Cruz from SRF Associates which is traffic engineering who did a traffic engineering study for us. All parties will speak to the modification work we are attempting to present to you this evening and some brief history of the plaza.

Some of the faces here are familiar and we have had a bank in that location for about 40 years. For those who remember recently we had a HSBC Bank taken over by a person at the bank and in the process of taking over they had a dual existence because they had just built recently a bank down the road. That being said First Niagara Bank elected to have very limited use in that space. Subsequently they shut down the drive-thru teller which had minimal if any use at that time. When they took over HSBC had some use as well previous, in doing some research we lost our conditional use that had been in existence for a very long time.

So our goal today is to reapply for that earn

it and we are going to go over the traffic study that we did for cuing as the design is different and we will go over some of the benefits of the design, Costich will do that and Five Star Bank will talk to the type of bank that is going in there which is more of a non-conventional bank not your standard type of bank which is pretty neat for us at the plaza. The traffic engineering person here this evening will talk to you about how we went about it and did studies with two other Five Star Banks who have traditional drive-thru tellers and how many people cue through their at certain peak and off peak times.

Once that is all done we would like to answer any questions for anybody who has any questions and I would like to bring up Paul Sylvestry and Mitch McLauglin.. Paul from Harter, Secrest and Emory and Mitch from Five Star Bank unless you have any questions for me first?

MR. MCLAUGHLIN: My name is Mitch McLaughlin I am Senior Vice President and Director of Facilities for the Five Star Bank that I have been for 34 years next month and my pleasure to talk to the group today. As Stewart said this is a non-traditional bank as banks have evolved over the years with electronic banking and remote banking and that kind of thing, we have seen traffic at our branches decrease substantially. We have looked at a concept where we employ a universal banker, a person that can wait on you like a teller would, wait on you like a new accounts customer service rep could and an assistant branch manager maybe for a loan or even a branch manager and make those employees universal so that they can take care of anyone's needs at any given time.

This branch is a little bit smaller than our traditional branch which is usually about 45 hundred square feet. This branch would not have the traditional teller line. The teller line would be replaced by an interactive pod that would allow customers to talk with our employees and do any of the business that they like to do and in doing such be able to get in and out of the branch a little bit faster. We would be able to service a branch like this with 4 employees versus the traditional 8 to 10 just because of the way they can interact and also from the standpoint that we would see less traffic in a branch with a new branch like this. This would be a start up we are not bringing any existing customers over. From day one it will be all new customers to the bank and we are also looking at the non traditional drive-up and this is

something we talked about throughout the day here but the existing facility has an old drive-up window.

Our proposal would be to replace that and do this with what is called a remote tube system and it allows us to increase our stacking put the spot where the customer is going to interact with the bank further along to allow for more stacking. But the tube system is directed right to the telepod so a person is there ready to wait on a customer. It is no longer a person that is standing at a teller window waiting for the next car to show up. That tub system is interactive video you can see the customer and the teller that is waiting on them and can do that transaction and send them on their way.

With that it pushes the point of contact for the person further along but also allows anybody within the building themselves to wait on the customer. There will be no drive up ATM part of the discussions we have had on traffic is reducing that traffic and not having a drive up ATM and the typical hours of a branch like that would be 9 to 5 and maybe 9 to 6 on Thursday, Friday and about 4 hours of traffic on Saturdays from 9 to 1, depending on traffic needs and customer needs. Any questions? It is a totally new concept and it is called the bank of the future.

MR. OSOWSKI: I am a little unclear on the transactions component, does it have a pneumatic tube or not?

MR. MCLAUGHLIN: It is a pneumatic tube. If you have been in a traditional second lane of a drive up tube that is there, normally the teller is standing in the window and can see you, with this because the teller is not standing in the window, it is a video screen. It is something we have tried in a few branches in the southern tier.

MR. OSOWSKI: Is there any constraint as to the location of that pneumatic tube?

MR. MCLAUGHLIN: Not really, one of the branches that we have runs a thousand feet from the drive-up to where the teller stands.

MR. OSOWSKI: This is the first one to reduce staffing.

MR. MCLAUGHLIN: We have reduced staffing on our traditional branches but this is the first where we have developed a program in house to train, a six month training process to be able to do all of those types of transactions but this would be the first one.

MR. OSOWSKI: Is there an ATM after hours in the lobby?

MR. MCLAUGHLIN: Yes, there is an ATM and a night drop so if a customer wants to drop something off they can do that.

MR. BAKER: If I can interject HBSC had that as well.

MR. MCLAUGHLIN: Any questions? Thank you.

MR. CRUZ: Good evening members of the Board, as was stated I am Dave Cruz of SRF Associates, we took a look at traffic to the site. As part of the study we looked at two of the busiest Five Star Banking facilities that are operating in the rejoin, one in Henrietta and one in Chili, and we took a look at it in terms of traffic operations and cuing in the drive – thru lanes the ATM lane as well as the banking service lanes. We took a look at two peaks the lunch time peak as well as the evening commuter peak for 6 p.m. and what we found out was maximum cuing at these two facilities was two vehicles in any one lane and 4 vehicles at any one point throughout each of the drive-thru service lanes, based on the conceptual site plan there is stacking for about five vehicles. And for a facility like this we have seen trip generation numbers go down for the banking facility given that this is a unique type of use and its quite different than your typical HSBC, Key Bank, Chase, the big national known banks, traffic here especially drive-thru traffic is not anticipated to equate or compare to your typical national bank.

So for a site like this you are likely to see less cuing in the stacking lane on the site we actually studied.

MR. BOEHNER: What did you say were the hours that you studied?

MR. CRUZ: Sure, midday lunch time 11:30 to 1:30 and then the evening commuter 4 to 6 p.m.

MR. BOEHNER: And you did that for each day?

MR. CRUZ: No not for every day just for a typical week day.

MR. BOEHNER: What day did you use because Friday's at lunch is busier than Tuesday at lunch.

MR. CRUZ: We did a Friday count during lunch hour.

MR. BOEHNER: And these facilities you looked at they only have one drive-thru?

MR. CRUZ: They had one ATM drive-thru lane plus 3 service lanes with the pneumatic tubes. So it is actually a much bigger drive-thru facility than what you are seeing here.

MS. CIVILETTI: So to summarize there were no more than two cars in any lane?

MR. CRUZ: Correct, one lane there was a maximum of two cars one serviced and one behind and at one point through out the study at both sites there were four cars being serviced.

MS. CIVILETTI: How many cars total?

MR. CRUZ: Four total.

MR. BABCOCK STINER: The concerns I have are personal and right now and from what I have heard from other folks that this is a much better layout than we have seen in the past but my concern is that you have somebody coming off of Elmwood from Denise and they are going to turn right and use the main drive, right there, and then you have to make an immediate left to get into the line of the bank to get to the drive-thru. They are going to have to cross over traffic that is coming out of the location that is either right or left and so there might be a big potential for causing back up onto Elmwood because – have you looked at all aspects how the peak times of the bank's traffic compares to the peak cuing times for traffic in this lot?

MR. BOEHNER: Have you looked at the turning movements into the plaza, the left hand and the right hand turning.

MR. BAKER: I think Jason your question is more appropriate for Garth and then you can comment if I may, I think your question is better answered by the engineer who designed it.

MR. BOEHNER: Did the traffic study look at the turning movements?

MR. CRUZ: At this site no.

MR. FADER: I have a question about four cars at once, worse case scenario versus four cars in four lanes.

MR. MCLAUGHLIN: Yes, there are four lanes but in that drive up specifically there is one person who is servicing those four lanes, because typically there isn't four cars there and the instance of the two branches their first lane is an ATM, a drive-up ATM which is included in those counts and you won't have the ATM traffic there because they will be at the inside ATM. Does that clarify it?

MR. FADER: Yes.

MR. BAKER: Garth do you want to explain the circulation pattern for SRF?

MR. CHAIRMAN: We do want to talk about turning movements that are currently experienced versus how does that change?

MR. WINTERCORN: Garth Wintercorn from Costich Engineers, the Civil Engineers who laid out the site plan with the bank. Before I get into the plans you guys did receive the comments from County Planning DRC?

MR. BOEHNER: Yes.

MR. WINTERCORN: I can go through them if you want but they are very boiler plate in nature. They are not requiring us to do anything to respond to it. First I will talk about what is out there today, there is an existing curb cut coming off of Elmwood and it is a very vast

wide area of pavement what you have is two way here north and south bound kind of typical with parking on either side and over here is where it gets a little bit different. You have parking here and then you have 50 foot of pavement and you have north bound adjacent to the building and right next to it you have a north bound lane coming through and then south bound so you have the drive-thru, with two lanes going north and one south which is adding another intersection per say, that these guys are going to be saying I will try to sneak out this way, so that is where we are going to see a new improvement.

MR. CHAIRMAN: If you go from the building face to the back of the stall there so technically it is wide enough to legitimately have two way traffic and a stand alone drive-thru lane?

MR. WINTERCORN: Yes. I guess I was going to go through some different alternative plans before we came up with this one. Our first one which we were telling everyone was so great didn't turn out to be so great and that is where a car coming in you put the entrance to the drive-thru further off at Elmwood they would do a 180 and then turn around and do another 180 to approach the video teller and that plan was nixed. The next plan was alternative B where we were cutting two intersections here and that is why we didn't like it. Instead of just coming in and going straight you would take a right so now we are creating two intersections right at the entrance which opens up for conflicts with all the turning that is going on. The third one was where a car would come in and go north bound all the way around and come back in this way and the one thing we didn't like about this again is introducing another intersection versus the proposed plan which you guys have in front of you it doesn't allow us to have room to provide any pedestrian link that's safe between the back and the front of the plaza. So now I get back to what we are proposing.

MR. FADER: Can I ask one question, on this plan had you considered coming in the opposite direction like the previous one on this one and then make a right and it comes south –

MR. WINTERCORN: We were concerned with losing parking spots if we did that because there is a little indenture right here. We are sublaying –

MR. CHAIRMAN: We were thinking about putting the video monitor on the island.

MR. WINTERCORN: By doing that you end up with a system that has to go underground which this version does not or having a suspended over the top of what would be the drive-thru.

MR. BOEHNER: How does the tube work?

MR. WINTERCORN: It is above ground. It goes up and takes a 90 degree turn.

MR. CHAIRMAN: We need to see how that works.

MR. BOEHNER: Can that go under ground?

MR. MCLAUGHLIN: Preferred not to, the tubes do get stuck on occasion and this would be a lot easier than underground. We will have to get you a picture of it.

MR. BAKER: You know our whole goal is to try and make it better and the existing system that is there now is not good and from the landlord perspective we really want a bank there. And we think a bank serves the community. We think a bank that has been there for a very long time works and this particular bank and its new type of branch which they spent a lot of time and money is a great branch for us. So that all being said plus the studies they have done as far as coming back and cuing that's the goal and we did go through a lot of time with Costich.

MR. WINTERCORN: I think there is a pedestrian link there and you still have about 25 feet for a car coming in to access the drive-thru and in the rare case there is more than one car he is not going to sit there he is going to park and go in.

MR. CHAIRMAN: Garth the only addition to the pedestrian that you have on the back side there we were wondering about maybe a pedestrian break at the front side, right where the walk is. Inherently people are going to walk through your landscaped island to get to the front doors.

MR. WINTERCORN: We did go to the town staff and they asked for not just trees in there but also bushes and grasses to discourage pedestrians from taking the shortest path.

MR. BOEHNER: What you are going to do is force them into the travel lane, if you put a sidewalk through there, and you properly sign it and warn people that there is a crossing there you may be able to get them across and have control points. Do you have concerns about having dead end parking?

MR. WINTERCORN: It's that way today there is a lot of width still left plenty of width for someone to come in this way and get out.

MR. BOEHNER: I am looking at the area right now and they can not get out, you are going to have a dead end parking lot.

MR. WINTERCORN: Right now there is parking right here and -

MR. BOEHNER: And then you have plenty of space you have 30 or 40 feet in there.

MR. WINTERCORN: That is true these guys today could back out.

MR. BOEHNER: They can get out. They don't have to go backwards if they go in there and there is no parking space they can get out.

MR. WINTERCORN: So you are saying the only way to get out now is to back out.

MR. BOEHNER: Yes, and you are going to have the same issues with delivery. You should look at that.

MR. CHAIRMAN: I believe this is the best alternative but I would ask that you find a way to get across walk across that island.

MR. WINTERCORN: Keep both cross walks?

MR. BOEHNER: Yes.

MR BABCOCK STINER: I appreciate you bringing the alternatives. It helps us to know what you have looked at. I would agree I think this is the best but I would ask you to look at if there is anything you can do where the traffic is going to exit the teller lane.

MR. WENTWORTH: I agree this is probably the best alternative. I generally agree with the Board.

MR. BOEHNER: I am going to add that part of what needs to be clear in here is we don't have dangerous conflicts at the access point of Elmwood Avenue and this drive-thru that's where this traffic study is going to become a huge role. This Board should know what those conflicts are what they really need to know if there is a potential hazard they are creating there. We can design it the best we can but you are going to have to answer that question. As the traffic engineer you are going to have to look at those turning movements, look at how the banks drive-thru's operate and give it a clean bill of health. The Zoning Board is going to want to know that information because you are asking to reestablish a drive-thru.

MR. WINTERCORN: So it's paramount that we have a study conducted coming in taking a left hand turn.

MR. BOEHNER: You are going to have to study how that traffic is going and articulate that and prove your point.

MR. WINTERCORN: And to the point all the factors will factor into that from the perspective of the type of bank use, the modification of the lot plus the study of SFR.

MR. BOEHNER: When it comes to that area there I want you to move up that stacking lane. It's there but make sure you get that on the drawing because that gives you some additional room there especially if the radius are tight..

MR. CHAIRMAN: So you have some directions from us.

MR. BAKER: Is there any general questions you have of us..

MR. BOEHNER: You are going to take out the window and you know you have to go to Architectural Review for that.

MR. BAKER: I didn't know for sure but now I do. We have to go through ARB to remove the window.

MR. BOEHNER: Yes, an exterior renovation. Will any additional lighting be installed.

MR. BAKER: We do not propose any additional lighting.

MR. BOEHNER: If you do you need to show those plans.

MR. BAKER: Would you encourage additional lighting?

MR. BOEHNER: I don't know it that well. I am just asking the question.

MR. BAKER: We don't have an proposed.

MR. CHAIRMAN: All right, this is a public hearing is there anyone who cares to address this application. Hearing none we will continue.

2P-03-15 Application of David Perlman, owner, and David Burrows, architect, for EPOD (steep slope) Permit Approval to construct a 361 +/- sf detached garage on property located at 59 Stoneham Drive. All as described on application and plans on file.

MR. PERLMAN: My name is David Perlman and my wife and I have been living at 59 Stoneham Drive now for 49 years and we have become attached to it. There is a saying that we want to age in place and the place we have to age in requires us to climb stairs because we have no bedroom and no bathroom on the ground floor. And we were all set to look at a condo and I started getting depressed and all of a sudden somebody suggested why don't you convert the garage which is part of the

house and make it a bedroom. That is one of those aha moments and we started thinking if we did that we have enough land on the side of our house to put up a detached garage and that is what we are thinking about now so that we can convert the current garage to a bedroom and bath and not have to worry about the stairs. We can leave it to the mice for all I care. Well, the thing that is really important to me because we have lived in this neighborhood for so many years is how would I feel if I am sitting across the street and looking at a shabby structure.

So we are not trying to do this as cheap as possible. We are trying to make the garage that we are going to build very compatible with that house. I think you have a computer rendition and I have created an image of what that garage would look like in place. It has the same brick work, same windows, the same structure as the house itself. I believe it will be a perfect match to that house. The garage we have now is so narrow it was built in 1939 and if you are not careful you can strip the mirrors off your car. As I get older the probability of that goes up.

The new garage is not a two car garage. It's about one and a half and we can put a snow blower in there rather than a shovel. And the biggest problem is our house is perched on property which not far from the house drops off dramatically so we have to position the garage very carefully and that is why I have Mr. Burrow here to advise me on how this can best be done but we have tried very to make it a structure that is totally compatible with the neighborhood because we want to stay in that neighborhood.

MR. BURROWS: David Burrows, architect for Mr. Perlman. He hired me to look at the site and fine tune the position of the garage. I met with Rick DeSteffano and the Zoning Board to determine what we needed to present to the Planning Board and two weeks ago this did get approved by the Zoning Board for a garage partially in the front yard. So we also got a height variance to permit the gable to match the gable on the house. So it has been through Zoning and has been approved.

And what we are addressing as far as the EPOD is concerned is we are locating the garage as close as we can to the existing grades and we are near the steep slope itself. We are trying to keep the floor of the garage at or slightly above street level to insure water doesn't flow into the garage or drains the driveway. So that the elevation of the garage floor is close to the front grades. We are not removing any trees

except for one that has been identified as diseased and a liability. The only grading we are doing will be for the foundation for the garage itself and we are keeping all existing grades tight to the future garage walls. We are taking care of erosion by installing a dispersion system rather than putting in down spouts and the construction will be done by a bobcat the smallest piece of equipment we could get in there so nothing will be disturbed. And the trees to remain will be protected during construction. We have had foundation design, evaluated the soils and provided a structural engineer and basically we have done what we can to minimize any disruption of the site. I will be open to any comments or questions by the Board.

MR. CHAIRMAN: Why didn't you decide to put it in the other end of the house.

MR. BURROWS: The slope is very steep behind the house. We actually looked at constructing bedroom and bath behind the house so we could keep the garage but there is only a few feet before it drops off drastically. So we are keeping it on the flattest part of the site.

MR. CHAIRMAN: And the ZBA locked into the position as it was drawn because they wanted to minimize the encroachment into the front yard.

MR. BURROWS: Yes, it is kind of trying to work between the Zoning Board and the Planning Board making sure it is not in the front yard more than necessary. We are also keeping all of the existing trees and if we brought it further back more trees would be affected.

MR. CHAIRMAN: Is this a dispersion trench or filtration trench?

MR. BURROWS: It should it is sandy soil so it should drain fairly well.

MR. CHAIRMAN: What is the top layer that the water is actually hitting?

MR. BURROWS: It is a sandy soil that will allow some vegetation to grow.

MR. PERLMAN: The house itself is sitting on the same soil of course and it is so dry we have no sump pump.

MR. CHAIRMAN: You have gutters on the home?

MR. PERLMAN: Yes we do.

MR. CHAIRMAN: Do they just discharge or drain?

MR. PERLMAN: Two of the gutters dump not to far from the house and then I had a modification made because I had a little bit of a leakage into the basement where one of the gutters was and we moved the drain pipe and actually had it discharge down the slope. So we have both kinds actually.

MR. CHAIRMAN: Are you satisfied with the plants on top of the drainage? Are there plants or larger stone so the energy is dissipated before it has a chance to infiltrate?

MR. BURROWS: We will have a landscape architect help us with that but we aren't there yet. That is a detail we haven't finalized but rather than have down spouts which can cause flooding or erosion we will try to disperse it and spread it out over as large an area as possible and have plants to absorb the moisture.

MR. OSOWSKI: Is there footing all the way around this?

MR. BURROWS: Yes, they said we would have to have it five foot below grade and it will be a spread footing that will be designed by the structural engineer. It will be all the way around the perimeter and then concrete block, the block will be filed and then a concrete slide pool like a conventional garage.

MR. BOEHNER: So you will be working with a geotechnical person.

MR. BURROWS: Yes, it is going to Jim Baker and then to I forgot the man's name but a structural engineer with a structural engineer. Erick Garno.

MR. BOEHNER: Did you use an arborist?

MR. BURROWS: Yes, we had Richard Smith of Arbor Tree Services.

MR. BOEHNER: So you have a licensed arborist, a geotechnical and a structural engineer?

MR. BURROWS: Yes.

MR. CHAIRMAN: Okay, this is a public hearing, is there anyone here who cares to address this application? Thank you.

2P-04-15 Application of 1465 Monroe Avenue Associates, LLC, owner for Conditional Use Permit Approval to allow a yoga studio on property located at 1465 Monroe Avenue. All s described on application and plans on file.

MR. NORRY: Good evening my name is Luis Norry and I live at 330 Antlers Drive and I am also the owner of 1465 Monroe Avenue and 1465 Monroe Avenue Associates. This is a old historic retail location in the Town which was originally a lederhosen shop built by her husband and since I bought the building from them we have had mostly a series of sellers of goods who have not succeeded in that store and the latest of which was Jacqueline's Bridal Salon which went out when the State shut them down 12 months ago but stopped paying us about 18 or 19 months ago. And we have been looking for a replacement ever since.

We really haven't seen anything come to us other than a couple of people who have never owned a bar who wanted to own a bar and serve fried food and really didn't think that was the right use for downstairs from our office and if we didn't have enough parking for this we really didn't have enough parking for that. Recently we have had someone come in named Julie Holden who is a Brighton person and wanted to open a studio and we looked over all the parking issues which is a primary issue for something like this in a space like this. I think services will work a lot better and the sale of goods has worked, and I didn't want to put in another bank or hair and nail salon but this seemed like a nice alternative. We are on paper short parking so we have gone to our

neighbor the bank who has offered to let us have parking and you can see there is mass parking back here and this piece here and all the parking around here. So between us we have 55 parking spaces and we went over a month and at 11 and 2 at times we discussed with Rick to take a look at and we went and counted all the excess spaces and there is really not less than 25 spaces left over at the site that is currently being used. Our business if we have five visitors a week is a lot. The salon is busy salon hours that would be Thursday morning and Friday morning 9 to noon and then afternoons but they aren't huge traffic users. They have maybe 4 or 5 people and the bank never uses all of it's parking so between them we really think we have more than enough parking to accommodate this use. I know it is a use that has been difficult to find a location that works in the commercial core of the Town but I do think it is a use that lot's of people will use and lot's of people want. We think it will stay. They are going to add another bathroom in the space and we should have more than enough parking for the number of people we can fit in these plazas. We are not making any exterior changes. It has two exterior entrances and exits in fact there is three. And the bank very rarely uses the parking and we have a good relationship with them and they will let us use it.

MR. BOEHNER: What type of agreement do you have with them?

MR. NORRY: We have a letter from them that you have here that says we will have a formal agreement with them if you approve it.

MR. BOEHNER: So it is not a signed easement just contractual?

MR. NORRY: Yes, we will have an agreement with them to use the parking.

MR. WENTWORTH: I have a question do you have a site plan from Pasero Associates, I am a little confused it shows there is work for an office facility, it says replacing the existing, is this still accurate?

MR. NORRY: Yes, that is what is there now and we put in all the pylon along the street and I have a stash of them in the basement. But when the street scape comes along it would be a good time

to do something other than those but those are the drawings that were done when we upped the amount of landscaping that was done. And that is how it exists now if I am a little off I was not supposed to be here this evening but Rachel woke up with the flu. So I was pulled off the back bench.

MR. BOEHNER: You are doing alright.

MR. CHAIRMAN: Does the amount of parking on the site meet code?

MR. BOEHNER: No, it does not. He has to go off site to get the amount he needs. They have made the necessary variance application with the Board of Appeals.

MR. NORRY: WE also encountered the factored use as opposed to the required parking.

MR. BOEHNER: I believe their intention is just to show to the Board that they felt they had the parking resolved.

MR. CHAIRMAN: Are there any questions?

MR. NORRY: This requires a Conditional Use Permit because of parking and traffic needs and you have all the curb cuts at the light so it is a good location for it. Thank you all very much.

MR. CHAIRMAN: Okay thank you. Does anybody here care to address this application?

NEW BUSINESS

8P-NB1-14 Application of the University of Rochester, owner, for Preliminary Site Plan Approval and Preliminary EPOD (woodlot) Permit Approval to construct a 3 story 92,000 +/- sf medical imaging and office building on property located at 250 East River Road (Tax ID # 148.08-01-001) and to join nine lots into one on property known as the University of Rochester South Campus. . All as described on application and plans on file. TABLED AT THE JANUARY 21, 2015 MEETING – PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE MARCH 18, 2015 MEETING AT THE APPLICANT'S REQUEST.

PRESENTATIONS

NONE

COMMUNICATIONS

Letter from Jonathan McCann – Associate Project Manager, University of Rochester, dated February 10, 2015 requesting postponement of application 8P-NB1-14 to the March 18, 2015 meeting.

PETITIONS

NONE

10P-01-14 Application of JPP Real Estate, LLP owners, for Site Plan Modification to pave 52.2 % of the rear yard on property located at 2195 Monroe Avenue. All as described on application and plans on file. TABLED AT THE OCTOBER 15, 2014 MEETING – PUBLIC HEARING REMAINS OPEN.

MR. FADER: I move to close the hearing.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION CARRIED
* MR. OSOWSKI OPPOSED

MS. CIVILETTI: I move the Planning Board approves the application based on the testimony given, plans submitted and with the following conditions and Determination of Significance.

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton declares itself to be lead agency under the State of New York Environmental Quality Review Act. After considering the action contemplated, the Planning Board finds it to be an Unlisted Action. Upon review of the Environmental Assessment form, the application and materials submitted,

and the criteria for determining significance pursuant to the SEQRA the Planning Board finds that the proposed action will not have a significant impact on the environment.

CONDITIONS:

1. All comments and concerns of the Town Engineer as contained in the attached memo from Michael Guyon, Town Engineer, to Ramsey Boehner, shall be addressed.

2. All Town codes shal be met that relate directly or indirectly to the applicant's request.

3. Areas where the pavement is to be removed shall be restored with sod and rain garden.

4. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control

5. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.

6. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered and fertilized prior to , during and after construction. Materials and equipment storage shall not be allowed in fenced areas.

7. Meet all requirements of the Town of Brighton's Department of Public Works.

8. All Town codes shall be met that relate directly or indirectly to the applicant's request.

9. All outstanding Site Plan Comments and concerns of the Town Engineer shall be addressed.

10. A note should be added to the plans indicating that the current lighting is to be removed.

11. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

12. All requirements of the Zoning Board of Appeals shall be met.

13. The maximum rear yard paved area shall be 47.2% +/- 5% in lieu of the maximum 35% allowed by code.

MR. FADER: Second

UPON ROLL CALL VOTE MOTION CARRIED
*MR. OSOWSKI OPPOSED

2P-02-15 Application of Brighton Corners, LLC, owner and S.E. Baker and Company, agent, for Site Plan Modification to construct a bank video teller drive-thru lane on property located at 1900 Monroe Avenue. All as described on application and plans on file.

MR. FADER: I move to close the hearing.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move the Planning Board approves the application based on the testimony given, plans submitted and with the following conditions and Determination of Significance.

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton declares itself to be lead agency under the State of New York Environmental Quality Review Act. After considering the action contemplated, the Planning Board finds it to be an Unlisted Action. Upon review of the Environmental Assessment form, the application and materials submitted, and the criteria for determining significance pursuant to the SEQRA the Planning Board finds that the proposed action will not have a significant impact on the environment.

CONDITIONS:

1. The proposed dumpster shall be shown on the site plan along with its proposed screening. The dumpster shall be enclosed with building materials that are compatible with the existing building and located in the rear yard. The dumpster shall be reviewed and approved by the Buiding and Planning Department prior to final approval.

2. Any retail sales shall be a minor, ancillary component to the operation.

3. Meet all requirements of the Town of Brighton's Department of Public Works.

4. The entire building shall comply with the most current Building and Fire Codes of New York State.

5. There shall be no bulk storage of petroleum products or any other flammable or hazardous products/ materials.

6. All required town permits shall be obtained.

7. All Town codes shall be met that relate directly or indirectly to the applicant's request.

8. The use shall comply with all Light Industrial District Performance Standards.

9. No outdoor storage or display of goods, materials or equipemtn shall be permitted without town approval.

10. The ratio of office area to warehouse area shall be regulated by the existing parking lot's ability to meet the parking requirements for office use and warehouse use of the Brighton Town Code. Any additional parking areas shall be subject to site plan approval.

11. An operational permit shall be obtained from the Town Fire Marshal (Chris Roth, 784-5220).

12. Any signs shall require separate review and approval.

13. All Monroe County comments shall be addressed prior to final approval.

MR. BABCOCK- STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

2P-02-15 Application of Brighton Corners, LLC, owner and S.E. Baker and Company, agent, for Site Plan Modification to construct a bank video teller drive-thru lane on property located at 1900 Monroe Avenue. All as described on application and plans on file.

MR. FADER: I move that the application be tabled based on the testimony given and plans submitted. Additional information is requested in order to make a Determination of Significance and to have a complete application. The following information is required to be submitted no later than two weeks prior to the next Planning Board meeting:

1. The subject property is presently zoned BF 1 Commercial and RLB Residential (see attached photo). The majority of the proposed bank and drive-thru are located in the residential district. The previous bank and drive-thru were considered non-conforming uses. The ability to reestablish the bank and drive-thru in the residential district has expired. The reestablishment of the bank and drive-thru must be reviewed and approved by the Zoning Board of Appeals.

2. Any exterior modifications to the façade must obtain Architectural Review Board review and approval.

3. The application letter dated January 21, 2015 states, "The traffic study at our branches also validates the significant reduction in drive up traffic". A traffic study shall be submitted for review. The traffic study should address the proposed projects impact on all the turning movements at the plaza from Elmwood Avenue according to the report and the traffic study shall adequately address what is proposed.

4. There is concern that the proposed island will obstruct the sheet flow of the stormwater and may cause ponding in the drive through area. Consideration should be given to using the proposed island area as a rain garden to capture and treat the run-off generated by the paved area.

5. A sidewalk connection should be added to the southern portion of the proposed landscape median, connecting to the existing sidewalks along the front of the building through a well signed pedestrian walkway across the drive-thru lane.

6. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.

7. An accessible ramp shall be shown on the plan. All new accessible parking space signage to be installed or replaced shall have the logo depicting a dynamic character leaning forward with a sense of movement as required by Secretary of State pursuant to section 1 hundred and one of the Executive law.

8. Use of native and non invasive trees and shrubs is encouraged.

9. All comments and Concerns of the Town Engineer as contained in the attached memo dated 2/17/15 from Michael Guyon, Town Engineer, to Ramsey Boehner, shall be addressed.

10. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

11. Details of the tube system shall be submitted.

MR. BABCOCK-STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOULSY CARRIED

2P-03-15 Application of David Perlman, owner, and David Burrows, architect, for EPOD (steep slope) Permit Approval to construct a 361 +/- sf detached garage on property located at 59 Stoneham Drive. All as described on application and plans on file.

MR. FADER: I move that the public hearing be closed.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move the Planning Board approves application 2P-03-15 based on the testimony given, plans submitted and with the following conditions:

1. Meet all requirements of the Town of Brighton's Department of Public Works.

2. The building shall comply with the most current Building and Fire Codes of New York State.

3. The site plan shall show the limits of disturbance.

4. A licensed geotechnical engineer or certified soil scientist shall be consulted during construction of the garage and all recommendations of the consultant shall be complied with.

5. A certified arborist shall be consulted regarding protection of the trees to remain. The recommendations of the arborist shall be complied with.

6. A permit is required from the Brighton Highway Department for any work within the right of way, including removal and restoration of the existing driveway.

7. The existing driveway shall be removed prior to issuance of final approvals for the use of the new garage from the Building and Planning Department.

8. All Monroe County requirements shall be met.

9. All Town codes shall be met that relate directly or indirectly to the applicant's request.

10. Erosion control measures shall be in place prior to disturbance of the site and shall be maintained until site restoration is completed.

11. All disturbed areas shall be restored prior to issuance of final approvals for the use of the new garage from the Building and Planning Department.

12. The project shall comply with the variance granted by the Zoning Board of Appeals.

13. All comments and concerns of the Department of Public Works, as contained in the attached memo from Evert Garcia to Ramsey Boehner shall be addressed.

14. The proposed infiltration trench shall be covered in the dedication for erosion i.e. gravel or stone to dissipate the water run off.

MR. CHAIRMAN: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

2P-04-15 Application of 1465 Monroe Avenue Associates, LLC, owner for Conditional Use Permit Approval to allow a yoga studio on property located at 1465 Monroe Avenue. All s described on application and plans on file.

MS CIVILETTI: I move to close the public hearing.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MS. CIVILETTI: I move the planning Board approve application 2P-04-15 based on the testimony given, plans submitted and for the following Determination of Significance and conditions:

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton declares itself to be lead agency under the State of New York Environmental Quality Review Act. After considering the action contemplated, the Planning Board finds it to be an Unlisted Action. Upon review of the Environmental Assessment form, the application and materials submitted,

and the criteria for determining significance pursuant to the SEQRA the Planning Board finds that the proposed action will not have a significant impact on the environment.

CONDITIONS:

1. Prior to application for a building permit or any occupancy of the space a parking variance shall be obtained from the Zoning Board of Appeals.

2, Meet all requirements of the Town of Brighton's Department of Public Works.

3, All requirements of the NYS Uniform Fire & Building Code shall be met for the proposed change of use. All required building permits shall be obtained.

4. An Operational Permit shall be obtained from the Town of Brighton's Fire Marshal(Chris Roth, 585-784-5220).

5. Hours of operation shall not exceed 7 a.m. to 10 p.m. Sunday through Thursday or 7 a.m to 11 p.m. Friday and Saturday without approval by the Planning Board.

6. There shall be no outside storage or display.

7. Any proposed signs shall obtain required approvals.

8. Activities shall not disturb neighboring businesses of residents.

9. All Monroe County requirements shall be met.

10. All Town codes shall be met that relate directly or indirectly to the applicant's request.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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* * * * *

1370 Maximum Tan for a building face sign (2nd building side variance approved 11A-04-14) at 2799 Monroe Avenue.

ARB approved as presented.

1371 Lifetime Benefit Solutions for a building face sign(2nd building side variance request 2A-03-15)

Approved with conditions
1. All required variances shall be obtained.

MS. CIVILETTIE: I move sign applications 1370 and 1371 be approved as presented with conditions.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

CERTIFICATION

I, Judy Almekinder, 7633 Bauer Van Wickle Road, Lyons, New York 14489, do hereby state that the minutes of the February 18, 2015 , meeting of the Planning Board of the Town of Brighton at 2300 Elmwood Avenue, is a true and accurate transcription of those notes to the best of my ability as recorded and transcribed by me.

Judy Almekinder

On this ------- day of March 2015 before me personally came Judy Almekinder to me known and known to me to be the person described herein and who executed the foregoing instrument, and she acknowledge to me that she executed the same.

Notary Public

TANYA M JOHNSON
NOTARY PUBLIC STATE OF NEW YORK
MONROE COUNTY LIC. #01JO6237609

TANYA M JOHNSON
NOTARY PUBLIC STATE OF NEW YORK
MONROE COUNTY, LIC. #01JO6237609
COMM EXP 03/28/2015

ADDENDUM TO THE DECEMBER 17, 2014 MINUTES
OF THE PLANNING BOARD

PAGE 1

JASON BABCOCK STINER NOT JOSH BABCOCK STINER

ADDENDUM TO THE JANUARY 21, 2015

PAGE 1

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CHRIS DUERR NOT CHRIS DOER
Chris Duerr