

Proceedings held before the Planning Board  
Brighton at 2300 Elmwood Avenue, Rochester, New York on August 17,  
2016 commencing at approximately 7:30 p.m.

PRESENT: William Price  
David Fader  
John Osowski  
Jason Babcock Stiner  
James Wentworth  
Daniel Cordova

NOT PRESENT: Laura Civiletti

Ramsey Boehner: Town Planner  
David Dollinger, Dpty Town Attorney

**FIRE ALARM PROCEDURES WERE GIVEN**

MR CHAIRMAN: Good evening Ladies and Gentlemen, I would like to call to order the August 17, 2016, meeting of the Town of Brighton's Planning Board to order. We will approve the minutes of the July 20, 2016 meeting at the September 21, 2016 meeting. Mr. Secretary were the the public hearings properly advertised ?

MR. BOEHNER: Yes, they were properly advertised as required in the Brighton Pittsford Post of August 11, 2016.

MR. CHAIRMAN: Those hearings will now be held.

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7P-02-16 Application of 2861 BHTL Rd, LLC, owner and Spot on Development, agent, for Final Site Plan Approval, Final Subdivision Approval and Final Conditional Use Permit Approval to reconfigure two lots and redevelop the site with a 2,400+/- sf Starbucks Coffee restaurant with drive -thru and outdoor dining on properties located at 2861 West Henrietta Road and 1634 Brighton Henrietta Town Line Road. All as described on application and plans on file. ADJOURNED UNTIL SEPTEMBER 21, 2016 MEETING AT THE APPLICANT'S REQUEST.

NEW BUSINESS

SP-NB1-16 Application of Bruce Coleman, owner, of property located at 2861 West Henrietta Road and 400 Western Drive, LLC, owner of property located at 1634 Brighton Henrietta Town Line Road, and Angelo Ingrasia / Spot on Development, LLC , contract vendee, for Preliminary Site Plan Approval , Preliminary Subdivision Approval and Preliminary Conditional Use Permit Approval to reconfigure two lots and redevelop the site with a 2,400 +/- sf Starbucks Coffee restaurant with drive thru and outdoor dinning . All as described on application and plans on file.  
TABLED AT THE MAY 18, 2016 MEETING – PUBLIC HEARING REMAINS OPEN. POSTPONED TO THE SEPTEMBER 21, 2016 MEETING AT APPLICANT'S REQUEST.

7P-NB1-16 Application of Alice Kanack, owner, for Preliminary Site Plan Approval to construct a 4, 187 +/- sf building addition and to add 47 parking spaces on property located at 2977 South Clinton Road All as described on application and plans on file. TABLED AT THE JULY 20,2016 MEETING – PUBLIC HEARING REMAINS OPEN – ADJOURNED TO THE SEPTEMBER 21, 2016 MEETING AT THE APPLICANT'S REQUEST.

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MR. CHAIRMAN: The public hearings are closed.

8P-NB1-16 Application of Dr. Hossein Hades @ 2717 Monroe Avenue, LLC, owner, for Concept Review to raze an existing commercial restaurant building and construct a 10, 278 +/- sf commercial retail building on property located at 2717 Monroe Avenue. All as described on application and plans on file.

MR. SUDOL: My name is Jess Sudol and I am with the Passero Associates involved in the engineering architecture. I am here for the project at 2717 Monroe Avenue which I am sure you all know is the former Friendly's site just on the east side of 590 across from Mario's Restaurant. Dr. Houssein purchased this property a year and a half ago and it has sat vacant since then until they have come forward with the proposed construction of a 10,278 sf mattress retail store. When we first found out about the proposed sale we were somewhat happy that they were proposing a mattress store and although we were not involved in the

projects happening in the area we are certainly aware of the project happening across the street and the concerns related to traffic. I think that a mattress store is possibly the lowest trip generater there is compared to the high turn over of a restaurant such as Friendly's. We are interested in getting on board with the project across the street and we are here tonight for a concept review because of the project across the street and we thought it best to do due diligence with the staff and the Board and with other people in this area before we go ahead and put together a bonnafied application for a site plan review.

So Mr. Boehner was kind enough to let us do things a little bit backwards and submit my application before having a workshop with town staff and since that time we have had a workshop and I think it is pretty obvious they were happy to hear it was going to be a mattress store with a 11 by 17 overlay that is the site plan overlay, just so you can see a little bit of the context on what we are proposing not only for the building for the most part but also the parking and access and for the most part all of that falls on the already built out area. We are also fully aware as part of the multiple food project that they are contemplating doing some access improvements not only on the north side of Monroe Avenue but the south side including an access road along the southern portion and as we move further east it would funnel into a proposed signal light and we are certainly hopeful that would move forward and we are more than willing to participate in that effort. Once they do that and have all the necessary acquisition of the DOT land that does not impact our project at all it does stand alone and we would still have a project that does not impact the traffic at all but if that were to happen we would be fully willing to participate in that effort.

We are anxious and are looking forward to our development so that we can participate in that and again with or without the other project. The project site itself is point 995 acres and we are just slight above the building density which is 10,000 square foot per acre and we can see if we can cut off 600 or 700 square feet so that would be one less variance to deal with. We also have to deal with parking which is one space per 300 square foot of acreage but if they have more than one person in the store at one time that is a busy day for them. So we would like to increase the green space and even though the building is bigger than Friendly's it has not had much green space and we hope to put in an attractive building with some more landscaping because that does serve as a gateway to this area. That is where we are at this time and it is the first

step along the road ahead of us and we are here to get input from everyone and use it as an opportunity to get information to build on.

MR. CHAIRMAN: Could we clarify this a retail store or is it for distribution?

MR. SUDOL: It is strictly a retail store and the only thing we will warehouse is mattresses sold from this store. We will keep inventory in the back and they will have a storage area back there.

MR. BOEHNER: So you wouldn't have a warehouse there?

MR. SUDOL: No only mattresses to be sold there.

MR. CHAIRMAN: With regard to the building site one of the things we have been talking about with regard to the project across the street is moving the buildings closer to the street to form a street wall with a little bit of activity with store fronts. I understand that a mattress store will not draw a lot of pedestrian traffic but I think you could bring the building closer to the front and expand the parking on the side and put some in the back.

MR. SUDOL: Yes, this is something we can entertain and look at.

MR. CHAIRMAN: We would like to see two or three stories rather than a one story retail 9 to 5 operation. What we will do is ask everyone to give their thoughts and findings on this. We will go around the Board starting with James.

MR. WENTWORTH: Okay I like the concept and I don't have any concerns but I second Bill's comment about the street wall and you do have on the western corner mature evergreens that are already blocking the view of your site and without those you could go a lot further into the street. That would help you and also help us obtain our goals.

MR. SUDOL: That is noted.

MR. BABCOCK STINER: I would second what everybody has said so far and other than that I don't have anything to say.

MR. FADER: I don't have anything either.

MR. CHAIRMAN: Personally I guess if you do end up with an application that is substantially similar to this I would ask that you take a harder look at the site configuration. I am sure you will look at where the dumpster is and there is a mountain of asphalt back there and circulation is a bit tough so I would ask you to consider sidewalks back to the front of the building for the pedestrian traffic. We have been fairly successful coming along Monroe Avenue and I would ask you to consider cross access easements for traffic coming in off of Monroe Avenue.

MR. SUDOL: Absolutely we will look into it.

MR. CORDOVA: I don't have anything to add in pushing forward.

MR. CHAIRMAN: I guess you can take a look at this and come back with your revised plans.

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7P-NB2-16 Application of Jerome Koresko, Sr. owner, and Dr. Indra Guagliata, contract vendee for Concept Review to raze a single family home, combine two lots into one and construct a 13,200 +/- sf two story dental office on property located at 1230 East Henrietta Road. All as described on application and plans on file.

MR. RAMSGARD: Good evening Andy Ramsgard. We are here for Concept Review again. We are looking at two parcels of property along East Henrietta Road known as 1230 East Henrietta Road. Currently what we have is an agreement to buy both parcels and we called them Tax Numbers 3 and 4. The Board asked us to come back with some new site layout and we have Jo Anne Gagliano from EDR and I will turn it over to her as she is working on the site plan components.

MS. GAGLIANO: My name is JoAnn Gagliano. I understand there has been a request to look at some different alternatives and you have four different layouts in front of you. There are some good things about all four alternatives. Dave will go through each of the concepts individually and perhaps you can have different components turned into one alternative. So David will go through some of these.

MR. PRIZZI: David Prizzi of EDR. Thank you, lets start with SK 1. This concept up here. All four of these concepts give the entrances and location of the building and SK 1 is identical to the original submission. Each concept moves into the site also there is a difference on the SK 1 concept up here, we are indicating that the old parking stalls meet code and are 9 by 18. We have 99 spaces in this concept and the drive aisle is 22 feet and is 2 feet narrower than code so we would have to ask for a variance on this concept. The impervious surface is important for each concept and on SK 1 there is a total of 46,056 feet and originally there was 43,000 square feet so it is a little bit larger in an attempt to organize the space based on SK 1, There is also a designated drive aisle built at a future phase and there is a couple of different areas for storm water treatment according to DEC regulations. You will see a couple of concepts and the secondary building is towards the rear and the drive way does not go through the parking lot and there is a more dedicated connector to the next one of those and that does it for this one.

Moving onto concept 2, this one is very similar to the one above in effect it created a separate drive lane coming to the back of the building and you don't have access to work all the way around and each concept takes into consideration fire access and movement of emergency vehicles. And you see again 9 by 18 stalls and the drive aisle is 24 feet which meets town code. The impervious area on this concept is slightly smaller at 42,000 and originally it was 43,000 square feet.

MR. BOEHNER: These are one story buildings?

MR. PRIZZI: This front building is the dentist office and the other building is in the back and both are two story buildings each with 500 square foot print and the maximum square footage of 7,000 sf for the sites and then we have the required number of parking for 7,000 sf for each building combined. We were asked to look at each one of these as two separate parcels with a cross easement access

and parking combined across two lots rather than have separate access so the layout of the parking is a result of what code requires for the size of the building. The total property line allows us to safely make a turn in the lower corner of the site and concept above has separated each. Moving on to concept 3 it is very similar to concept 1 and still has the 9 by 18 stalls. But again we are at 22 foot drive aisles and need to ask for a variance there as well. Impervious surface area in this concept is 50,825sq feet which is an increase from the other submission and the reason for the increase is that we need to get access out from this building.

Concept 4 is different than the other 3 and has gone to one way parking with 60 degree angled parking and that allows us to have the entire parking on the north parcel. And on the second parcel we are maintaining the emergency access and the width is 20 feet for the drive aisle and town code for 60 degree angles is 18 feet. So we are maintaining a wider drive aisle.

MR. BOEHNER: You would have to talk to the Fire Marshall about that. He is not going to support a variance for that.

MR. PRIZZI: We have reached out to the Fire Marshall and haven't heard back from him.

MR. BOEHNER: If you have problems getting in touch with him let me know.

MR. CHAIRMAN: This sheet shows contiguous sidewalk connections for both of the buildings and is a nice feature and makes pedestrian access easier between the two buildings. This sketch shows impervious surface down to 40,000 and is reduced by over 3,000 sf from the original submission. That allows for a lot of green space around this building.

MR. PRIZZI: There is storm water management in the lower corner and may not be enough space. We don't know yet. There is some water storage in the back lot further along we won't know the exact size. I think that covers the four sketches and I would rather get into questions and comments.

MR. CHAIRMAN: Is there anything else you want to add?

MR. RAMSGARD: No.

MR. CHAIRMAN: We will do it the same way and go around the table. From a zoning stand point you have 14,000 total square feet between the two buildings.

MR. RAMSGARD: Right.

MR. CHAIRMAN: Are you anticipating subdivision on this or is this going to remain individual parcels?

MR. RAMSGARD: We talked a little bit about that last time. We can't do a subdivision on this. Normally you are combining when you do a resubdivision to put two pieces together and code says or only allows one principle foot print of 35 hundred square foot and that is by combining the two parties by a across easement rather than trying to create an access point. We think it's a better design. We feel bringing the access point farthest away from the intersection you can possibly get for the DOT it is fairly reasonable for not doing a subdivision.

MR. DOLLINGER: Can I follow up on this question. The question I have is let's say that you went back to the Zoning Board and got a variance to allow you to build a 14 thousand sf building on this lot. What is the best way to do it?

MR. RAMSGARD: Two buildings.

MR. DOLLINGER: Okay the Town will work with you to try to come up with the best project as you can. The problem is if all of a sudden they need to refinance and what happens is the Zoning Board looked at a combination of all the lots meeting code because this lot may not meet code and this lot may be short on green space and they looked at as a whole meeting all the general requirements and we granted those variances. So if the Board encourages it with some statement as to saying there should be some variances granted with respect to the lots because it has a unique shape and is hard to meet code in general.

MR. RAMSGARD: If we look at one of the suggestions from last time and pretend the lot lines don't exist and the two schemes 3 and 4 assume possible lot lines and if an adjustment allowed for position of the buildings differently that would change some of it.

MR. DOLLINGER: But could you make it a better project?

MR. RAMSGARD: I think we could if the variances would allow for an adjustment on the setbacks.

MR. CHAIRMAN: As designers we all want front streets from an urban design we to bring these closer on each of those roads.

MR. RAMSGARD: We could get less variances if we rearrange the buildings and put them closer to the street and it would make a much better project.

MR. CHAIRMAN: If you could curve the other building like the first one that would make a cool project and you could do something fairly creative and different.

MR. RAMSGARD: Why not push it further than we already have it. We love those ideas. We always struggle with the variances and in this case I hope the Zoning Board is flexible because we can make a better design but we need help in the form of a recommendation that we could get less variances by rearranging the buildings.

MR. DOLLINGER: I want to see this thing designed correctly.

MR. RAMSGARD: What we are doing is putting the parking behind the buildings and the Zoning Board prohibits that.

MR. CHAIRMAN: Let's finish up we want to understand the square footage and subdivision versus non subdivision and parking ratios. What are your neighbors to the north and east doing and maybe this speaks to the story of what is going to happen in the next 20 years on East Henrietta Road and who needs what. I think the last meetings you may have had a site plan that was a little more larger and started looking at potential access from that drive at MCC. That plan shows MCC and their loop road there and the sewer line essentially right

adjacent to that loop road. We know MCC will never come up to that edge of the property that is not going to happen.

MR. RAMSGARD: Ideally our goal would be to talk to the two other boards, the Architectural Review Board particularly and ask them to let us be a campus and also get the approval of Historical Preservation Commission to tear this building down. I don't think they will have a problem with that and we will be a couple of steps closer to a feasible project and having the purchase offer in place for these two properties which we can renew in time if we can show the project is moving forward.

MR. BOEHNER: You can do a concept review with the Architectural Review Board any time you are ready and I do the Historic Preservation Commission and you will have to get an application but we do have an open forum and you can bring in photos of everything but before you do anything talk to the Town Historian to find out what she knows and an indication of what to present to the Historic Preservation Commission. She can give you a really good idea about what their thoughts are on demolition. You can get an application form for the Historic Preservation Commission and do that next Thursday night in order to get an indication that they are not considering this for historic designation.

MR. CHAIRMAN: Let's go around the room for comments.

MR. WENTWORTH: I have three comments. The thing about fire access is not just getting around the site but you have to have space in front of the building at least 20 feet I understand you are going to have two buildings but you will need 20 foot minimum. The other thing about fire access is 99 or 100 percent of the time cars are going to be using this parking lot and don't forget you need to have room for a fire truck there. I don't think personally it is designed for a fire truck. You can accommodate one with a hammerhead secondary road that will allow you to access this and get off the site and I don't think it needs to be an elaborate long drive because they may never come and use that. The third thing is because of the shape of this site and I understand your desire to bring the building up close to East Henrietta Road but that pushes parking way to the east and that is a long walk and maybe you may know

a more creative way of doing that. I just thought that out as something to grapple with. I think you need to determine from a user's standpoint if persons will drive by and say I want to go there versus it being 20 feet further back.

MR. RAMSGARD: That is a great point. The best building to car ratio is a curve because when we can put an outer circumference and a curve you have parking spaces that won't be taking up more space than the building. I think we have a strong possibility to create parking closer in proximity.

MR. BABCOCK-STINER: I like the idea of putting the second building closer to the front and as far as the existing four schemes, number one I think does a good job of bringing up parking because of the large sea of asphalt and maybe you can pull the sidewalk along the front of the building and pull that straight back to the center of those parking spaces to the next building and that will add to the pedestrian walk ways. That is all I have.

MR. FADER: I hate that one because of storm water management and number one, there isn't any. First of all, you need to do what is best for the project. I like where you moved the building forward. You pointed this out putting the building over here with more curves in the parking lot to go around and you free up that upper corner from the site and that is the lowest point of the site. Now you have storm water back there and it creates a buffer area and it is big enough to receive some environmental value. I like that concept, storm water, green space and parking.

MR. CHAIRMAN: The other thing in addition to what we have already talked about make sure you are thinking about marketing with your client and tenants. You have talked about some kind of connection to the MCC campus as you bring the buildings forward and the street walls and I think you need to watch for pedestrian connections on the back side.

MR. RAMSGARD: I think that is a great idea to create pedestrian connections across the back.

MR. CORDOVA: I agree with what everyone else is saying about bringing the buildings up and curving the buildings. Perhaps you can come up with something better than those four schemes. I agree with Jame's point that if you do go through with this there is a bit of a walk and you need to think about how you can make this not such an awful experience. How can we make this a more pleasant walk?

MR. RAMSGARD: We have always wanted to make that campus connection and you have given us some great ideas. Thank you for all your input it is all great stuff.

MR. BOEHNER: Give me a call in the morning

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## SIGNS

1434 USA Payroll /Medical Office Building/Children's Care Center of Brighton for a Free Standing sign at 2601 Lac De Ville Blvd

### TABLED TO OBTAIN VARIANCES

1437 Mint Salon for a Building Face sign at 2198 Monroe Avenue  
CONDITIONS:

1. The sign should be revised to provide more contrast between the background and the letters. The board suggests reversing the colors of letters and background.
2. The applicant shall verify that the top of the sign does not exceed 20' from grade.

1438 Amidon & Villenenuve Certified Public Accountants for a Building Face sign at 1385 Monroe Avenue.

1439 Key Bank for a Building Face sign at 1655 Monroe Avenue

1440 Key Bank for a Building Face sign at 777 Canal View Blvd.

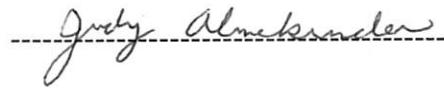
MR. CHAIRMAN: I move to table sign application 1434 and approve as presented with conditions on 1437, 1438, 1439 and 1440.

MR. WENTWORTH: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

## C E R T I F I C A T I O N

I, Judy Almekinder, 7633 Bauer Van Wickle Road, Lyons, New York 14489, do hereby state that the minutes of the August 17, 2016 Meeting of the Town of Brighton's Planning Board at 2300 Elmwood Avenue, Brighton, New York, 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 8 day of September in the year 2016, 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 acknowledges to me that she executed the same.

DANIEL E. AMAN  
Notary Public - State of New York  
Monroe County - 01AM6303724  
Commission Expires: May 19, 2018



Notary Public