

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 November 15, 2017 meeting of the 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

Judy Almekinder

On this 16 day of December the year 2017, 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.

Marcy L. Mitchell

Notary Public

MARCY L. MITCHELL
Notary Public, State of New York
Qualified in Wayne County
No. 01MI6281958
Commission Expires May 13, 2021

MARY L. MITCHELL
Maryville Public Schools of New York
Qualities in Wayne County
Ms. 01WIG8188
Commissioner of Education May 13, 1952

Proceedings held before the Planning Board of Brighton at 2300 Elmwood Avenue, Rochester, New York on November 15, 2017 at approximately 7:30 p.m.

PRESENT: William Price, Chairman
Laura Civiletti
Pamela Delany
James Wentworth
Justin Babcock Stiner

NOT PRESENT: John Osowski, David Fader

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 November 15, 2017 meeting of the Town of Brighton's Planning Board to order. We do have the minutes of the September 27, 2017 and the October 18, 2017 and they will be done at the December 20, 2017 , meeting. Have the public hearings been properly advertised?

MR. BOEHNER: Yes, they were properly advertised in the Brighton Pittsford Post of November 9 , 2017.

MR. CHAIRMAN: Application 6P-NB1-17 is adjourned to the December 20, 2017 meeting.

11P-01-17 Application of David Pastore - Upstate Roofing and Painting, owner, for site Plan Modification to install a standby emergency generator in a side yard on property located at 1300 Brighton Henrietta Town Line Road. All as described on application and plans on file.

MR. SPENCER: Good evening, Andrew Spenser from BME Group and with me is Dave Pastore of Upstate Roofing and Painting if you have any additional questions about what is being proposed here. First off the property is located at 1300 Brighton

Henrietta Town Line Road and is currently zoned light industrial. The neighboring properties are all lined up around it. The property immediately to the west is a self storage facility. The properties to the east are smaller industrial businesses and across from Brighton Henrietta Town Line Road you have a number of different commercial businesses. What Upstate Roofing would like to do and what they are proposing is the installation of a 130 kilowatt gas powered natural backup generator on the site. And that is to serve this facility in case of a power outages in order to get crews out to help others. The reason we are here this evening is we would like to propose a power generator on the side of the structure that is 20 feet behind the front side of the structure on the side of the building. The code states that that generator should be placed on the rear of the structure and the reason they are proposing to place it here is this is the main transfer area for the gas coming into the building as well as the main electrical unit and the mechanical room for the entire facility is located in this area and it makes sense to place the generator in this locality otherwise they would have to upgrade gas lines, electrical lines and try to place it further back on the site. The board did approve a shed structure two years ago and that is the place for that. I did provide the Board with generator specifics. It is 130 kilowatt generator. And the noise attenuation will comply with the requirements for the decimal levels.

I would like to state again the generator will be less than 20 feet away from the front of building and 12 feet from the side line of the property. I have also provided you with some photographs of the current site that appear on the building and tried to depict the location of the generator. We do not believe this generator will be viewed by people if any people. It is out of site of the building because of the orientation of that building on Brighton Henrietta Town Line Road and you will not see the generator coming to the west and you will have a very short time seeing it right here.

MR. CHAIRMAN: How high does this thing ultimately sit? Does this actually sit right on the ground or is it on a concrete pad?

MR. SPENSER: Yes the concrete pad is a little bit above the surface of the ground so it can drain off approximately six

inches at most. The generator enclosure is 144 inches in length and 40 inches in width and 80 inches in height.

MR. CHAIRMAN: When you get back in there you are going to have to install it with certain equipment which would probably need a little bit of clearing to get access.

MR. SPENSER: I don't believe any clearing is necessary on this property. The trees exist on the neighboring property and overhang with limbs that may need to be pruned but there will be no clearing of any vegetation.

MR. CHAIRMAN: I think typically if this was placed in the rear of the property we wouldn't be asking you to place something to screen it but by moving it a little bit closer to the front the way it looks and it makes perfect sense why you want to put it there but I think the Board is going to be discussing requesting either a vertical screen perpendicular to the building in front of it or landscape plantings and those landscape plantings you could consider putting them out on the lawn area it doesn't have to be butted up to the unit itself. So putting something out in front to serve aesthetically for the building as well. I think we will ask you to consider one of those alternatives. We will not be asking you to spend a ton of money but it is something we do ask applicants with generators to do and we are a little bit more picky when you are close to residents and by moving it up front we want to be consistent with our own policies.

MR. BOEHNER: Do you have any thoughts on how to address that Andy?

MR. SPENSER: We can talk to Mr. Pastore right now.

MR. PATORE: I think we might consider the vertical enclosure in front of it because there is an emergency exit here that we have to maintain open. So we would probably put something right in front of the building.

MR. CHAIRMAN: I think our code specifies how high a screen wall would screen it. It doesn't have to be white it can be pressure treated.

MR. PASTORE: We have fencing around that whole area.

MR. WENTWORTH: Does your fencing obscure the visual?

MR. PASTORE: Yes.

MR. WENTWORTH: Okay. Thank you.

MR. CHAIRMAN: This is a public hearing, does anyone care to address this application? Hearing none we will move on.

NEW BUSINESS

6P-NB1-17 Application of Mamasan's Monroe , LLC owner, for Preliminary Site Plan Approval, Preliminary Conditional Use Permit approval and Demolition Review and Approval to raze a commercial building and construct a 2, 858 +/- sf restaurant with out door dining and a drive- thru window on property located at 2735 Monroe Avenue. All as described on application and plans on file. TABLED AT THE OCTOBER 18, 2017 MEETING – PUBLIC HEARING REMAINS OPEN – ADJOURNED TO THE DECEMBER 20,2017 MEETING

9P-NB1-17 /Application of 1925 South Clinton Avenue, owner, for Preliminary Site Plan Approval, Preliminary Subdivision Approval and EPOD (woodlot) Permit Approval to construct a five building 77,000 +/- sf office and commercial development on property located at 1915-1925 South Clinton Avenue Known as Tax ID #'s 136.15-1-7, 136.15-1-8 and 136.15 -1-9. All as described on application and plans on file. TABLED AT SEPTEMBER 27, 2017 MEETING – PUBLIC HEARING REMAINS OPEN

MR. COLUCCI: Paul Colucci, Good evening we are here for Preliminary Site Plan Approval, Preliminary Subdivision Approval and EPOD (woodlot) Permit Approval. I am happy to announce we were approved by the Town Board at the last meeting for incentive zoning subject to a few conditions that we are working through. So we are pretty pleased and we have had a lot of work done to date with Town staff, the Town Board and the Public Works Committee plus this Board. So just to recap where we were the last time we presented the project overall of 77,000 square feet at 1925 South Clinton. There are two access points one opposite the project across the street from us which is a shopping center at Lac De Ville and then another unsignaled access point opposite Rue De Ville. The first phase of the project is Doodle Bugs I wanted to talk about some of the things we took away from the last meeting with this Board and what we are seeking is overall Preliminary Site Plan Approval and Subdivision Approval. There is currently three lots on the site and we are essentially adjusting the lot lines and there is no new creation of any new lots we are just adjusting the lot lines.

When we last met there was a few items that I think we took away from talking to the Board which included some concept points where we couldn't align some drive aisles at that time and some of these rear parking areas and pedestrian activity across the site as well as trying to maintain minimum impact with the buffer and trying to deal with the infrastructure having parking in the field versus having more impact in the buffer areas. We did do that and Costich took a look at it modifying the site so that we have three areas, I am sorry four areas where pavement treatment will be captured with bio retention which will comply with the NYS DEC as it relates to storm water rights and that will allow us to move what was building run off out of this area in the buffer and try to minimize the impact we had in that buffer area and pull off all of that into the parking field.

As we talked about last time looking at some of these pedestrian connections and trying to make sure we had a defined path that connects all of these both from the right of way through the site. As well as on the northern west portion of the site we previously had the sanitary sewer running along the property line and then coming back

across the back to capture what was running along the north property line and down the center which allowed us to minimize the impact to that buffer. We did meet with the Conservation Board last week and we shared this plan with them and I am sure Ramsey can relate some of their comments. I feel they liked the plan overall. Their comments were to try and look at the native species of the proposed plantings which we do do but in some instances we are trying to create a fine edge between the new site and the remaining site. We are looking at Austrian Pine that will provide some screening.

I think they appreciated the amount of landscaping we are proposing all from the right of way back to the buffer. We have really tried to place as many trees as we could. We do have a tree surveyor and we did go through all of the details of that. We counted all of the trees and also had an arborist who gave us his opinion relative to which trees were high quality trees versus low quality trees which may have a lower expectancy of survival in the future. And we are deficient of approximately 45 trees when you look at what we are proposing versus what was a quality tree. We are also proposing some 2,000 shrubs and I believe that was appreciated and in conversations with Ramsey since that meeting I think there is probably some feed back from this Board relative to that buffer area with some ideas that you think we might incorporate that would offer a high success rate of providing a meditative measure to the residential property to the rear. I think we are making a concertivetry effort to do that but if there is anything this Board would want us to try to do we would look at that as well.

The first stage of the project is Doodle Bugs and we have been clear about that from day one. We would do all of the cut and fill and we would put the storm water structure in and we would grade the site and we would have these pad ready and we would wind up stabilizing this until we came in with our next building. We believe we have a tenant for this building and we are working hard on that but we are not ready to propose that as part of phase one. They have programs they want to incorporate with this building and it is my belief we will be coming back in a couple of months with phase two and that would include that building at which time we will also include connectors over to the signal light. Without defining this we might want to build a connection all

the way out to here for us to get Doodle Bugs onto the tract that supports an opening in January of 2019. We are proposing phase one with a connection over to the Vasile property to the north unsignalized access and we would put all of the underground in for a future signal according to Monroe County DOT and we did have our engineer produce a traffic memorandum saying how that intersection would operate with Doodle Bugs and we shared that information with Ramsey this afternoon but prior to doing that we wanted to talk with this Board about phase one. The unsignalized access point opposite Rue De Ville operates without the full build out with a signal. Obviously with only Doodle Bugs it is a low intensity user with no week end traffic with a morning peak and an afternoon peak and then very little traffic. So through traffic on South Clinton is uninterrupted and the east bound is less as you might imagine during peak hour with about 51 seconds of delay and with only Doodle Bugs it is slightly better. I think that is all I wanted to bring up and I will be happy to answer any questions you might have. .

MR. BOEHNER: What is your proposal for landscaping along South Clinton Avenue in phase one and we want to get the landscaping in so it will start to mature.

MR. COLUCCI: We do show sidewalks across the frontage and when we do come in with the final phase one I believe we would be able to put in the landscaping along the frontage. We would give ourselves a little bit of room here and put the curb cut in later and do the underground for the signal that the communications requires for operating the signal etc and that is phase one. I don't see a problem with that. We would get some trees in along this area here.

MR. WENTWORTH: These are slab on grade?

MR. COLUCCI: Yes.

MR. BOEHNER: Can we talk a little bit about First floor elevations of the day care? It is four feet above existing grade and three feet above the street grade.

MR. COLUCCI: I will let Garth answer that.

MR. WINTERCORN: That is not an easy answer. We are coming down as steep as we can without wanting to grade too excessively. So we are actually sheet grading here.

MR. BOEHNER: So its not a storm water issue but a layout of the site issue.

MR. WENTWORTH: So you have 5 percent or under.

MR. WINTERCORN: Yes.

MR. CHAIRMAN: So is the embankment on the property line behind Doodle Bugs existing down to the parking lot.

MR. WINTERCORN: Right now it is on the adjacent property and we are meeting grade before we get to that point. We are going into that ditch and I think we are going to improve that quite a bit. We will intercept it and direct it to the pond.

MR. CHAIRMAN: Paul, you have an agreement with the adjacent neighbor to make that connection?

MR. COLUCCI: Yes, we met with the people to the south and we met with the Brookdale community and then we met personally with the Vasile property and as a condition of our incentive zoning we have to produce a cross access easement agreement and we have no reason to believe they would not want to participate in that.

MR. BOEHNER: Let's talk about the interventions I know you own property to the south, the former church parcel. How do you see that interconnecting with the future interconnection. You show the interconnection with the other part and have you looked at that future interconnection?

MR. COLUCCI: Yes, essentially there will be another building at 4,000 square feet and we believe it would be a medical office. The zoning supports it otherwise we would incorporate it when we acquired the church property.

MR. BOEHNER: But you have looked at it because I want to get back to the grading.

MR. COLUCCI: Yes, we submitted it to Mike

MR. BOEHNER: For the interconnection?

MR. COLUCCI: We actually looked at not only the geometrics of the site but the parking etc. and getting sanitary over here and storm over here and how the grading is going to work so it is all planned accordingly.

MR. BOEHNER: I just don't want to get down the road and find out there is something we left out. I know you have a vested interest in that parcel.

MR. COLUCCI: Sure.

MR. CHAIRMAN: I have one minor comment on the Doodle Bugs portion? Your sidewalk is in front of the building and goes up to a gate and then you have a dumpster enclosure but the sidewalk doesn't extend to the dumpster enclosure. Would there be a benefit of extending the sidewalk to the back side of the enclosure or is that enclosed and you just walk around to the front of it?

MR. WINTERCORN: What we normally do is actually put a man door on the side so they won't have to open the front. We will try to position it on the back corner. It depends on the size they need and if it can fit inside we can do that.

MR. CHAIRMAN: It wold almost seem like your sidewalk could continue back?

MR. WINTERCORN: It is worth noting I did submit for Architectural Review at the end of this month. Paul in his initial review picked up that Doodle bugs in Victor had a stone front with hardi board siding. It is an attractive building and I am sure most of you are familiar eith the Doodle Bugs here. The building actually has a five foot overhang on the rear eave which would extend into the side yard setback and we have a 40 foot sideway on the back of Doodle Bugs and we are one foot off of the side of the building so we can extend four feet into the sideway. Paul noted the section of the code that says you can only extend two feet into the sideway with an eave for an architectural look to the building.

I would like to think we were super smart when we were writing the regs and in the regs the Planning Board has the authority to grant a waiver of bulk regulations of 10 percent. So the side area here where yu have 40 feet you could grant a waiver of up to 10 percent of that 40 feet which would be our four feet which would allow the building to stay where it is. If that was not the choice of the Board, we would pull the building south a couple of feet to comply with no greater than two feet extension into the sideway. I think that section of the building is probably designed for single family residential. So you have a very minimal sideway of two feet because the town didn't want fancy architectural projections extending to close to a neighbor. So with a 40 foot sideway and a four foot projection we would request that on the final phase one and hopefully this Board will consider the waiver otherwise we will modify the site.

MR. BOEHNER: The Board has to conclude that it isn't going to cause any significant problems.

MR. CHAIRMAN: That is the adopted incentive zoning?

MR. BOEHNER: Yes but we will have to ask you guys to come back and formally ask for that request.

MR. CHAIRMAN: The other thing we wanted to talk to you about are the height of the light poles. What is the overall height? Most of your building are – what is the height of Doodle Bugs?

MR. COLUCCI: 29 feet six inches I believe to the peak.

MR. CHAIRMAN: I thought we were looking at a 3 story building, close to 30 foot high buildings in the back.

MR. COLUCCI: That is a two story building.

MR CHAIRMAN: How much can that come down before you have to start adding oles to reach the photometric that you want?

MR. COLUCCI: Let's look at the lightin plan, Garth do you want to weigh in on this?

MR. WINTERCORN: We got rid of the colors and went dow to 3000K and got rid of the quads. We didn't even mention that at the last meeting. I believe I misspoke I said they were 18 foot and 2 foot but when you look at the geometrics it is 25 foot with a 2 foot base. It's a trade off if you have lower poles you nave more poles. We are okay with what is typical in the commercial standards.

MR. CHAIRMAN: Would those be similar to what yu have across the street?

MR. WINTERCORN: Yes.

MR. WENTWORTH/; What's the height across the street.

MR. WINTERCORN: Those are 25 feet on a 2 foot base.

MR. CHAIRMAN: So you are consistent with what is across the street?

MR. COLUCCI: Yes.

MR. CHAIRMAN: The landscape plan I think we are going to be prepared to proceed with preliminary. I think on the landscape plan we would like to have another discussion as we approach final on this with you. Just a couple of quick comments. When we look at the buffer planting we notice a symbol for a pine or spruce is used for a yew in the buffer. So there is a little bit of a disconnect between the size of the planting and what you are providing. The plant schedule is not presented alphabetically and there is some redundancy on the names of the trees that are presented. And I think when we get to the buffer itself maybe some trees that have maturity want to be 25 or 30 foot diameter are planted 15 foot on center. I think we want to review that in a little bit closer detail and make sure the spacing is right and that you give enough room to really be effective.

MR. COLUCCI: Yes, we want to put those plantings in to accomplish what we want and not over fill that area where you are crowding and choking the overgrowth and wind up with trees dying and replacing them year after year. So we want to make it look substantial because I think everyone is looking for it to be substantial but You should know in time these will mature and then –

MR. CHAIRMAN: I think that was it with the lighting and plantings, the trails in the back they appear to be going to the property line, is there any sense of where they are going once you are at the adjacent properties?

MR. COLUCCI: Yes, there is a sidewalk that comes across the perpendicular building that is just off the northwest of the site that does not continue all the way to the property line and seems to go nowhere but our thought was this would be a point where this community if it so desired would be able to access the trail and then make their way through the project. This was coordinated with the Town's bike

and pedestrian master plan and ultimately this would continue on. This is land owned by the County of Monroe .

MR. CHAIRMAN: I think it was the one to the north west that I wanted to get a handle on.

MR. COLUCCI: I have walked back there and its maintained with mowed grass right up to the edge of the property line and then there is a wall of scrub brush and whatever we do to punch an opening through there is going to take some manicuring to create a location where people would want to go.

MR. BOEHNER: Have you talked to people in the apartment complex?

MR. COLUCCI: When we first put out the mailing list and we had a town meeting for incentive zoning but we haven't really sat down and talked to them about anything other than we have the project and I think we saw limited turn out relative to any interest in the project.

MR. BOEHNER: I think it would be good to touch base with them.

MR. CHAIRMAN: The last time we were here there was a gentleman that owns the historic home next to the church property I think his concerns were going to be more appropriate when come in with a development scenario for the church property. And I think as you are thinking about positioning and access, utility connections you may want to be thinking about the buffer.

MR. COLUCCI: I think your comment was about the connection of the road to Brookdale and you wanted to see a way for that to maintain the buffer and you don't want to push this back any further and also we have a grade issue and the connection really wants to be there. Honestly you probably want to see it further down but we didn't want to bring it any closer to him than we thought we needed to make grade. I have been back there and took some photos and there is

really nothing to share other than we will worry about it at the next go round. Any questions?

MR. CHAIRMAN: I mentioned before the meeting I had a little concern about the landscaped islands that are kind of hugging the sidewalk and the only thing Paul I have seen be effective is Keeping the sidewalk in the street tree pattern to keep it a tree scape pattern and then putting in things like the lower plantings associated more with the parking lot and the foundation planting of the building. So taking that initial layer of planting and moving it back and looking at combining What you are proposing in the back and the side of the buildings and around that drive up window loop with the plantings that you are putting in and make it a more substantial planting bed toward the buildings with the lawn and the trees.

MR. COLUCCI: Yes and trying to show the plantings overall at preliminary is tough and I think when we come back for the final phase one we will know a lot more and be able to a better job in showing the detail around foundation plantings.

MR. CHAIRMAN: Then it makes more sense and make sure what are proposing there works. You don't want to plant what you are proposing here and then say it doesn't work I wish we hadn't done that but you will always want that street trees rhythm no matter what you do to those two buildings.

MR. COLUCCI: Yes and what the landscape architect was trying to do was show some softening with the landscape.

MR. CHAIRMAN: That is all I want to.

MR. COLUCCI: We think it is appropriate that when we come in with the final phase one that we say we will do all the street trees along there and when we come in with the next buildings we will then fill in with the foundation plantings and the edges where these buildings are going to match.

MR. BOEHNER: Yes, that is what you have to start looking at the phasing plan.

MR. WENTWORTH: What about the lights?

MR. CHAIRMAN: If it doesn't radically change the photo metric and the ones where you have lights and not trees could you look at rotating them 90 degrees and I maybe wrong but I don't think it is going to change your photometric but it would be good to put a tree in the islands that you don't currently have because of the way you are orienting them. If you rotate them 90 degrees they will work better for your street and your parking areas and them still allow you to get a flowering tree or something in those islands.

MR. COLUCCI: The only thing I will say to that is the intent there was to try and keep some window back to the site so that there is visibility back to those buildings. We love trees and a nice landscaped plaza and that was purposeful to try and keep the corridor open to see signs and not anything but trees. We want to make sure we have longevity of tenants and survive and visibility is paramount to them.

MR. WENTWORTH: I can see that with a retail use but I am not just going and shopping for a doctor based on what I see as I drive down the street versus a Starbucks or something like that.

MR. COLUCCI: I agree but remember the buildings are multi use and this could be medical and it could also be retail on the first floor, service related retail and we wouldn't have any restaurant uses in the back those would be up front but these buildings would be designed to be multiple tenants on the first floor and then tenants on the second floor. So we just want to preserve that opportunity so we don't have a center that struggles with tenant turnover because they just can't be seen.

MR. CHAIRMAN: Duly noted.
Note our concerns about it and we will revisit this as we proceed to final.

MR. BOEHNER: When are you wanting to start construction? Do you know your schedule?

MR. COLUCCI: We do presuming we get preliminary overall we can come back for final and look to be on the December 20 agenda. I have made time for signatures and sign off etc And we would like to be commencing construction in March time frame which would give us time to deliver to Doodle Bugs they would like to be in the building by January 1 or September.

MR. BOEHNER: I would like to have a meeting to discuss your schedule and all the things that we need.

MR. WENTWORTH: I have some accessibility concerns on the site. Your signs on the site particularly the accessibility signs on the parking spots. It says 7 foot high is that to the top of the sign or to the bottom of the physical sign?

MR. COLUCCI: It's typically to the bottom.

MR. WENTWORTH: Okay that is a good answer. Building E the A.D.A. spots at the entrance they are not and I am guess that is because you at one point had a similar drop off condition as you do in Medical Office F which would put the accessible spots outward but they need to be the closest spots to the entrance. It's going to mean you have signs right in front of the building entrance which isn't great for tenants. And for Doodle Bugs and the multi use tenants out in front there is the issue of you have the signs at the curb line and I just want to make sure you have your clear path right next to the sign and I was bringing up the sign height because at a 12 inch wide sign it projects 5 and something and if it is less than 80 inches high it can't project more than 4 and I just want to protect you. You could get around that with a bollard below and then also restaurant A its probably a minor thing but it looks like there isn't an alignment between the spots of the signs.

MR. COLUCCI: We will get into more detail as we get into final.

MR. CHAIRMAN: This is a public hearing is there anyone who cares to address this application? There being none we will move on to our decisions.

11P-01-17 Application of Dave Pastore – Upstate Roofing and Painting, owner, for Site Plan Modification to install a stand by emergency generator in a side yard on property located at 1300 Brighton Henrietta Town Line Road. All as described on Application and plans on file.

MS. CIVILETTI: I move to close the public hearings.

MR. BABCOCK STINER: Second.

UPON ROLL CALLVOTE MOTION UNANIMOUSLY CARRIED

MS. CIVILETTI: I move the Planning Board approves the application based on the testimony given, plans submitted and with 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. The Planning Board adopts the negative declaration prepared by Town Staff.

CONDITIONS:

1. A level two sound enclosure shall be used as proposed.

2. Meet all requirements of the Town of Brighton's Department of Public Works.
3. All Town codes shall be met that relate directly or indirectly to the applicant's request.
4. All comments and concerns of the Town Fire Marshal and Town Engineer shall be addressed.
5. A building permit shall be obtained for the generator. A complete description and manufacturer's specifications shall be provided including model number, type, fuel, dimensions and noise level. All work shall comply with the New York State Uniform Fire Prevention and Building Code.
6. An electric inspection shall be conducted by an inspection agency approved by the Town of Brighton. Electrical completion certificate shall be submitted.
7. The equipment shall be installed per the manufacturer's installation instructions and shall comply with NEC and NFPA 37.
8. The generator shall be used only during power disruptions. Testing of generator shall be done during daylight office hours.
9. All other approvals must be received from those agencies with jurisdiction prior to the Town issuing its approval.
10. All Monroe Count review comments shall be addressed.
11. All comments and concerns of the Town Engineer as contained in the attached memo shall be addressed.
12. The generator shall be screen with fencing placed perpendicular to the building to screen it from Brighton Henrietta Town Line Road.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

9P-NB1-17 /Application of 1925 South Clinton Avenue, owner, for Preliminary Site Plan Approval, Preliminary Subdivision Approval and EPOD (woodlot) Permit Approval to construct a five building 77,000 +/- sf office and commercial development on property located at 1915-1925 South Clinton Avenue Known as Tax ID #'s 136.15-1-7, 136.15-1-8 and 136.15 -1-9. All as described on application and plans on file.

MR. CHAIRMAN: I move the Planning Board approves the application for Preliminary Site Plan Approval and Preliminary Subdivision Approval and tables EPOD (woodlot) Permit based on the testimony given, plans submitted and with the following Determination of Non Significance under SEQRA and Conditions:

Determination of Significance:

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. The Planning Board adopts the negative declaration prepared by Town Staff.

CONDITIONS:

1. Site data based on both the Comprehensive Development Regulations and the proposed Incentive Zoning Regulations must be provided for each lot and the entire property.
2. An operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth 585-784-5220).

3. All buildings shall comply with the most current Building & Fire codes of New York State.
4. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approval plans shall have been completed to a degree satisfactory to the appropriate authorities.
5. Meet all requirements of the Town of Brighton's Department of Public Works.
6. All Town Codes shall be met that relate directly or indirectly to the applicant's request.
7. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
8. 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.
9. 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.
10. Maintenance of landscape plantings shall be guaranteed for three years.
11. Any contractor or individual involved in the planting maintenance or removal of trees shall comply with the requirements of the Town's Excavation and Clearing (Chapter 66). Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.

12. The dumpster shall be enclosed with building materials that are compatible with the existing building.
13. All outstanding Site Plan comments and concerns of the Town engineer and Fire Marshal shall be addressed. The applicant shall contact the Fire Marshal for comments.
14. All outstanding Site Plan Comments and concerns of the Town Engineer regarding soil erosion, storm water control, water systems and sanitary sewer design shall be addressed.
15. Fire hydrants shall be fully operational prior to and during construction of the building.
16. All easements must be shown on the subdivision map with ownership, purpose, and liber/page of filing with the Monroe County Clerk's Office. A copy of the filed easement shall be submitted to the Building and Planning Department for its records.
17. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to demolition, landscaping, stormwater mitigation, wood lot mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.
18. The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.
19. The proposed building shall be sprinklered in accordance with Town requirements.
20. The height of the proposed building shall be shown on plans. Elevation drawings showing the height of the structure in relationship to proposed grade shall be submitted.

21. Prior to any framing above the deck, an instrument survey showing setback and first floor elevation shall be submitted to and reviewed by the Building and Planning Department.
22. This signage must be reviewed and received all necessary town approvals prior to installation.
23. Erosion control measures shall be in place prior to site disturbance.
24. The applicant shall review the site plan, elevations and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Elevation drawings showing the height of the structure in relationship to proposed grade as shown on the approved site plan shall be submitted. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board approval.
25. The location of HVAC shall be shown on all future site plans.
26. If a hot box is required it must be screened and shown on the site plan.
27. The architectural design and building materials of the proposed buildings must be reviewed and approved by the Town of Brighton's Architectural Review Board.
28. The plans show an interconnection to the Brookdale senior living facility and the Elmwood Associates property. Interconnection to 1969 S Clinton Ave must be provided. The appropriate cross access easements must be provided including easements to permit the construction of the improvements on the adjoining properties.
29. The parking lot color temperature shall be 3000K. The parking lot lights shall be placed on a timer. The plans must note the proposed hours when the lights will be operated.
30. The following comments of the Conservation Board shall be addressed:

- a. Native plant material should be used throughout the project and invasive species and potentially invasive species should be avoided.
- b. Additional tree mitigation should be considered throughout the site.
- c. Investigate supplementing the buffer area with tree plantings to help mitigate the overall loss of trees and add to the worthiness, value and stability of the buffer area.
- d. The applicant must attend the Conservation Board meeting.

31. A reciprocal access easement must be provided between lots 1,2, and 3.

32. A revised subdivision map was not provided in the submittal package. The proposed easements must be shown on the map including liber and page designations. The proposed easements include but are not limited to cross access easement, sanitary sewer easement, easements on adjoining properties to permit construction of the access roads, sidewalk easements and public access easements.

33. The submitted landscape plan does not adequately address the buffer and the impacts to the Woodlot EPOD. A revised plan should be submitted with the final site plan application.

34. A planting plan showing the extent of the grading, building construction, landscaping, erosion control, access and utility installation must be provided. The phasing plan must address the chronological installation of the utilities, earthwork, buildings, erosion control, access and parking areas. The landscape plantings to be planted along the buffer and S. Clinton Avenue shall be planted during Phase 1.

35. The proposed design of the sanitary sewer provides for its extension to the south. The appropriate easement must be provided to permit this sewer to serve the existing properties along S. Clinton Avenue.

36. Crosswalks should be considered at the northern access driveway from the S. Clinton Avenue.
37. The applicant proposes a temporary condition with Doodle Bugs utilizing the single proposed northern unsignalized access point opposite Rue De Ville. Prior to the issuance of any permits Monroe County Department of Transportation must review the letter from McFarland Johnson dated November 1, 2017 and approve the proposed temporary access point.
38. All comments and concerns of the Town Engineer as contained in the attached memo dated November 15, 2017 from Michael Guyon, Town Engineer to Ramsey Boehner, shall be addressed.
39. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

PRESENTATIONS

NONE

COMMUNICATIONS

Letter from Philip Lederer, 2160 South Clinton Avenue, regarding the proposed development at 1925 South Clinton Avenue.

Letter from Alan Knaug Shaw, L.L.P. dated November 14, 2017 requesting adjournment of application 6P-NB1-17 to the December 20, 2017 meeting.

Letter from James Wentworth, R.A., Univeristy of Rochester, dated November 15, 2017, withdrawing application # 1643.

PETITIONS

NONE

SIGNS

PETITIONS

NONE

SIGNS

1493 M & T Bank for a Building Face Signs at 1615 Monroe Avenue.

1496 M&T Bank for a Building Face Sign at 1848 South Clinton Avenue.

OLD BUSINESS.

1435 Starbuck a for Building Face 3 Signs at 2861 West Henrietta Road.

* DENIED WITH OUT PREJUDICE

1463 U of R South Campus for Freestanding Signs 4 at 200 East River Road.

• WITHDRAWN BY APPLICANT.

MS. CIVILETTI: I move to approve sign applications 1493 and 1496 as presented. And Sign 1435 is denied without prejudice. And Sign 1463 has been withdrawn by applicant.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED