

Proceedings held before the Planning Board
Brighton at 2300 Elmwood Avenue, Rochester, New York on March 21,
2018 commencing at approximately 7:30 p.m.

PRESENT: William Price
James Wentworth
Justin Babcock Stiner
Pamela Delaney

NOT PRESENT: David Fader, Laura Civiletti, John Osowski

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 March 21, 2018 meeting of the Town of Brighton's Planning Board to order. We will on the minutes of the February 21, 2018 Planning Board meeting next month. Mr. Secretary, were the hearings properly advertised?

MR. BOEHNER: Yes, they were properly advertised in the Brighton Pittsford Post of March 15, 2018.

MR. CHAIRMAN: I believe we have one application that has been adjourned to the April 18, 2018 meeting that being 150 Metro Park and also 2P-NB1-18 which is Faith Bible Church which has been postponed to May. We will hear the rest of the hearings now.

2P-03-28 Application of The Harley School, owner, for Preliminary /Final Site Plan Approval to construct a 5,036 +/- sf school building addition on property located at 1981 Clover Street. All as described on application and plans on file – TABLED PUBLIC HEARING REMAINS OPEN.

MR. AMERING: My name is Alex Amering with Costich Engineering here for the Harley School Wellness Center which was before the Board at last months meeting. For the most

part you will notice that the Site plans and architectural material are primarily the same as last month so I will just give you a quick rundown with some of the items we have worked through since last months meeting. We have added three additional trees at the request of the Conservation Board to meet the one to one mitigation which is in the rear back by the playground area. We were in receipt of both engineering and planning comments and we were able to respond to those formally and provide some supplemental information. We were also in receipt of Monroe County's referral comments which were primarily generic in nature and we also responded to those. The project's architect Hanlon presented a video at the meeting and architectural materials and they were generally well received there. One of the few site plan revisions we made was regarding egress location and we relocated a sidewalk which was coordinated with the Fire Marshall. With that I would be happy to answer any questions regarding any of the specific comments or changes from what has been submitted.

MR. CHAIRMAN: I have a couple Alex, I will have Ramsey talk about the lighting and interior controls I am wondering if you got a copy of the letter sent by Steven Russell to the headmaster.

MR. AMERING: I have not.

MR. CHAIRMAN: You have not seen it. We got a copy of the letter and also the headmaster. Mr. Russell was a Planning Board member here ten or twelve years ago and he sent his letter to us, do you have a copy you can give to Alex? The essence of it is two things, one is landscaping and the green space between the parking and the street and Alex you weren't around ten or twelve years ago doing this but we were working with the school on some parking configurations at that time and there were other things going on additions being built and we were looking at bus circulation parent pickup and drop off circulation and parking and trying to maintain the capacity of the parking lot while maintaining the drop off and everything but also trying to do some kind of landscaping that would block the headlights from the neighbors across the street. At the time there were some old shrubs that had been beat up by snowplows throwing snow on them and there were parts of split rail fences there and I thought

that since we had come up with a plan or suggested some plans on how to do that and we do have some evidence that we had those conversations with the school but I believe the application that was before us at that time really never advanced any further.

MR. BOEHNER: There were shrubs planted bu the question is what happened to those improvements?

MR. CHAIRMAN: So they are not there any more so this kind of stuff comes up with Harley as you know just about every time we have a new application that there had been improvements that had been discussed and one of the neighbors Mr. Russell, provided this to remind us that we had these conversations in the past.

MR. BOEHNER: I went back through some old papers and I could see that there were there and then they weren't. I could see they were all taken out.

MR. CHAIRMAN: You may have a hard time digging up any one at the school who can remember what that was and undoubtedly I think your firm was involved with it.

MR. AMERING: So our firm should have something about that being put in

MR. BOEHNER: Yes and that is where my note stop and I am not sure what happened after that.

MR. AMERING: So Bill, you are referring to the area along the front there?

MR. CHAIRMAN: Yes, and it has been an issue there for some time.

MR. AMERING: Our firm was involved at that time and we would have the advantage of looking at what happened and I think that is something we can work with the applicant on.

MR. CHAIRMAN Let me tell you about the other issue. The other issue and the other issue Steve raises in his letter is the issue of parking and the number of events – he states fairly frequently the school has events where there is parking all over the lawn and includes some photographs of parking on Clover , in between the trees and some on the lawn, clearly these are events that are once in awhile and I guess we would like to know how often is this really happening? I have not personally seen this but Steve has pictures and we would like to know. We are not looking to ask you build some land banking that you have there and do some paving if it is not going to help but we would like to find out how frequently do the events occur that are similar to what Steve took pictures of.

MR. GHORY: Ward Ghory is the first name and I did receive the letter and we did do some of the research that you are referring to and we are not able to identify what was there and when.

MR. BOEHNER: I think the conditions of the shrubs was in 2008 and a guard rail being a requirement and we could see they were there and then they went away.

MR. GHORY: That was a period when there was some work on the stone wall on the south side of the Clover Street part.

MR. CHAIRMAN: I thought the stone walls came after that I believe the stone walls were within the last five or six years. I don't believe they were in place at the time or at least not all of them.

MR. GHORY: I have been there five years and I think they were there at least three or four years before that.

MR. BOEHNER: I know this the shrubs and I think Steve said this that the shrubs were having difficulty Due to snow.

MR. GHORY: Yes, he said these shrubs never had a chance –

MR. BOEHNER: Yes, so I think what happened to them is they stopped being replaced after a time and that is what I can assume happened to them.

MR. GHORY: And I had heard concerns that I think we addressed that relate to lights from the school shinning across and they were not head lights they were spot lights.

MR. BOEHNER: That is another issue.

MR. CHAIRMAN: You have building mounted and parking lighting. The current stuff I think we have addressed but we never really addressed the headlights. Those come up just about every application. They came up when we did the sign when we did the addition in the back and the addition with the bell tower and that goes back quite a ways and its just the headlights shining into the neighbors across the street.

MR. CHAIRMAN: I think he is asking you to propose something that addresses the head light issue and seeing the front's of the cars. I think he recommended a fence.

MR. GHORY: He said a berm was proposed but that was complicated by snow removal and he thought some kind of a fence along there and that creates a sort of fenced off feeling for the school.

MR. CHAIRMAN: I was here at that time and I recall the conversation being a kind of split rail kind of fence. It wasn't a solid fence and it was also something you see in the neighborhood.

MR. BOEHNER: The last approval we had was a split rail fence with shrubs going on down the road in native materials and the big discussion was what side of the fence should the

bushes be planted on and you were right Bill a split rail fence was approved and something between then and now happened to the split rail fence and the shrubs. And I don't see any applications coming in saying can we remove these and right now we have to solve the problem.

MR. AMERING: I can't see how the split rail fence solved the headlight problem?

MR. BOEHNER: It was the combination of the fence and the shrubs.

MR. GHORY: Where does Mr. Russell live?

MR. BOEHNER: He does not live across the street he lives on Daiquiri.

MR. GHORY: You have some records and recollection that there was supposed to be a split rail fence and some shrubbery along where this parking lot is.

MR. CHAIRMAN: And it was pulled in so it didn't affect sight distances in both directions from the curb cuts.

MR. GHORY: So if we were able to say we were able to do that what would be the process would we submit a plan.

MR. BOEHNER: You would prepare a plan and submit it.

MR. CHAIRMAN We would like to do that in a way that we could put a condition on this that you would have to submit that prior to getting your Building Permit.

MR. GHORY: I think we can submit a plan to address the issue, I know you mentioned plants on what side and there is an issue as you come onto Clover Street there is a slight rise

causing a blockage of sight and I know this came up with the sign and should the sign be perpendicular to the street or parallel to the street and also did they understand that they were obligated to replace the fence if it came down and I believe if we were ordered to do it then we will have to do it. You suggested there was plant material that was suggested.

MR. BOEHNER: We go with native species now.

MR. GHORY: I would appreciate the consideration of making it a condition and moving the approval forward and I think it would be greatly appreciated if we had an understanding of what those obligations were and I feel that we need to meet the obligations. If a neighbor calls me and says we don't like this or that we try to address it.

MR. CHAIRMAN: We appreciate that and we will put this in as a condition. The other thing is a little bit more formal way to make sure that those lights are off.

MR. BOEHNER: How often do you have fill the parking lot at the school?

MR. GHORY: I know there are some major events at the school but are we talking specifically in the evening or are we talking about any time?

MR. CHAIRMAN: He showed us pictures of a daytime event. I don't know if it was on a weekend. We don't have a date for it that was one of the concerns we had was when was this and the letter implies this happens almost frequently enough that we should be addressing someplace else for these cars to park other than right along the edge of the road and in between the trees and stuff.

MR. GHORY: We have an arrangement with the First Baptist church on Allens Creek Road at Clover Street and it is pretty agreeable to park there and have a shuttle bus go back and forth and the picture that had cars parked this way and that way

is not a scene that I recognize. We do have tournaments during the day that have people from our side but also the outside coming in, swimming for example might have that kind of condition.

MR. BOEHNER: He says "there have been a tremendous number of days"

MR. CHAIRMAN: We don't recall seeing any other complaints about this or the police mentioning that this is a problem.

MR. GHORY: We have worked with the Brighton Police and we have a meeting with them next week. We have had the police park and observe people dropping off and picking up and we asked if there were any suggestions to improve this and they said we were doing the best we could there at that time of day. I think one suggestion that comes to my mind is to do some kind of data collection and say what is the condition we are trying to control.

MR. BOEHNER: Are you of the opinion that you don't need more parking spots?

MR. GHORY: I am of the opinion we need more parking spots but I am not sure where.

MR. AMERING: We were approved for five additional spots and it wasn't necessary at the time.

MR. GHORY: We are designed to increase enrollment to the school and increase traffic circulation. We have an enrollment at 515 this year. So we are not at a peak enrollment and our projections do not assume that we are going to be increasing the enrollment and the demand in the area does not support that.

MR. BOEHNER: We understand you are not increasing the traffic but you may find that you do not have enough parking spaces and that is why we are asking and you may not need additional parking. We need to know what is going on in here.

MR. GHORY: I think there are periodic times when we have parking issues and do you build for when you have maximum parking needs.

MR. AMERING: But your day to day operations you are happy with the parking, correct?

MR. GHORY: Yes. One idea we had is could you change the entry to the school and that would be a 1,000 dollar project and would slow us down a little bit.

MR. CHAIRMAN: We will kick around the event happenings and the capacity overall and what are the impacts of some of those events.

MR. BOEHNER: If you see a problem in the future you can put in those five parking spots because they are pre-approved. I can show you the plan afterwards. When you came in for your science project you guys said we don't think we need them and you engineered it up and designed it but at that time you just didn't need it. So you have the right to build them and we also have the right to ask you to build them. I would have one of the landscape architects look at it and see what they come up with. I don't think we are going to design for you here.

MR. CHAIRMAN: The last condition we are going to talk to you about is putting your interior lights on a timer or some kind of sensor just so if there is no activity they go off automatically.

MR. BOEHNER: I was disappointed in your lighting plan and how the lights are going to work. Just turning them off at 10:00 o'clock doesn't really cut it. I don't know why they have to be on at 10:00 o'clock if it is not being used. I thought they would be on a motion sensor.

MR. GHORY: I thought it would be more of a timer than a sensor.

MR. BOENER: I think we were trying to understand how that was going to work. I know other parts of the building were on timers. I don't think motion sensors were as common as they are now. One of the problems back then was no one was turning off the lights. I don't think the overhang stops the light flow either.

MR. GHORY: Is it a timer or a sensor.
Well we can do both.

MR. CROWE: Dave Crowe, Project Manager, we are working hard on the project and we have an extremely tight budget and time frame. So we are really looking hard at costs but I think we can do the motion sensor but to put it on the DDS system is expensive.

MR. BOEHNER: If no one is in there the lights will go off. I don't know that you have to have it go to that system.

MR. CROWE: Yes, we wouldn't. It is fairly common to have the lights go on and turn off when you go in or out of the room. I don't see that as a difficult condition.

MR. CHAIRMAN: Other Board members have any questions. Thank you. This is a public hearing if anyone has anything to address in the audience please come up.

MR. CROFT: Allen Croft, I am a Harley parent and it almost never happens maybe once a year I would see a parking problem and they do a really good job on the major events. They have shuttle service for graduation and candle light the big events so when they know there is a big event they set up the shuttle to avoid any problems and I would know because I am usually the last one to an event.

MR. CHAIRMAN: Thank you we appreciate that. Okay let's move on.

2P-04-18 Application of 1950 Brighton Henrietta Town Line Road, L.P., owner for Site Plan Modification and Resubdivision Approval to modify the existing outdoor storage area, create access ways and to create an interconnection with an adjacent property (330 Metro Park), and to reconfigure two lots on property located at 1950 Brighton Henrietta Town Line Road. All as described on application and plans on file. TABLED – PUBLIC HEARING REMAINS OPEN.

2P-05-18 Application of 1950 Brighton Henrietta Town Line Road, L.P., owner, for Conditional Use Permit (s) Approval and Site Plan Modification to allow for Admar Equipment Rental to be located in 25,600 +/- sf off an existing building and allow for a warehousing facility for DiMarco Construction to be located in the remaining 16,800 +/- sf of the building, and to create interconnections with the adjacent property (1950 Brighton Henrietta Town Line Road) all on property located at 330 Metro Park. All as described on application and plans on file. TABLED – PUBLIC HEARING REMAINS OPEN.

MR. CHAIRMAN: I am an employee of SWBR and that firm is involved in this project. I am a part time employee and I am not a share holder benefiting from this project in any way.

MR. TOMLINSON: Matt Tomlinson from Marathon Engineering I have Paul Colucci from the DiMarco Group with me. I will speak to both projects 2P-04-18 and 2P-05-18 but I can answer questions separately. We were here last month to discuss this with the Board at 1950 Brighton Henrietta Townline Road. We have been before the ARB for 330 Metro and we appeared before the Zoning Board of Appeals for lot coverage and variance requests and those were approved with some conditions. We also appeared prior to our last meeting here before the Conservation Board and had discussions with them. So we are here to request approval for this project which involves formalization for the storage yard at 1950 which requires second hand modification approval. We will screen that and provide storm water management facilities for that and then at 330 Metro the Denmar branch is going to be moving up to 1950 and utilizing a portion of that 330 Metro building for its new branch location and doing some façade improvements of landscaping, lighting and cleaning out some of the access as well as formalizing the connection to use that storage yard for its operations. One other remaining thing that remains

from the comments that we received was the storm water and we sat down with Mike Guyon and Paul and went out to the site yesterday to discuss what documentations we were looking for. I think we are all in agreement with methods of treatment and what we need and we will be submitting a full documentation as we continue to work through his comments on that. I will be happy to answer any questions you might have.

MR. BOEHNER: Did you receive all the variances that you needed?

MR. TOMLINSON: We did.

MR. BOEHNER: On the drawings you submitted it shows a cross access easement for lot 2 and is that still the case or is that a mistake?

MR. TOMLINSON: The lot line adjustment for 1950 cover this easement so in talking to Paul the same entity owns all three parcels and there was a desire to provide for internal circulation as well as external circulation if that were to be the case if they developed that in the future. So that easement is intended to connect for ingress and egress for the future and we will show that.

MR. BOEHNER: You may want to show that because it just looks like a road.

MR. TOMLINSON: And that final point is somewhat variable depending on what eventually gets developed there on that West Metro parcel or where that connection would be so I will talk to Paul about how that gets shown on the final plan for signature.

MR. CHAIRMAN: Any questions? This is a public hearing does anyone care to address this application. You can stay up here I just want to go over 2P-05-18, it's the same application any questions?

MR. BOEHNER: Any changes to the project?

MR. TOMLINSON: We have quantified the planting material since the last time we were here in conformance with the Conservation Board's comments for some shade trees. There was limited lighting on the north side of the building and we wanted to light that side of the parking lot so we will be installing LED lights other than that we were just addressing comments.

MR. BOEHNER: Any variances?
MR. TOMLINSON: We got our variances for that one also.

MR. CHAIRMAN: Any other questions? This is a public hearing are there any comments or questions from the audience? We will move on.

3P-01-18 Application of Mamasan's Monroe, LLC, owner for Final Site Plan Approval, Final Conditional Use Permit approval and Demolition Review and Approval to raze a commercial building and construct a 2,858 +/- sf restaurant with outdoor dining and a drive-thru pick up window on property located at 2735 Monroe Avenue. All as described on application and plans on file.

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.

MR. MCMANN: Good evening, my name is Greg MacMann, from MacMann and LaRue Associates and also here tonight is Bea Walters, Randy Peacock the Project Architect and Allen. We are here tonight hopefully seeking preliminary and final approval for Mamasans. Nothing has changed since our last presentation. We did appear before the Zoning Board of Appeals and were granted all of our variances with conditions. This is a continuation of the preliminary submission and new application for final. We have received Architectural Review Board Approval and we have addressed we believe all of the

Town and staff comments, engineering comments and County comments and I had a discussion with the engineering department today and they tell me things are basically there. There were a few comments but nothing serious. Nothing has changed since our last presentation and I will be happy to answer any questions.

MR. BOEHNER: Greg you are aware of the front setback?

MR. MACMANN: Yes Paul White brought that to our attention and Randy and I have talked and I actually added the two foot eave to the building and I slid the building back about six inches to give us a buffer on that two foot overhang according to code the roof eaves are permitted up to two feet and we meet that requirement.

MR. BOEHNER: And you agreed to the reconfiguration of the driveway to a right in only if the traffic light is installed as part of Whole Foods?

MR. MACMANN: Yes, and the owner agrees to that if that comes to pass we will agree to that right in and we did show what the proposed right in would look like.

MR. BOEHNER: How comfortable are you to the accuracy of where the location will be. My concern is when we get to that point I want to make sure the right in works for the site.

MR. MACMANN: We are happy with the way it is laid out there. It works with the site and it was adjusted to make sure – originally a part of that had gone over an electric manhole and we adjusted it to avoid service utilities and ties in nicely with the entrance and an exit for the drive-thru lane.

MR. BOEHNER: And as far as you know the way it is designed right now it is designed to meet the DOT requirements?

MR. MACMANN: Yes, we had previously submitted to the DOT.

MR. BOEHNER: Okay and you meet those requirements?

MR. MACMANN: Yes.

MR. BOEHNER: And you are in agreement to grant cross access easements.

MR. MACMANN: The easements were submitted to the Town for review and I believe that was acceptable. The storm water maintenance was submitted –

MR. BOEHNER: The cross access easement will have to be reviewed by the Deputy Town Attorney.

MR. MACMANN: I would assume so we submitted it and I know it has been through your engineering for review and where it has gone from there I don't know.

MR. BOEHNER: Okay I just wanted to know if it was acceptable.

MR. MACMANN: Well, it hasn't gone through Dave or any legal portions.

MR. CHAIRMAN: As far as demolition you are going right to construction.

MR. MACMANN: The intent would be yes the building is not intended to be demolished until a building permit is pulled.

MR. CHAIRMAN: Okay.

MR. MACMANN: We submitted a separate demolition plan according to the town requirements.

MR. BOEHNER: What is your time

frame for applying for a building permit.

MR. PEACOCK: Randy Peacock, within three months. There is a little bit of time involved in that but by the end of the summer we would be able to begin.

MR. CHAIRMAN: Okay. Everything else is pretty much the same right?

MR. MACMANN: Everything is the same.

MR. BOEHNER: The dumpster location can that be put some place else because right now it would be right in the cross access easement.

MR. MACMANN: Right now it is in the cross access easement but I think the intent was at such time as that is implemented this additional property becomes available it would be moved to the back of that parking. It could be moved to a number of places.

MR. BOEHNER: I wasn't sure I was just asking I wasn't sure if you could?

MR. MACMANN: Not without reducing our parking.

MR. BOEHNER: You can't reduce the parking.

MR. MACMANN: We understand that and this gave us a location to get into it easily and do their turn and get back out.

MR. CHAIRMAN: So in the future if that gets built you would move it to the southside.

MR MACMANN: This here would be a 24 foot wide drive thru cutting thru and basically this piece down here becomes part of the parcel,

MR. CHAIRMAN: Okay any other comments or questions? Okay I guess I don't have to ask if anyone wants to address this application since you are the only ones left we will move on.

3P-02-18 Application of 150 Metro Park, LLC, owner, for Preliminary/Final Site Plan Approval to construct a 14,400 +/- sf warehouse/office building addition on property located at 150 Metro Park. All as described on application and plans on file. ADJOURNED TO THE APRIL 18, 2018 MEETNG AT APPLICANT'S REQUEST.

2P-NB1-18 Application of Faith Bible Church, owner, for Preliminary Site Plan Approval to construct a 7,670 +/-sf church building, addition on property located at 10095 East Henrietta Road. All as described on application and plans on file. TABLED – PUBLIC HEARING REMAINS OPEN – ADJOURNED TO THE MAY 16, 2018 MEETING AT APPLICANT'S REQUEST.

3P-NB1-18 Application of Newcomb Brighton, Inc. owner and Brian Mattiacio, contract vendee, for Preliminary Site Plan Approval to construct a 2, 200 +/- sf dental office on property located at 2087 Monroe Avenue. All as described on application and plans on file.

MR. AMERING: Alex Amering of Costiich Engineering and tonight we are on behalf of Brian Mattiacio. A little history of the project we came in for concept review at the January meeting and since then we have made a preliminary submission. The project site is at 2087 Monroe Avenue and I believe there was a previous application for this in 2010 for this site. It is a permitted use in a commercial district, Going through the site data real quick we provided 16 parking spaces where 15 is required for the 2200 sf orthodontist

building. There were some variances that we worked through with town staff with the application that will be forth coming. Those include a setback variance from Monroe Avenue on the front setback and what is considered a rear yard setback, a lot coverage setback , a parking setback and parking in the front area which is by the corner lot . Preliminary discussion were about placing the building in the front and parking in the rear. Since that concept we developed quite a bit of site details including landscape, lighting and storm water and utility connections. And in addition the project architect has detailed elevations and prepared additional perspective rendering which you see on the bottom there. The photo simulation is the same one that was presented to the Board at concept.

Last week we appeared before the Conservation Board and it was also the second round for that board. The three items that were of concern at the initial meeting with them was pedestrian connection, the infrastructure and street trees. They were happy with the latest round of drawings that we provided, the connection to the Brook Lawn sidewalk. We have proposed green infrastructure in the form of bio retention that is along the sidewalk between the building and the sidewalk, kind of imitating what is down the street. We looked at what they did there at the high school. The kind of street trees we had proposed was a River birch and a dogwood along the street scape and they are both on the town's tree list. Quick run down on the architecture that was something the Board was looking to focus on given the front setback to Monroe Avenue. The architecture consists of glass with aluminum curtain walls and vertical wood siding which are depicted well in the photo rendering. The building itself the height has stayed the same as it previously was. The utilities are all available on Brook Lawn, the landscape as discussed with the Conservation Board is primarily grasses and street trees. Given the tight site there was a lot of emphasis on grasses along the front of the building, grasses along the parking lot given the variance that is required for the parking and in addition landscaping along the back of the parking lot which we will also be replacing a fence which adjoins the residential property that is there today. There is a fence there but it is in very poor condition. So we would be proposing a new one.

MR. BOEHNER: The fence you may have to modify it because it extends into the front yard and you can't have

fences six feet high in the front yard. It has to be 3 and a half feet in the front yard or you have to get a variance.

MR. AMERING: Okay.

MR. CHAIRMAN: Where does that start at the setback line?

MR. BOEHNER: The front yard is defined as between the right of way line and the building.

MR. CHAIRMAN: The only thing I recall from the concept presentation was a door on the Monroe Avenue side with a sidewalk out to Monroe Avenue. Is there something about the footprint or the floor plan that would preclude that or we didn't get a floor plan to know if there was anything that was along the front such as patient rooms.

MR. AMERING: I would have to look at it this building was very specific to the site the floor plan was designed by Hanlon and Brian to work for this it is not for an area that is much larger.

MR. MATTIACO: It is not impossible to have a door right here but I just think it would be more convenient to have it going out the back and we could have this be our vestibule.

MR. CHAIRMAN: Do you have people waiting in there as well?

MR. MATTIACO: Yes but not in that little area you would enter through that back area and go in.

MS. DELANEY: Is there a possibility of having a second door? So you could enter from the parking lot or if you are coming from the school they could enter from the front?

MR. AMERING: That is the current entrance and having a second one there it wouldn't be on the Monroe Avenue side but you might be able to run a sidewalk like that. With a

2200 sf building we are lacking for space so if you are adding another door –

MR. BOEHNER: It may have to be in the vestibule from the energy code.

MR. CHAIRMAN: Doctor, I would just ask you to work with David and see if that door is moved to that east end not asking you to create two doors but maybe see if it works for you. We are just trying to have that entrance point and the activity associated with it going more to the intersection and it would be as good as if it was on that Monroe Avenue elevation. And that could be a court yard area for an entrance into the building. That corner isn't very nice looking.

MR. AMERING: It is a nice building in the front but in some ways it is cut off because there is no door there. So the idea there is if somehow you can extend that to the sidewalk and do something on the landscaping that draws you from the street into the door that would go a long way.

MR. CHAIRMAN: Alex the only other thing that I notice that I would like to ask you to look at is to reduce the size of the pole bases on any pole lighting. The height of the base I don't care about the height of the pole but it is the height of the base. I would just ask you to look at the height of the base. Any questions? Thank you.

MR. BOEHNER: On the record an amended application needs to be made including the correct property owner information and the hearing has to be kept open. We allowed the hearing to go forward and we knew what we were doing but we will keep it open to have an amended application.

OLD BUSINESS

NONE

PRESENTATIONS

NONE.

COMMUNICATIONS:

Letter from Thomas Fromberger, MRB Group, dated March 13, 2018 requesting adjournment of application 3P-02018 to the April 18, 2018 meeting.

Letter from Matt Tomlinson, Marathon Engineering, dated March 13, 2018 requesting adjournment of application 2P-NB1-18 to the May 16, 2018 meeting.

Letter with attachments, from Steve Russell, 26 Thackery Road with comments and concern regarding application 2P-03-17 (The Harley School)

PETITIONS

NONE

2P-03-28 Application of The Harley School, owner, for Preliminary /Final Site Plan Approval to construct a 5,036 +/- sf school building addition on property located at 1981 Clover Street. All as described on application and plans on file – TABLED PUBLIC HEARING REMAINS OPEN.

MS. DELANEY: I move to close the public hearing.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. CHAIRMAN: I move the Planning Board approves the application based on the testimony given, plans

submitted and with the following Determination of Significance and the following 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. The addition shall not be used for commercial purposes or purposes other than school events. The lights in the Fitness Center and Dance Studio shall use motion sensors to turn them off when the space is not in use, and shall be turned off by 10:00 p.m. unless there is a special event.
2. As proposed, all exterior LEDs shall be installed parallel to the ground and recessed in the light housings;; drop lenses shall not be used. The exterior lights shall be connected to a timer and shall be turned off from 10 p.m. until 7 a.m. unless they are needed for special events.
3. Any proposed mechanicals shall be shown along with their screening.
4. All Monroe County requirements shall be met.
5. The building shall comply with the most current Building & Fire Codes of New York State.
6. 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.

7. Meet all requirements of the Town of Brighton's Department of Public Works.
8. All Town Codes shall be met that related directly or indirectly to the applicant's request.
9. The project and its construction entrance shall meet the New York State standards and Specifications for Erosion and Sediment control.
10. 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.
11. 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.
12. Maintenance of landscape plantings shall be guaranteed for three years.
13. 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 Regulation.
14. All trees to be removed shall be shown on the site plan.
15. Any comments and concerns of the Fire Marshal shall be addressed. The applicant shall contact the Fire Marshal for comments.

- 16 All outstanding Site Plan comments and concerns of the Town Engineer regarding soil erosion, water control, water system and sanitary sewer design shall be addressed.
- 17 All comments and concerns contained in the attached memo dated March 15, 2018 from Evert Garcia to Ramsey Boehner shall be addressed.
- 18 A letter or memo in response to all Planning Board and Town Engineers comments and conditions shall be submitted.
- 19 The Harley School shall continue to implement all items outlined in the letter Dated May 5, 2004 from Paul Schiftman and Mathew Spunk to Mr. and Mrs. Robert Koegel.
- 20 Prior to the issuance of a building permit for the project, a landscape plan that addresses the parking impact of car lights at night shall be reviewed by the Conservation Board and approved by the Planning Board.
21. Prior to the issuance of a Certificate of Occupancy for the project, the banked parking spaces shall installed.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

2P-04-18 Application of 1950 Brighton Henrietta Town Line Road, L.P, owner for Site Plan Modification and Resubdivision Approval to modify the existing outdoor storage area, create access ways and to create an interconnection with an adjacent property (330 Metro Park), and to reconfigure two lots on property located at 1950 Brighton Henrietta Town Line Road. All as described on application and plans on file. TABLED – PUBLIC HEARING REMAINS OPEN.

2P-05-18 Application of 1950 Brighton Henrietta Town Line Road, L.P., owner, for Conditional Use Permit (s) Approval and Site Plan Modification to allow for Admar Equipment Rental to be located in 25,600 +/- sf off an existing building and allow for a warehousing facility for DiMarco Construction to be located in the remaining 16,800 +/- sf of the building, and to create interconnections with the adjacent property (1950

Brighton Henrietta Town Line Road) all on property located at 330 Metro Park. All as described on application and plans on file. TABLED – PUBLIC HEARING REMAINS OPEN.

MR. CHAIRMAN: I move to close the public hearing on application 2P-04-18.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MS. DELANEY: I move the Planning Board approves the application 2P-04-18 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. The Planning Board adopts the negative declaration prepared by Town Staff.

CONDITIONS

1. Any outside storage shall be located to the rear of the building and enclosed by a six foot solid fence. Materials shall not exceed the height of the fence and all equipment must be kept in the lowest possible position and location.
2. All plat filing requirements of the Town of Brighton's Department of Public Works shall be met. 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 easements shall be submitted to the Building and Planning Department for its records.

3. The applicant shall review all subdivisions and site plan notes and revise as necessary. It appears that at least three notes are included in error regarding the cross access easement, proposed fencing and restoration of the existing storage yard on Lot. 1.
4. The following comments of the Conservation Board shall be addressed:
(includes 330 Metro Park)
 - Due to the reduction of green space on both properties, the Board suggests the planting of trees on the outside of the ring road as a means of mitigation.
 - All gravel should be removed from the abandoned storage area and the ground properly treated to establish healthy ground cover.
5. All Monroe County requirements shall be met.
- 6 . 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.
- 7 All outstanding comments of the Town of Brighton's Department of Public Works (DPW) shall be addressed and all DPW requirements shall be met.
8. All Town Codes shall be met that related directly or indirectly to the applicant's request.
- 9 The project and its construction entrance shall meet the New York State standards and Specifications for Erosion and Sediment control.

- 10 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.
- 11 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.
- 12 Maintenance of landscape plantings shall be guaranteed for three years.
- 13 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 Regulation.
- 14 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.
- 15 All outstanding Site Plan comments and concerns of the Town Engineer regarding soil erosion, storm water control, water system and sanitary sewer design shall be addressed.
- 16 All comments and concerns of the Town Engineer as contained in the attached memo dated March 19, 2018 from Michael Guyon, Town Engineer, to Ramsey Boehner shall be addressed.
- 17 A letter or memo in response to all Planning Board and Town Engineers comments and conditions shall be submitted.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION – UNANIMOUSLY CARRIED

MR. BABCOCK STINER: I move to close the Public Hearing on application 2P-05-18 .

MR. CHAIRMAN: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. BABCOCK STINER: I move the Planning Board approves application 2P-05-18 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 QualityReview 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 Cut sheets shall be provided for the wall pak lights. The cut sheets for all lights shall call out which standards/options for the lights are being proposed. The model number called out on the cut sheet should agree with the model number noted on the lighting plan.
- 2 All proposed exterior lighting shall be 3,000 K color temperature.

3. The following comments of the Conservation Board shall be addressed
 - Due to the reduction of green space on both properties, the Board suggests the planting of trees on the outside of the ring road as a means of mitigation.
 - All gravel should be removed from the abandoned storage area and the ground properly treated to establish healthy ground cover.
4. If a dumpster is proposed it shall be shown on the site plan and a detail of its screening shall be provided.
5. There shall be no outside storage or display of goods, vehicles or equipment without further review and approved by the Town.
6. Maintenance and repair of equipment shall only be permitted in designated indoor areas.
7. There shall be no bulk storage of flammable or hazardous materials or petroleum products without the approval of the Fire Marshal.
8. Any proposed fencing, including gates, located in the side or rear yard shall not exceed 6.5' in height and shall meet all own requirements.
9. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
10. All proposed easements shall be filed and receipts of the filing shall be provided to the Building and Planning Department.
11. All Monroe County requirements shall be met.
12. The building shall comply with the most current building and Fire Codes of New York State.
13. 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.

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

15 All Town Codes shall be met that related directly or indirectly to the applicant's request.

16 The project and its construction entrance shall meet the New York State standards and Specifications for Erosion and Sediment control.

17 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.

18 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.

19 Maintenance of landscape plantings shall be guaranteed for three years.

20 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 Regulation.

21 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 one hundred one of the Executive Law.

22 All outstanding comments and concerns of the Fire Marshal shall be addressed. The applicant shall contact the Fire Marshal for comments.

23 All comments and concerns of the Town Engineer as contained in the attached memo dated March 19, 2018 from Michael Guyon, Town Engineer, to Ramsey Boehner, shall be addressed.

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

MR. CHAIRMAN: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

3P-01-18 Application of Mamasan's Monroe, LLC, owner for Final Site Plan Approval, Final Conditional Use Permit approval and Demolition Review and Approval to raze a commercial building and construct a 2,858 +/- sf restaurant with outdoor dining and a drive-thru pick up window on property located at 2735 Monroe Avenue. All as described on application and plans on file.

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.

DEMOLITION REVIEW

MR. BOEHNER: I will read the Demolition Motion:

I move the Planning Board adopts the following findings based on the application submitted, testimony presented and determination and comments and recommendations of the the Historic Preservation Commission, Architectural Review Board and Conservation Board that the existing building and currently designated project has been reviewed and per the requirements of this article the determinations and recommendations have been considered and the project has been considered under the Brighton Comprehensive Plan and the project meets all town zoning board requirements and the variance has been granted by the Zoning Board of Appeals, the Town of Brightons Public Works

Department has approved the proposed grading plan for the project. The project complies with the town's regulations regarding trees and the restoration landscaping plan has been approved by the Planning Board and the project will comply with the requirements of the NYSDOL code rule number 56 regarding asbestos control. The project will not under the circumstances of this particular case be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be a detriment to the public welfare or injurious to the property or improvements of the neighborhood and the project does not have a significant negative impact on affordable housing within the town.

MR. CHAIRMAN: So moved.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. BABCOCK STINER: I move to close the public hearing.

MR. CHAIRMAN: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. BABCOCK STINER: I move the Planning Board approves the application based on the testimony given, plans submitted and with the Determination of Significance and the following 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 QualityReview 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 turning radius analysis demonstrating that emergency vehicles can adequately access and navigate the site shall be submitted to the Town Fire Marshal for review.
- 2 The applicant shall revise the site plan as necessary so that the building roof on the Monroe Avenue side meets the requirement of not extending more than two feet into the required setback
- 3 The Existing Conditions/Demolition/ Restoration Plan shall be submitted.
- 4 The site data on Sheet 2 shall be reviewed and revised as necessary.
- 5 Indoor and outdoor seat count and combined floor area and patio area shall not exceed the numbers approved by the Zoning Board of Appeals.
- 6 The proposed second floor shall be used only for storage and office for the proposed restaurant.
- 7 All Monroe County comments shall be addressed.
- 8 The proposed building shall be sprinklered in accordance with Town requirements.
- 9 The location of any HVAC or other mechanicals and /or generators shall be shown on the site plan along with details of their proposed screening.
- 10 The dumpster shall be enclosed with building materials that are compatible with the existing building and located in the rear yard. The enclosure shall equal the height of the dumpster and shall not be higher than ten feet. The proposed material shall be shown on plans and shall be approved by the Building and Planning Department.
- 11 An Operational Permit shall be obtained from the Town of Brighton Fire Marshal(Chris Roth 585-784-5220)

- 12 Hours of operation shall be limited to the hours between 6:00a.m. and midnight without further approval of the Planning Board.
- 13 Cut sheets and elevations shall be provided for the proposed lights. The cut sheets shall specify which standards/options on the sheets are proposed for the lights. This information should be consistent with notes and details in the plan set. The color temperature of the lights shall be provided and shall be 3,000 K.
- 14 Any signage, building or parking lighting not necessary for security purposes shall be placed on automatic timing devices which allow illumination to commence each day $\frac{1}{2}$ hour before the business is open to the public and to terminate $\frac{1}{2}$ hour after the close of business.
- 15 There shall be no outdoor storage or display without further approval by the Planning Board.
- 16 The entire building shall comply with the most current Building and Fire Codes of New York State.
- 17 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.
- 18 Meet all requirements of the Town of Brighton's Department of Public Works.
- 19 All Town Codes shall be met that related directly or indirectly to the applicant's request.
- 20 The project and its construction entrance shall meet the New York State standards and Specifications for Erosion and Sediment control.
- 21 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.

- 22 Maintenance of landscape plantings shall be guaranteed for three years. 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 Regulation.
- 23 The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
- 24 All outstanding comments and concerns of the Fire Marshal shall be addressed. The applicant shall contact the Fire Marshal for comments.
- 25 All comments and concerns of the Fire Marshall shall be addressed. Comments can be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220)
- 26 All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
- 27 Erosion control measures shall be in place prior to site disturbance.
- 28 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 one hundred one of the Executive Law.
- 29 Paragraph 201.16 B.(1) of the Code of the Town of Brighton states, "Where deemed appropriate and feasible by the Planning Board, Zoning Board of Appeals or authorized official, a cross access easement shall be required to connect the parking areas between two or more adjacent lots. Cross access easements shall be considered when reviewing proposals for new development, changes of use or any site modification". A cross access easement shall be provided. The cross access easement shall be reviewed and approved by the Deputy Town Attorney and Town Engineer. The approved easement shall be filed with the Monroe County Clerk's Office. A copy of the filed

cross access easement shall be reviewed and approved by the Deputy Town Attorney and Town Engineer. The approved easement shall be filed 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.

30 Paragraph 201.16.B(3) of the code of the Town of Brighton states, "Where appropriate along highways containing strip development, the Planning Board, Zoning Board of Appeals or authorized official may identify existing curb cuts that are to be removed or replaced with cross access easements prior to approving an application for a proposed development or a change of use". When the secondary access to Monroe Avenue becomes available as part of a future access management plan for Monroe Avenue, the Planning Board requires that the existing Monroe Avenue access drive be modified to a right-in only configuration. All requirements of the NYSDOT shall be met. The site plan shall be revised to show details of the modification to a right-in only configuration.

31 A letter of credit shall be provided to cover certain aspects of the project, including but not limited to demolition, landscaping, stormwater 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.

32 The project will comply with the requirements of NYSDOL, code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead Based Paint Removal. In addition to any other requirements of Code Rule 56, the applicant shall verify that the project will comply with Section 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and asbestos survey and removal requirements of Section 56-5 are met.

33 All requirements of Sections 203-84.B.3 (restaurant regulations), 207-14.1 (waste container and grease/oil container standards), 207-14.2 (supplemental restaurant regulations and 207.14.3 (drive thru standards) 203-84.B.4 (Outdoor Dining Facilities) as well as any

other pertinent sections of the code, shall be met. Included in these requirements is that “A minimum of one aesthetically acceptable trash receptacle shall be provided on site adjacent to each driveway exit. At least one additional aesthetically acceptable, on site, outdoor trash receptacle shall be provided for every 10 required parking spaces.” Also included is that, Any use providing food capable of being immediately consumed which is served in desposable packaging shall have a least one aesthetically acceptable on site, outdoor covered trash receptacle for patron use located near the primary entrance...” These requirements along with the other requirements of those sections should be addressed.

- 34 The drive-thru speaker is required to be less than 50 dbA at four feet from the speaker and not audible above the daytime ambient noise levels at the property line.
- 35 All comments and concerns of Evert Garcia as contained in the attached memo dated January 16, 2018 to Ramsey Boehner, shall be addressed.
- 36 A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
- 37 The height of the light pole bases shall be reduced to 6 inches above finished grade.

MR. CHAIRMAN: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

3P-NB1-18 Application of Newcomb Brighton, Inc. owner and Brian Mattiacio, contract vendee, for Preliminary Site Plan Approval to construct a 2, 200 +/- sf dental office on property located at 2087 Monroe Avenue. All as described on application and plans on file.

MR. CHAIRMAN: We will keep the hearing open. I move that the application be tabled based on the testimony given, and plans submitted. Additional information

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.

1. All required variances shall be obtained.
2. Architectural Review Board approval shall be obtained.
3. The applicant shall submit information detailing all recommendations and requirements of the NYSDEC and NYSDOH and how they are proposed to be addressed.
4. Snow storage shall be shown on the site plan.
5. The proposed six foot fence shall not extend into the front yard. The fence must be modified to meet Town Code or a variance must be obtained from the Zoning Board of Appeals.
6. The location of any HVAC or other mechanicals and or generators shall be shown on the site plan along with details of their proposed screening.
7. If a dumpster is proposed and/or if a garbage or recyclables is proposed to be stored outside the location of garbage/recyclables storage and proposed screening enclosure shall be shown on the site plan.
8. An Operational Permit will be required from the Town of Brighton's Fire Marshal (Chris Roth 585-784-5220).
9. Hours of operation shall be limited to the hours between 7 a.m. and 10 p.m. from Sunday to Thursday and 7 a.m. and 11 p.m. on Friday and Saturday without further approval of the Planning Board.
10. The color temperature of the lights shall be 3,000K.
11. Any signage, building or parking lighting not necessary for security purposes shall be placed on automatic timing devices which allow illumination to commence each day 1/2 hour before the business is open to the public and to terminate 1/2 hour after the close of business.

- 12 No outdoor storage or display is permitted.
- 13 The entire building shall comply with the most current Building & Fire Codes of New York State.
- 14 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.
- 15 Meet all requirements of the Town of Brighton's Department of Public Works.
- 16 All Town Codes shall be met that related directly or indirectly to the applicant's request.
- 17 The project and its construction entrance shall meet the New York State standards and Specifications for Erosion and Sediment control.
- 18 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.
- 19 Maintenance of landscape plantings shall be guaranteed for three years. 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 Regulation.
- 20 The parking lot shall be striped per the requirements of the Brighton Comprehensive Development Regulations.
- 21 All outstanding comments and concerns of the Town Fire Marshal shall be addressed. Comments can be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220)

- 22 All comments and concerns of the Town Brighton Sewer Department shall be addressed.
- 23 All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
- 24 Erosion control measures shall be in place prior to site disturbance.
- 25 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 one hundred one of the Executive Law.
- 26 All comments and concerns of Mike Guyon as contained in the attached memo dated March 21,2018 to Ramsey Boehner shall be addressed.
- 27 A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
- 28 The applicant shall submit an amended application with the correct property owner information
- 29 A Certificate of Compliance for the proposed use shall be obtained from the Building and Planning Department.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

* * * * *

SIGNS

- 1510 Fastenal for a Building Face Sign at 2710 West Henrietta Road.
- 1511 Blush Beauty Bar for a Building Face Sign at 2326 Monroe Avenue
- 1512 Whelpley * Paul for a Building Face Sign at 2815 Monroe Avenue
- 1513 Retreat House Massage & Wellness Center for a Building Face Sign (as resubmitted)
- 1514 Piano & Organ Center for a Building Face Sign at 3450 Winton Road South (condition all required zoning approval for the use shall be obtained prior to application for a building permit to install the sign)
- 1515 Starbucks for a Building Face Sign two front and rear at 1900 Monroe Avenue (condition all 12 Corners Plaza sign plan requirements shall be met)

MR. CHAIRMAN: I move to approve signs 1510, 1511, 1512, to be approved as presented and 1513 as resubmitted, 1514 as presented with condition stated and 1515 as presented with condition as stated.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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

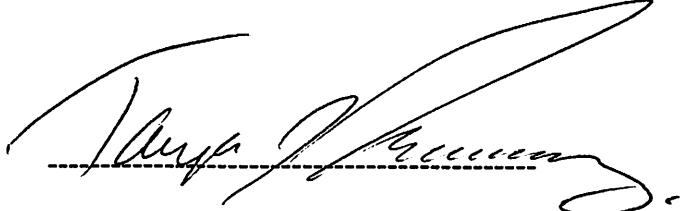
I, Judy Almekinder, 7633 Bauer Van Wickle Road, Lyons, New York 14489, do hereby state that the minutes of the March 21, 2018 meeting of the Planning Board at 2300 Elmwood Avenue, Brighton, New York, is a true and accurate transcription of those notes to the best of my ability as recorded and transcribed by me.



Judy Almekinder

On this 1 day of May in the year 2018, 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.

TANYA J. LEISENRING
Notary Public, State of New York
Qualified in Wayne County
No. 01LE6312991
Commission Expires October 14, 2018



Notary Public