

Proceedings held before the Planning Board
Brighton at 2300 Elmwood Avenue, Rochester, New York on November
14, 2018 commencing at approximately 7:30 p.m.

PRESENT: William Price
Justin Babcock Stiner
Laura Civiletti
David Fader
James Wentworth
John Osowski

NOT PRESENT: Pamela Delaney

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 14,
2018 meeting of the Town of Brighton's Planning Board to order. We do
have the minutes for the September 17, 2018 meeting which we will
approve. Can I have a motion to approve the September 17, 2018 minutes
with any corrections?

MS. CIVILETTI: I move to approve
the September 17, 2018 minutes with any corrections.

MR. BABCOCK STINER: Second.

MR. FADER ABSTAINED SINCE HE WAS NOT PRESENT AT THAT
MEETING

UPON ROLL CALL VOTE

MOTION CARRIED

MR. CHAIRMAN: Mr. Secretary
were the hearings properly advertised?

MR. BOEHNER: Yes, they were

properly advertised in the Brighton Pittsford Post of November 8, 2018.

9P-04-18 Application of 157 Sawgrass Drive, LLC, owner, for Final Subdivision/Resubdivision Approval, Final Site Plan Approval and Final Conditional Use Permit Approval to combine two lots into one and construct a three story 85,450 +/- sf building consisting of 37,000 +/- sf of pediatric skilled nursing and 48,450 +/- sf of medical office space on property located at 157 Sawgrass Drive (Tax ID 149.0 6-1-2.522 and 149.06-1-2-411. All as described on application and plans on file. TABLED AT THE SEPTEMBER 17, 2018 MEETING –PUBLIC HEARING REMAINS OPEN.

MR. BABCOCK STINER HAS RECUSED HIMSELF FROM THIS APPLICATION

MR. MURRAY: Good evening, Brian Murray from Bergman Associates on behalf of 157 Sawgrass Drive. We are here for final subdivision approval which consists of combining two parcels into one tax number and site plan approval and since our last meeting in September the only thing that has really changed is the landscaping for the land banked parking area where previously we had gravel going in as mentioned by the Planning Board we now proposing top soil and seeding and that shows up on our revised landscaping plan. I do have copies for you if the Board would like it. And also on the landscaping plan the Conservation Board recommended us removing one of the ornamental grass seeding and we have gotten rid of that and combine the two remaining on the plan and those are highlighted on the the bottom as well as adding a quantity to the chart. And I believe those are the only revisions and the layout stays the same since the last time we were here.

MR. CHAIRMAN: Can you just address your Architectural Review Board situation?

MR. MURRAY: Yes. The ARB Group approved the building at the last meeting in October. I don't think there were any new conditions but there were a couple of clarifications.

MR. GARDNER: David Gardner from Labello Associates, architect of record. We have noted those conditions on the plans and there were two comments about the building height be 40 feet maximum from the average grade per code which we have noted on the plans. And that the limestone panel be larger than 12 by 12 which is now 4 by 8 panels. So those are the two conditions that we have addressed.

MR. BOEHNER: Has anyone on staff reviewed those drawings?

MR. GARDNER: We returned them to Paul.

MR. BOEHNER: Okay.

MR. CHAIRMAN: Does this project get built all in one phase?

MR. MURRAY: Yes, except for the land banking.

MR. CHAIRMAN: The only thing I was wondering about are the fragments that are out on site and the issue of where do you take those and I don't know if you can even answer that.

MR. MURRAY: Yes, that whole mound of spoils is I think from the development on the other side of Sawgrass that is stock piled there. I am not sure yet what we are going to do with those and whether or not we have a geo technical engineer and there is a team that will evaluate the varying capacity of the spoils to determine if they can be used as on site fill and if not they will be trucked off.

MR. CHAIRMAN: If they do go off site we just want to make sure they don't wind up in a site where it can cause the same problems somewhere else.

MR. MURRAY: it will be disposed on in a legal way.

MR. CHAIRMAN: And sometimes that is hard to be defined and if you could just make some notes on your site plans when it comes to your stripping and stock piling and excavation and disposal. And we ask that that be addressed as to legal disposition of those materials.

MR. BOEHNER: Where would the mechanicals be located?

MR. MURRY: We have a partial basement where a great deal of the mechanicals would be located and we also have set aside an area on the third floor that will also house additional mechanicals but there is nothing on the roof and nothing outside . There are louvers that are placed in the equipment to get intake.

MR. OSOWSKI: I can't remember is there a generator?

MR. MURRAY: Because this is a nursing home that would be required.

MR. BOEHNER: Where is that going to be located?

MR. MURRAY: Inside.

MR. OSOWSKI: Will it be natural gas?

MR. MURRAY: It hasn't been decided yet but our choice would be natural gas or diesel and I think our choice would be natural gas. Diesel would require storage tanks and we don't want to go there.

MR. BOEHNER: Can you verify that Monroe County DOT has been satisfied and no further improvements need to be made as identified in the Supplemental Generic Environmental Impact Statement.

MR. MURRAY: Yes, on September 5th they sent a letter to Mike Guyon that they concurred with our traffic study and suggested minor adjustments to the signal timing.

MR. BOEHNER: Are you aware that there will need to be a contribution amount towards the Central Brighton Transportation Study.

MR. MURRAY: Yes, and once that amount is determined Elderwood will cut a check.

MR. BOEHNER: Can you tell us about the lighting?

MR. MURRAY: It will match the lighting that is out there today and there will be LED lighting to meet the 3,000 color the town requires.

MR. CHAIRMAN: Okay, thank you. This is a public hearing is there anyone who chares to address this application? There being none we will move on.

11P-02-18 Application of EQ Cap I, LLC, owner, and Sarah Beren – Spotted Rabbit Studio, applicant, for Conditional Use Permit Approval and Determination of parking needs (pursuant to Section 205-14 of the Town code) to allow an arts and music studio on property located at 2376 Monroe Avenue. All as described on application and plans on file.

- MR. BABCOCK STINER HAS RETURNED

MS. BEREN: Sarah Beren, I and am the director of the Spotted Rabbit Studio and I wish to have an arts and music studio on property located on Monroe Avenue and to make a parking determination

MR. CHAIRMAN: Okay so some of the questions come down to – I have the written narrative can you describe how many people might be here and how are they getting there and are you going to have an issue on site where you don't have enough parking to accommodate your peak use.

MS. BEREN: The numbers I have on there are estimated based on full capacity, and I can give you the current clients we have right now. And some of the concern was they were not all arriving all at the same time. So at this time we have my colleague and myself and we arrive around 8:45 and we park for the day. Our first client arrives around 9:00 a.m. and is dropped off by medical motor. Our second client comes around 9:15 a.m. and is dropped off by her parents. Our next client doesn't come until 10:00 because she has an appointment somewhere else and our last one arrives around 10:15 a.m.

MR. BOEHNER: Who decides when they come? Do they decide by themselves?

MS. BEREN: They decide so the ones that come by their parents dropping them off they are very regular so and medical motor is pretty good in the mornings and they have a five to ten minute window.

MR. BOEHNER: Is that the same medical motor or a different one for each client?

MS. BEREN: Yes, because one comes at 9 and the other one doesn't come until 9:45.

MR. BOEHNER: In your existing facility have you ever had them come at the same time or do they always come at dispersed times and how do they leave?

MS. BEREN: Two of our folks leave by medical motor in the same van at 2:00 p.m. and then another one leaves at 3:00 and another one stays for an individual appointment and doesn't leave until 4:00.

MR. CHAIRMAN: When do you leave?

MS. BEREN: The last appointment of the day so somewhere between 3 and 6.

MR. CHAIRMAN: And at full build out what would you think you might have as you approach that 6 o'clock hour.

MS. BEREN: At most it would be myself and my colleague and our client so two parking spots for our staff and then one each for each of the clients so it would be four.

MR. BOEHNER: And you would have three spaces for the dropping off and picking up?

MS. BEREN: Yes, because there is not a lot of overlap between our individual classes and our group program because they are concurring so when we have group we have group and when we have individuals they park for the duration of their appointment so

MR. BOEHNER: So they are not back to back but staggered by 15 minutes or so.

MS. BEREN: Yes.

MR. CHAIRMAN: So you see where we are trying to go with this and just making sure that you have enough room to park while you are there and people are arriving without putting people in the street or on adjacent property. We are just trying to make sure you aren't burdening adjacent property as a result of the approvals for you.

MR. BOEHNER: So let me understand what you are asking you would not have more than 10 persons on the site at any one time is that right?

MS. BEREN: Yes.

MR. BOEHNER: And the number from the apprenticeship program shall not exceed seven is that right?

MS. BEREN: So the most we would

have during apprenticeship time would be 8 and 2 staff and we have spots for six people currently we only have 4 so we have a full crew of 6 and even if they came at the same time as the other people by my estimation there would be 4 or 5 spots available.

clients drive them selves? MS. CIVILETTI; Do any of your

MS. BEREN: Yes. Some do.

MS. CIVILETTI: During the day or

MS. BEREN: Yes.

MR. BOEHNER: So you would have 10 people on the site when you have the apprenticeship program going is that right?

MS. BEREN: Yes.

MR. BOEHNER: When the apprenticeship program isn't going your maximum number would be six or seven?

MS. BEREN: Yes. So when you have individual clients it would be six or seven and we do have individual groups in the evening so that would be seven in the evening.

MR. BOEHNER: So you are saying the total number except for the apprenticeship program it would not exceed 7?

MS. BEREN: Correct.

MR. BOEHNER: What is your ability to stagger the pick up and drip off time?

MS. BEREN: We can clarify that with the parents but unfortunately we don't have any control over the medical motors.

MR. BOEHNER: Some of your parking spots are accessible from the neighbors property is there an easement to do that?

MS. HEREN: No.

MR. BOEHNER: You may want to look at that because they may want to put up a fence around their property and close off their property so you may want to ask your attorney to look at that.

MR. CHAIRMAN: It's called an access easement and you should see if there is such a thing on file. It's possible.

MR. BOEHNER: Has your architect reviewed the building to make sure the use that you are proposing is good for the building and the building meets code.

MS. BEREN: Yes,

MR. BOEHNER: And he is doing the drawings for the ADA compliance you are shooting for?

MS. BEREN: Yes.

MR. BOEHNER: And you are confident that you can meet the required handicapped accessible spot with an accessible lane up the side of the building.

MS. BEREN: Yes, that is currently there and we are meeting with the Architectural Review Board in two weeks and we are proposing that instead of a ramp to put a lift inside of the porch area so there would not be that ramp so you would actually have a lift.

MR. BOEHNER: Yes, because you need 16 feet for a ramp,

MS. BEREN: We have 24 feet.

MR. WENTWORTH: 16 feet in width not length.

MS. BEREN: Yes.

MR. WENTWORTH: 8 feet for the car and then 8 feet for the access aisle.

MS. BEREN: There is about 20 feet right now between the ramp and the edge of the property. Either way the ramp is going away so that gives extra footage.

MR. WENTWORTH: So does the lift in the porch directly access the outside?

MS. BEREN: We are proposing we reconfigure the door so that it enters at ground level and then there will be a lift and three or four stairs inside the porch.

MR. WENTWORTH: That makes all the difference in the world.

MR. BOEHNER: Do you know if your architect has talked to the Town to make sure you can do that and that is just before you buy the property.

MR. BOEHNER: Could you talk about your music studio?

MS. BEREN: Yes. There are hand drums and a plug in key board and there is a volume control on it. Currently they share a space in the accounting office and she has an office

right next door and there has not been a problem for us or the landlord.

MR. BOEHNER: So you can control the noise if it becomes an issue?

MS. BEREN: Yes.

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

11P-03-18 Application of Genesee Valley Group Health Association, owner, and Jeremy Klemanski – Helio Health, contract vendee, for Preliminary/Final Subdivision Approval to join two lots into one, and Site Plan Modification and EPOD (woodlot) Permit Approval to construct an outdoor passive recreation area with walking trails and a patio adjacent to the existing building on property located at 1980 Brighton Henrietta Town Line Road, know as Tax ID's 148.20-2-75.1 and 148120-2-75.2. All as described on application and plans on file.

MR. TOMLINSON: Matt Tomlinson from Marathon Engineering and I am joined by Jeremy Klemanski, the contract vendee who is here to answer any questions you may have. We are here today requesting Site Plan Modification, Subdivision and a Woodlot EPOD Permit Approval. This property is locate3d at 1850 Brighton Henrietta Town Line Road. Helio Health is proposing to purchase property and convert the existing building for their use and there are two existing lots that they wish to resubdivide and combine into one lot. The second lot is in the rear and is over an acre in size and is wooded. That is what brings the Woodlot EPOD into play. We did meet with the Conservation Board yesterday evening to talk over our plans for the project and they did not have any problems or concerns as part of that. One of the reasons we are here today although we don't anticipate approval today is that we were requesting a use variance from the Zoning Board of Appeals because we meet the definition of inpatient facility for this use .

This is a voluntary detox location on University Avenue. . It has about 40 beds and we will be relocating that here and adding an additional 20 beds for a total of 60 beds. There will be a full kitchen food service with 50 staff in total not all there at once unless there is some kind of training exercise. As part of the improvement proposals and there is a minimum of proposals we are proposing to change the lamp fixtures to LED proposing to match the existing lights, defer some of the maintenance on some of the paving, clean up the landscaping and install a manual that will allow for some outdoor seating if it is nice out and allow for eating outside area or sitting area on the side of the building on the circle away from the parking area and install a passive recreation walking trail and we will have a couple of sections in the plans, and a couple of knoll areas for meetings that will have some seating for anything in the program that requires outdoor space in the event of nice weather. Proposed utilities other than the lighting improvements are the existing services proposed for the existing use. I did hand out a copy of the tree survey and the second and third pages show proposed façade improvements that application has been made to the ARB here in a couple of weeks for their review as well. So with that I would like to open it up to any questions.

MR. BOEHNER: Do you see a need for any additional parking?

MR. TOMLINSON: No, in fact due to the nature of the facility patients don't typically have vehicles here and there will be some family members visiting and there will be three or four vehicles that are used to transport to outside appointments or anything that is needed in that way. I would guess typical would be 75 to 85 parking spaces for this type of facility. I will let Jeremy speak to that.

MR. KLEMANSKI: Jereny Klemanski I am the present CEO for Helio Health. So the full staffing plan is for 49 staff and they are not obviously there at the same time. If we ever had an all staff training that would be the maximum amount of people plus a trainer or two I would imagine. Basically the night shift and the day shift are a little bit more than two thirds of the staff there are three shifts and the night shift is about a forth or a third of what the day shift

would have in terms of staffing. So if you think of the parking as a maximum of 49 or 50 for training and so forth but in truth a lot of those things are done by shift. So it is not that common for us. If you could imagine there might be a vendor or two coming or going for pharmacy or lab services let say they came on the same day and at the same time, if we had a delivery of food products for the kitchen or some other linen services those are usually done by box truck and lets say they came at the same time there could be at maximum maybe two vehicles at the back of the building. So now we are at 53 and lets say we have at least four vehicles kept on site for patient transport for folks we are bringing to the program or taking care of the maximum would be 57 and lets say if there were a few families dropping people off or a family visit let's say out of 60 patients four to six would be overlapping coming or going . I would say that 70 to 80 would be more than adequate. Our experience is we operate similar to Syracuse with 30 to 40 parking spaces and at times that is a little tight so this has more than enough parking for our counting if you were to allow spaces and if anything there may be some extra parking on the site.

MR. BOEHNER: Thank you.

MR. CHAIRMAN: While you are there first of all thank you for providing those services and second tell us a little bit about the operation, who some of the staff are, who your clients are, educate us a bit.

MR. KLEMANSKI: Certainly, Helio Health until June was known as Syracuse Behavior Health Care and before that Syracuse Health Care in case somebody wants to do some research on our background. We have been around for 98 years in Syracuse and we currently operate in Syracuse, Binghamton and Rochester and we are about to enter into New York City, and we came into Rochester just under a decade or so to open the existing service we are proposing to relocate. We have searched for a permanent site since the very beginning and we had to lease a site because it is so hard to find a site that fit the profile the State also thought was worth their funding for a permanent site.

To give you some perspective on the composition of the staff team. The program will have a medical record

from a physician and that is a part time position and their hours flux based on utilization of the program and how many new patients there are on any given day. The program has a program director that is usually a master's level and also

some other credentials in New York State . So that is the clinician who oversees the program. The program will also have a nurse practitioner and a physician's assistant estimated at 1 FTE, there will be a clinical team leader, a nurse manager, a nursing team manager, and the plan calls for six registered nurses, eleven licensed practical nurses, eight counselors, twelve counselor aides, two administrative assistants or reception staff, three building people and a property maintenance worker to maintain the site. So that is the staffing of 49 the number could overflow a little bit depending on the approval process, and New York State certifies the program and we have to follow the State rules and once the State certifies the building and the site can be used and they feel it is appropriate the State will then process this and they might tell us to have a few more or less staff. So that is our experience based on models of similar size and nature..

MR. CHAIRMAN: And the client size is ?

MR. KLEMANSKI: The patient mix varies it is not the same at any given time. We serve some folks who have no income and those folks tend to have Medicaid. We also serve folks who are underemployed and who might have medicare or Medicaid as their primary source for retirement so there is all kinds of care. We are insured by private plans from employment such as Excellus. And if you have that mix it ebbs and flows. Medicaid is in the 60 to70 percent range in terms of financing but we can get you an accurate account. Often times people who are going through a detox stay as their first beginning of their recovery journey a lot of times they have lost their employment and they have a diminish of their ability to be employed because of how far their substance abuse has progressed. So Medicaid is their payment source or they have no income at that point and in that case they are self pay which means the family pays or it is charity care.

MR. CHAIRMAN: How long is the typical stay?

MR. KLEMANSKI: Average is three to five days some people do stay a week or two if we have a hard time placing those individuals. We don't like discharge people without the next level of care because when that happens there is a significant case of relapse of care for them and it just means they will be back in detox or in an emergency room and there is nothing wrong with emergency rooms but it costs them and ourselves more money or they may end up in a jail cell which is not in the best interest of anybody and a lot of overdoses are fatal. Some times we keep them longer than three to five days because we think it is necessary to get them connected to the right level of care. The other 20 beds are meant to be a form of rehabilitation which looks like a rehabilitation rehab but the State calls it something different now. They are now in the process of converting those into one of three versions of what they call partial residential regulations so all residential treatments in the State are in the middle of or looking at how to complete that conversion.

MR. CHAIRMAN: Okay, thank you.

MR. BOEHNER: Can you describe a little bit more about the trail and if there will be any vegetation involved or trees removed and what the trail will be made of, How are the Knowles made of are they going to be grass or hard surfaced and accessibility to them.

MR. KLEMANSKI: That is one of the questions we haven't fully figured out yet and whether it will be accessible or not and our initial thought is that the first stretch of that would be ADA accessible and that would probably be a stone dust trail not intended to be paved. We want it all to be impervious surface and if we do any type it would be wood mulch or stone dust so that if it is used heavily enough it will have difficulty with grass. And as far as vegetation we currently do no intend on removing any of the trees that were identified as a wood lot. So cleaning up some of the debris and brush for

safety will be a help and the use of this property will be enhanced if anybody wishes to build in there.

MR. BOEHNER: When you say removing the brush is that for the trail or all of the property?

MR. KLEMANSKI: It would be on the trail.

MR. FADER: I would recommend some type of stone on the trail because any type of mulch would turn into mud in a year or two.

MR. KLEMANSKI: We will take that into consideration absolutely.

MR. BOEHNER: You spoke about a patio.

MR. KLEMANSKI: The logic of the patio is to have a space where outdoor dining could happen for employees we don't have patients wondering around outside. And it is also a security issue because when patients go outside without being escorted we have to search them for contraband being hidden some where. So anybody going outside has to be escorted by staff. So its intended to be a patio for the staff and we are not contemplating patient use for that.

MR. WENTWORTH: So getting back to the path is that intended to be an escorted service.

MR. KLEMANSKI: Yes. It is intended for use for Yoga for example meditation or maybe a group talk there and that would be done with staff supervision.

MR. WENTWORTH: So staff supervision is enough to discourage flight discharge?

MR. KLEMANSKI: Yes, they can discharge themselves at any time if they don't want any care any more.

MR. WENTWORTH: So there is no expectation to fence that in?

MR. KLEMANSKI: That is not something we have considered but if the Town felt that was preferable we would certainly entertain it.

MR. OSOWSKI: To extend the life of those stone benches you might want to consider putting some type of wood on top of them. Some type of hard wood that resists the weather fairly well because stone can get pretty cold.

MR. BOEHNER: You didn't see any wetlands in that wood lot?

MR. TOMLINSON: No.

MR. WENTWORTH: So Matt getting from the crosswalk from the patio to the path is that mainly to be delineated by stripping?

MR. TOMLINSON: Stripping and we will put a sign up there for pedestrians as well.

MR. WENTWORTH: And on the north side of that cross walk there us a curb will you be cutting that back \

MR. TOMLINSON: We will be cutting that back to make it a flush entrance there. We will only have to cut that back about six feet.

MR. BOEHNER: Are there improvements to be made on the inside of the building?

MR. TOMLINSON: I imagine there are .

MR. BOEHNER: What is your timing on all of that and the reason I am asking is your approvals are only good for one year and sometimes the State may take some time. And if you were to obtain a use variance you would only have one year.

MR. TOMLINSON: I think that is possible to motivate the State.

MR. BOEHNER: The reason I bring it up so that this Board knows you may be back to get an extension

MR. OSOWSKI: Do you have an architect lined up to do your interior design?

MR. TOMLINSON: We have the floor plans and those are preliminary. We will have the dormitory authority select whomever they wish to be the architect and they may accept the architect who has been working on it.

MR. BOEHNER: You may want to meet with the Fire Marshal and Town architect just to make sure everything is lining up with the State's requirement.

MR. WENTWORTH: You currently have to redo the accessible parking.

MR. TOMLINSON: Yes, we will be restriping and resigning as kind of a deferred maintenance.

MR. BOEHNER: And the sidewalk are accessible.

MR. TOMLINSON: Yes, and we recognize you don't have the full detail available at this time but we will be back in front of you guys after successfully obtaining the variance. So

we will add that detail before then.

MR. WENTWORTH: The fence structure on the north side of the building contains what?

MR. TOMLINSON: It is a cooling tower for the building.

MR. WENTWORTH: Right up against the building?

MR. TOMLINSON: Yes.

MR. WENTWORTH: Are you planning on doing anything to that.

MR. TOMLINSON: From a mechanical standpoint I am not sure what systems will need to be upgraded yet and again if we are successful with the variance we will have to take a look at that. I can tell you that the dormitory authority does like to replace the mechanicals with a 30 year life span. Any building mechanicals will be in the building permit so if there is a height issue we will have to bring that up then.

MR. CHAIRMAN: In the scheme of things you are going to be the owner of the property?

MR. KLEMANSKI: That is correct and we would be the overseeing agency for design and construction on behalf of Oasis and it is not the Department of Health.

MR. CHAIRMAN: Okay anybody else, okay thank you. This is a public hearing is there anybody in the audience who cares to speak on this application? Okay we will move on.

11P-01-18 Application of Brighton Eastbrooke Homeowners, owner, for Preliminary/Final Site Plan Approval and EPOD (watercourse) Permit Approval to construct a 781 +/- sf garage/maintenance building addition

and construct a 750 sf +/- detached garage on property located at 477 Eastbrooke Lane (Tax ID 150.13-2-94). All as described on application and plans on file.

MR. THORNTON: Glen Thornton from Thornton Engineers representing Brighton Eastbrooke Homeowners. With me tonight is Mr. Rosenstraton and he is the property management for the Brighton Eastbrooke Homeowners which is the property management of one of the Town homes of Eastbrooke which is a 400 plus unit Townhouse community along French Road. The home owners own a 3 acre parcel and I think in the application materials there is an aerial view of where this parcel is and it is kind of tucked in the south west corner of the community on the south side of the Erie Canal on the west side is Winton Road and Allen's Creek kind of runs along side it and partially through this parcel.

The proposal is to expand an existing maintenance building and to construct a new two bay garage for storage space up above the two bay garage that is currently there. That property is located adjacent to the Winton Road property, Allens Creek is here and this is the club house building and the pool is over here and they are proposing to build a 750 sf garage and storage building behind the club house. This is a building that will not be seen unless you walk or drive around the club house area. There is a screening fence by the pool and it would be very visible from the pool and again the Kendrick Corporation is providing the maintenance. Brighton Eastbrooke Homeowners has purchased a lot of maintenance equipment because they used to have private subcontractors come in and provide maintenance and now they are performing it all in house. So they own two trucks with plows, they own a Bobcat with a plow, they own three big mowers a lot of small trimmers. leaf blowers and snow blowers, they are responsible for maintaining all of the lawn areas, all the landscaping and in the winter they are plowing over 7 lanes of highway, roadway and parking lanes. And they are also responsible for clearing snow from all of the driveways and all of the sidewalks. So they have a lot of equipment.

Right now they have a 1005 foot beat up building that they are trying to use as a storage facility, and as a maintenance shop and it is a very dismal area for staff as kind of a break

room. So the two projects is going to take care of all of this equipment. the one behind the club house is to park the two snow plows during the winter and there is some space in the back for primarily pool equipment. That structure is being built on mostly impervious surface driveway areas, and I think that 750sf building will only require 250 sf of additional impervious surface on the 3 acre lot. It will have some motion sensitive security lights on it and the only service that will be provided will be electric service, and that will be poled off at the club house building. There won't be any plumbing any water or any sewer or any heat in the building. The other 1050 sf building they would like to expand it to 1811 sf to provide a separate space for storing equipment and maintaining the equipment and another space in the middle for a break room or locker area for the staff and because it will be an occupied space that building will now be sprinklered, It isn't currently but it does have gas and electric, water and sewer hook up to it so the only addition will be getting that building sprinklered.

Both buildings will be similar in appearance, they will be vinyl sided with black asphalt shingling on the roof and the trim to blend into the rest of the buildings. I think I have touched on just about everything we are not proposing any landscaping with either of the buildings. It wouldn't work for them. Its adjacent to the building and we have parking spaces and then lawn area between the parking spaces at Allen's Creek. So we are looking for Site Plan Approval for both of the building and asking for EPOD permit to construct the addition to the maintenance building which is within the EPOD which I think we have shown incorrectly on the plan. I acknowledge that we have to tweak the boundary that we have shown because I don't think it is completely accurate where we have shown the boundary we wouldn't have needed to request an EPOD but we are requesting it.

MR. BOEHNER: You are not within the flood plain.

MR. THORNTON: I am not sure about the flood plain. It is not in the flood way and I don't believe we are in the flood plain because our research shows we are not in the flood plain because if we were most of the buildings out there would be in the flood plain as well because we are all about the same elevation.

MR. BOEHNER: My concern was a difference in criteria you might have to meet.

MR. THORNTON: I believe we are not in the flood plain.

MR. BOEHNER: So you will be able to verify that?

MR. THORNTON: Can do.

MR. BOEHNER: You received all the necessary variances?

MR. THORNTON: We did. We didn't get the paper work yet but Rick informed me that all the variances for both buildings – there were two variances for each building and for the garage building behind the club house we needed a variance to construct a detached garage in the front yard that is actually our front yard and the other variance we received on that building was to construct a 750 sf building where there is only allowed 600 sf. For the maintenance garage we also requested two variances with one being to construct 1811 sf building even though the current building is not code compliant and the other variance that was allowed was to construct a building within 25 feet of Allen's Creek and it is going to be 11 feet from the Creek and it is just a continuation of the building lot.

MR. CHAIRMAN: Did you have to go to the Conservation Board?

MR. BOEHNER: They didn't have any comment.

MR. CHAIRMAN: Are you building this on top of the foundation that exists.

MR. THORNTON: That was another question that I think came up because we indicated that was our desire to reconstruct the walls on the existing foundation and then extend

it. That is what we would like to do or to have the ability to do that just because when we start ripping off the siding and things like that we are not sure of the condition of the structure and its pretty beat but if we are not allowed to remove walls and put up walls in the same location we will work with it.

MR. CHAIRMAN: I think we want them to.

MR. BOEHNER: But the problem is the application to the Zoning Board of Appeals was for an addition because if you are tearing down a building why can't you build it according to code because they only looked at it as an addition.

MR. CHAIRMAN: What are they allowed to do with the existing building before it is deemed a demolition and reconstruction. It is not clear until you get into it. Is this an issue?

MR. BOEHNER: It is probably more with the Zoning Board of Appeals than the Planning Board.

MR. THORNTON: We are prepared to not remove the walls but we do want to reside the whole thing.

MR. CHAIRMAN: No landscaping is going in but you are not planning on taking any out.

MR. THORNTON: Yes, everything is going to drain out into the existing lawn areas. I think what I presented is very accurate as to what they want to use the buildings for.

MR. CHAIRMAN: All set. Is there anyone in the audience who wishes to address this application? Okay I believe that is our last public hearing for the night.

NEW BUSINESS

NONE

OLD BUSINESS

NONE

PRESENTATIONS

NONE

COMMUNICATIONS

NONE

PETITIONS

NONE.

9P-04-18 Application of 157 Sawgrass Drive, LLC, owner, for Final Subdivision/Resubdivision Approval, Final Site Plan Approval and Final Conditional Use Permit Approval to combine two lots into one and construct a three story 85,450 +/- sf building consisting of 37,000 +/- sf of pediatric skilled nursing and 48,450 +/- sf of medical office space on property located at 157 Sawgrass Drive (Tax ID 149.0 6-1-2.522 and 149.06-1-2-412. All as described on application and plans on file. TABLED AT THE SEPTEMBER 17, 2018 MEETING –PUBLIC HEARING REMAINS OPEN.

MR. BABCOCK STINER HAS RECUSED HIMSELF FROM THIS APPLICATION

to close the public hearing.

MR. WENTWORTH: I move

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION CARRIED.

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

DETERMINATION OF SIGNIFICANCE

Planning Board of the Town of Brighton as lead agency under the State of New York Environmental Quality Review Act finds that the proposed action will comply with the EIS and Finding Statement for Brighton Meadows Office Park.

CONDITIONS:

1. Plans shall be revised to show the landscaping proposed for the landbanked parking areas. The area shall be top soiled and seeded and a lawn area established.
2. The list of trees to be removed that is shown on the grading plan should be keyed to the individual trees on the plan.
3. The planting list on the landscape plan should include the number of each plant proposed.
4. The applicant shall contact the Town Fire Marshal, Christopher Roth for comments on the proposed plans,
5. The following comments of the Conservation Board shall be addressed
 - Morning Light Maiden Grass is an invasive or potentially invasive plant which should be avoided. A substitute grass is recommended.
6. Any proposed modification of an approved easement must be approved by the Town Board.
7. All accessible parking space signage to be installed 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 of the Executive law.

8. Lighting cut sheets/details and a pole elevation detail shall be provided. Any proposed building mounted lights shall be included on the lighting plan and details shall be provided. The color temperature of the lights shall be 3,000K.
9. The location and screening of mechanicals shall be shown.
10. All disturbed areas shall be protected from erosions either by mulch or temporary seeding within two weeks of disturbance
11. Maintenance of landscape plantings shall be guaranteed for three years.
12. All fences, walls and retaining walls shall be shown on plans with description of type and height. A detail of each fence and wall proposed shall be provided.
13. The entire building shall comply with the most current Building and Fire Codes of New York State. The building shall be sprinklered.
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 approved 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 does 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 Specification 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.
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 Regulations.
21. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
22. Fire hydrants shall be fully operational prior to and during construction of the building
23. Erosions 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. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board Approval.
25. The grading plan should show ground elevations at the corners of the building. Architectural drawings should show and note the same corner ground elevations along with accurate grading and building height dimensions and notes on each side of the building.
26. The location and screening of any proposed air conditioning condensers or other mechanicals whether roof – or ground mounted shall be shown. All town codes regarding their use shall be met.
27. All easements must be shown on the Subdivision plan with ownership purpose and liberpage of filing with the Monroe County Clerk's Office. A copy of the newly filed easement(s) shall be submitted to the Building and Planning Department for its records.

28. Erosion control measures shall be in place prior to disturbance.
29. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
30. Applicable Town standard details and notes will need to be incorporated into the design drawings.
31. 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.
32. Permits will be required from the Town's Sewer Department and maybe required from other jurisdictional agencies.
33. Any proposed signs shall obtain all required approvals.
34. All County Development Review Comments shall be addressed prior to final approval.
35. All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshall shall be addressed.
36. As required by SGDEIS, the applicant shall contribute an amount applicable to the entire Central Brighton Transportation Study Area and the GEIS for Senator Keating Blvd, as their "Fair Share" contributions for the identified improvements within the Central Brighton Transportation Area including the acquisition, design and construction of Senator Keating Blvd. by placing such funds in appropriate accounts with the Town prior to the issuance of a building permit.
37. The plans shall show a cross walk across Sawgrass Drive.
38. All comments and concerns of the Town Engineer as contained in the attached memo from Evert Garcia to Ramsey Boehner dated November 14, 2018 shall be addressed.

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

MR. WENTWORTH: Second.

UPON ROLL CALL VOTE MOTION APPROVED.

11P-02-18 Application of EQ Cap I, LLC, owner, and Sarah Beren – Spotted Rabbit Studio, applicant, for Conditional Use Permit Approval and Determination of parking needs (pursuant to Section 205-14 of the Town code) to allow an arts and music studio on property located at 2376 Monroe Avenue. All as described on application and plans on file.

- MR. BABCOCK STINER HAS RETURNED

MR. FADER: I move to close the public hearing.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED.

MR FADER: I move that the Planning Board approves the application and has determined that based on the testimony given and plans submitted, the seven parking spaces available on site is adequate for the proposed use, provided that the following conditions are met and the 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. This approval is limited to the specific use as described in the application presented and shall not apply to any future use of the site.
2. There shall not be more than ten persons on the site at any one time. This application is based on clients for the apprenticeship program being dropped off and picked up. The applicant shall ensure that drop off and pick up times from the apprenticeship program are staggered so as to prevent traffic conflicts on site. Total persons on site apart from the apprenticeship program times shall not exceed seven.
3. There shall be a minimum of 15 minutes between individual classes.
4. Any retail or other activities other than as described in the application shall require review by the town.
5. Activities on the site shall be controlled so that there are not adverse impacts from noise on adjacent properties.
6. Hours of operation shall be limited to 7am to 10 pm. Monday through Thursday and 7 am to 11 pm on Friday and Saturday.
7. Any proposed signage shall be required to obtain all necessary approvals.
8. A building permit is required for the proposed improvements. A change or use NYS building code review by the applicant;s architect may be required.
9. Architectural Review Board approval shall be obtained for any changes to the exterior of the building.
10. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).

11. The entire building /store shall comply with the most current Building & Fire Codes of New York State.
12. All town codes shall be met that related directly or indirectly to the applicant's request.
13. All County Development Rreview Comments shall be addressed.
14. 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 the Secretary of State pursuant to section one hundred one of the Executive Law.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED.

11P-03-18 Application of Genesee Valley Group Health Association, owner, and Jeremy Klemanski – Helio Health, contract vendee, for Preliminary/Final Subdivision Approval to join two lots into one, and Site Plan Modification and EPOD (woodlot) Permit Approval to construct an outdoor passive recreation area with walking trails and a patio adjacent to the existing building on property located at 1980 Brighton Henrietta Town Line Road, know as Tax ID's 148.20-2-75.1 and 148120-2-75.2. All as described on application and plans on file.

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

1. All required Zoning Board of Appeals and Architectural Review Board approvals shall be obtained.
2. Plans shall be to scale with the scale noted.

3. Proposed impervious surface coverage shall be provided.
4. Lighting cut sheets and specifications shall be submitted. The color temperature of all parking lot lights shall be 3,000 K.
5. All Monroe County and NYSDEC comments shall be addressed.
6. All ADA requirements shall be met.
7. 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 approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
8. Meet all requirements of the Town of Brighton's Department of Public Works.
9. All town does shall be met that related directly or indirectly to the applicant's request.
10. The project and its construction entrance shall meet the New York State Standards and Specification for Erosion and Sediment control.
11. 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.
12. All comments and concerns of the Town Engineer as contained in the attached memo shall be addressed.
13. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
14. Meet all plat filing requirements of the Town of Brighton Department of Public Works.
15. Erosion control measures shall be in place prior to site disturbance.

- 16 A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
- 17 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 the Secretary of State pursuant to section one hundred one of the Executive Law.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

11P-01-18 Application of Brighton Eastbrooke Homeowners, owner, for Preliminary/Final Site Plan Approval and EPOD (watercourse) Permit Approval to construct a 781 +/- sf garage/maintenance building addition and construct a 750 sf +/- detached garage on property located at 477 Eastbrooke Lane (Tax ID 150.13-2-94). All as described on application and plans on file.

MR. WENTWORTH: I move to close the public hearing.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. WENTWORTH: I move the Planning Board approves the application based on the testimony given, plans submitted and with 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. The plans shall clearly and accurately show the bank of the creek, the floodplain/floodway boundary and the EPOD boundary.
2. The area of disturbance boundary shall be shown on the plans for both building areas.
3. Any proposed grading shall be shown on the plans.
4. Plans and information shall be consistent regarding the treatment of the existing maintenance garage.
5. If the existing maintenance garage is proposed to be removed further review by the Planning Board, Zoning Board of appeals and or additional variances may be requested.
6. Materials and demolition debris stockpiles shall be shown on the plans with appropriate protection.
7. Lighting cut sheets and specifications shall be submitted.
8. Erosion control measures shall be in place prior to site disturbance.
9. There shall be no disturbance within the floodplain.
10. All Monroe County and NYSDEC comments shall be addressed.
11. The building shall comply with the most current Building and Fire codes of New York State.
12. There shall be no bulk storage of hazardous or flammable materials or liquids in the two buildings without review by the Fire Marshal.

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 approved 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 relate directly or indirectly to the applicant's request.

16The project and its construction entrance shall meet the New York State Standards and Specification 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 comments and concerns of the Town Engineer as contained in the attached memo shall be addressed.

19 All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.

20 A letter of credit shall be provided to cover certain aspets of the project, including, but not limited to 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.

21A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED.

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SIGNS

1533 Laser Skin of Rochester for a Building Face Sign at 1465 Monroe Avenue.

1534 Antonelli Self Storage at Collegetown for a Building Face Sign at 1266 Brighton Henrietta Town Line Road.

1535 Fred Astaire Dance Studios for a Building Face Sign at 2030 Monroe Avenue

1535 Brighton Volunteer Ambulance for a Free Sandng Sign at 1551 Winton Road South.

MR. WENTWORTH: I move to approve as presented.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

CERTIFICATION

I, Judy Almekinder, 7633 Bauer Van Wickle Road, Lyons, New York 14489, do hereby state that the minutes of the November 14, 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 *20* day of *Dec* 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.



Notary Public

TAMMI M. MACKERCJAR
Notary Public, State of New York
Qualified in Yates County
No. 01MA6058207
Commission Expires May 7, 20*19*