

PLANNING BOARD  
TOWN OF BRIGHTON  
MEETING OF FEBRUARY 19, 2020  
Brighton Town Hall  
2300 Elmwood Avenue

AGENDA

6:30 P.M. Meeting  
7:30 P.M. Public Hearing

CHAIRPERSON: Call the meeting to order.  
Announce location of exits and that building is equipped with an alarm.

SECRETARY: Call the roll.

CHAIRPERSON: Approval of the January 15, 2020 meeting minutes. **To be done at the March 18, 2020 meeting**

CHAIRPERSON: Announce that the public hearings, as advertised for the Planning Board in the Brighton-Pittsford Post of February 13, 2020.

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1P-02-20 Application of Nicholas Leonardo, owner, for Site Plan Modification (9P-01-19) to revise the location where a new house with attached garage will be constructed on property located west of the intersection of Clover Street and Greenaway Road, known as Tax ID #'s 122.16-1-5, 122.16-1-4 and 122.16-1-3. All as described on application and plans on file. **TABLED AT THE JANUARY 15, 2020 MEETING - PUBLIC HEARING REMAINS OPEN - POSTPONED TO THE MARCH 18, 2020 MEETING**

2P-01-20 Application of Mamason's Monroe LLC, owner, for Conditional Use Permit Approval and Site Plan Modification to operate a new restaurant and construct a 417 +/- sf patio for outdoor dining on property located at 2735 Monroe Avenue. All as described on application and plans on file.

2P-02-20 Application of the Country Club of Rochester, owner, for Preliminary/Final Site Plan Approval and Demolition Review and Approval to raze an existing maintenance building and replace it with an 8,550 +/- sf maintenance building and to construct an additional 44 +/- parking spaces on property located at 2935 East Avenue. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

NONE

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PRESENTATIONS: NONE

COMMUNICATIONS:

NONE

PETITIONS:

NONE

SIGNS:

APP #	NAME & LOCATION	TYPE OF SIGN	ARB REVIEW
			PB DECISION
<b>ARB &amp; PB RECOMMENDATIONS AND/OR CONDITIONS</b>			
1575	Boomtown Café 1900 S Clinton Avenue	Bldg Face Sign	1/28/20
<p>ARB - Approved with conditions: 1. Channel letters and logo to be lit.</p>			
1576	Doodle Bugs - Children's Learning Academy 1925 S Clinton Avenue	Bldg Face Signs (2 sides)	1/28/20
<p>ARB - Approved as presented.</p>			
1577	Five Guys 1881 Monroe Avenue	Bldg Face Sign (second side)	8/27/19
<p>ARB - Approved as presented.</p>			
1578	Bobbin Case Nikki Nails Weiders Paint Parts Plus 1780 Monroe Avenue	Bldg Face Signs (4)	1/28/20
<p>ARB - Approved as presented.</p>			
1579	Baroness Tavern 1776 Monroe Avenue	Bldg Face Sign	1/28/20
<p>ARB - Approved with conditions: 1. Sign shall not exceed 52.5 sf. based on the building frontage and code requirements.</p>			

## PLANNING BOARD REPORT

**HEARING DATE:** February 19, 2020

**APPLICATION NO:** 2P-01-20

**APPLICATION SUMMARY:** Application of Mamason's Monroe LLC, owner, for Conditional Use Permit Approval and Site Plan Modification to operate a new restaurant and construct a 417 +/- sf patio for outdoor dining on property located at 2735 Monroe Avenue.

### **COMMENTS:**

- The subject property is presently zoned BF-2 General Commercial.
- As part of a future access management plan for Monroe Avenue, a cross access easement connecting the parking areas between the two adjacent lots shall be provided. A sketch plan should be provided showing cross access to the adjacent parcels. The sketch plan shall be reviewed and approved by the Town Engineer. Also, when the secondary access to Monroe Avenue becomes available, the Planning Board should require that the existing Monroe Avenue access drive be modified to a right-in, right-out configuration or be eliminated entirely.
- A 42" decorative fence with 72" posts is noted on the site plan around the outdoor dining area. A variance must be obtained from the Zoning Board of Appeals to allow the fence to be higher than 3' maximum permitted by code.
- It appears that existing parking areas in the front are proposed to be removed to accommodate the proposed outdoor dining area reduces the impervious coverage percentage (66.4% existing/65.9% proposed).
- There are three existing light pole on the site. The light and base located in front of the building will be removed and the remaining poles and lights will remain with cut-off shield installed on the motel side of the lights.
- The applicant has calculated required parking based on the number seats. 58 seats are proposed inside and 16 outside. Per this calculation, 37 spaces are required and 37 spaces are proposed.
- Plans note an existing brick dumpster enclosure at the rear of the property.
- Elevations showing renovations to the façade have been submitted to the Architectural Review Board for review and approval at its February meeting.

**CONSERVATION BOARD:**

- No comment.

**TOWN ENGINEER:** See attached memo from Evert Garcia dated 2/17/20.

**QUESTIONS:**

- What changes are proposed to the building? To the site?
- Are you aware that as part of a future access management plan for Monroe Avenue, a cross access easement connecting the parking areas between the two adjacent lots will be required to be provided? Also, are you aware when the secondary access to Monroe Avenue becomes available, the existing Monroe Avenue access drive will be required be modified to a right-in, right-out configuration.
- How will trash be disposed of? How will the dumpster be enclosed? Will you have a grease recycling container? Where will it be located?
- Are you proposing to have any entertainment?
- Are you aware that no bar, food preparation area, dance area or entertainment is allowed in the outdoor dining area?
- How many seats are proposed inside? Outside?
- Do you anticipate any issues with having enough parking?
- Please describe the proposed lighting plan. Will the existing fixtures be replaced?
- What changes are proposed to exhaust vents and HVAC? Are they all located on the roof? How will they be screened?
- Will the building be sprinklered?

**SEQRA:**

If the Planning Board finds that the proposed action will not have a significant impact on the environment. I would suggest that the Planning Board adopts the negative declaration prepared by Town Staff.

## **APPLICATION:**

If the Board entertains approval, I would suggest including, among any others suggested by the Board, the following conditions:

1. A 42" decorative fence with 72" posts is noted on the site plan around the outdoor dining area. A variance must be obtained from the Zoning Board of Appeals to allow the fence to be higher than 3.5 feet maximum permitted by code.
2. The light and base located in front of the building will be removed and the remaining poles and lights shall have cut-off shield installed on the motel side of the lights.
3. All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed.
4. 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 modifications". 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 easement shall be submitted to the Building and Planning Department for its records.
5. 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.
6. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).
7. The entire building shall comply with the most current Building & Fire Codes of New York State.
8. 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.
9. Meet all requirements of the Town of Brighton's Department of Public Works.

10. All Town codes shall be met that relate directly or indirectly to the applicant's request.
11. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
12. Erosion control measures shall be in place prior to site disturbance.
13. 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.
14. 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.
15. Maintenance of landscape plantings shall be guaranteed for three (3) years.
16. 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.
17. Hours of operation shall be limited to the hours between 6 AM and midnight without further approval by the board.
18. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
19. Striping and signage for accessible parking spaces shall meet current requirements. Plans and details shall be revised as necessary to comply. All new 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 the Secretary of State pursuant to Section 101 of the Executive Law
20. Fire hydrants shall be fully operational prior to and during construction of the building.
21. Erosion control measures shall be in place prior to site disturbance.
22. The proposed building shall be sprinklered if required by NYS or Brighton regulations.
23. The location of HVAC and vents shall be shown on the site plan and shall be submitted to the Building and Planning Department for review and approval.

24. All requirements of Sections 203-84.B.3 (restaurant regulations), 203-84.B.4 (Outdoor Dining Facilities), 207-14.1 (waste container and grease/oil container standards), and 207-14.2 (supplemental restaurant regulations), as well as any other pertinent sections of the code, shall be met.

25. The location and screening of any grease recycling container shall be submitted to the Building and Planning Department for review.

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

27. Any proposed signage shall require separate review.

28. Applicable Town standard details and notes will need to be incorporated into the design drawings.

29. Permits will be required from the Town's Sewer Department and may be required from other jurisdictional agencies. A grease trap shall be installed. The grease trap shall be approved by the Town of Brighton.

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

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

32. A landscape architect shall review the landscape plan and make necessary modifications to ensure adequate sight distance is provided along Monroe Avenue.

33. The proposed shed shall meet all requirements of the Comprehensive Development Regulations.

34. The proposed parking lot configuration must consider the updated and approved access management plan which does not encroach into the adjacent NYS DOT property to the west. A plan showing the updated and approved access management plan shall be submitted to, reviewed and approved by the Building and Planning Department.

## State Environmental Quality Review

### NEGATIVE DECLARATION

#### Notice of Determination of Non-Significance

Project Number: 2P-01-20

Date: February 19, 2020

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Planning Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: 2P-01-20

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Mamason's Monroe LLC, owner, for Conditional Use Permit Approval and Site Plan Modification to operate a new restaurant and construct a 417 +/- sf patio for outdoor dining on property located at 2735 Monroe Avenue.

Location: 2735 Monroe Avenue

#### Findings and Reasons Supporting this Negative Declaration:

Based on information submitted to the Lead Agency, Environmental Assessment Form (EAF) Part 1 as supplemented by the Traffic Impact Letter of Findings prepared by McFarland Johnson, dated April 28, 2017, Supplementary Traffic of Findings prepared by McFarland Johnson, dated June 27, 2017, the letter from McFarland Johnson Study, dated December 22, 2017, The Engineers Report prepared by the applicant's and other supplementary information, documentation, testimony, and correspondence, this action will not have a significant adverse impact on the environment for the reasons set forth below:

1. Air, Water, Waste, Erosion, Drainage, and Site Disturbance. The Project will not create any significant adverse impact in the existing air quality or water quality, nor in solid waste

production, nor potential for erosion, nor promote flooding or drainage problems. The Project can be sufficiently served by existing utility infrastructure, including water and sanitary sewer facilities. Stormwater runoff from the Project will be adequately collected and treated on site through the stormwater management facility to be constructed on the Property and discharged in accordance with all applicable New York State standards.

2. Noise and Visual Impacts. The Project will not create any adverse noise or visual impacts. Although the Project will be visible from neighboring properties, the nature of the improvements to be located at the Property are consistent with the existing uses within the surrounding neighborhood (i.e., office, retail, and restaurant) and thus will not result in any significant adverse noise or visual impacts.

3. Agriculture, Archeology, Historic, Natural, or Cultural Resources, Community or Neighborhood Character. The Project will not adversely impact agricultural, archeological, historical, natural, or cultural resources. The site is identified by the NYSDEC EAF Mapper as being within an archaeologically sensitive area. The site has been previously developed, so no significant cultural resources should be disturbed.

4. Vegetation, Fish, Wildlife, Significant, Habitats, Threatened or Endangered Species, Wetlands, Flood Plains. The Project will not have a significant adverse impact on plant or animal life. The Property does not host any threatened or endangered species, and therefore the Project will have no impact on any threatened or endangered species. There are no State or Federal wetlands on the Property, and the Property is not within any designated floodway or floodplain.

5. Community Plans, Use of Land, and Natural Resources. The Project is consistent with and in furtherance of the goals set forth in the Town's Comprehensive

6. Growth, Subsequent Development, etc. The Project will not induce any significant or adverse growth or subsequent development.

7. Long Term, Short Term, Cumulative, or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.

8. Critical Environmental Area. The Project will not have an impact on any designated Critical Environmental Area as set forth in 6 N.Y.C.R.R. Section 617.14(g).

9. Traffic. The Project will not have a significant adverse impact on vehicular traffic, as fully described in the Traffic Impact Letters prepared by McFarland Johnson, which has been reviewed NYSDOT. A meeting was held on December 20, 2017 between NYSDOT, the town, the applicant, and McFarland Johnson Engineers, and others to review the traffic analysis. It was agreed by all parties, including NYSDOT, that the existing full access driveway is the appropriate means of ingress/egress for the site based on current conditions without the potential signal in the future. It was further agreed by all parties that, should a proposed signal be installed with the back access provided from the site to the signal as currently proposed as part of the Whole Foods project, the existing site driveway onto Monroe Avenue should be restricted to a right-in only.

10. Public Health and Safety. The Project will not have a significant adverse impact on public health or safety.

The Project is subject to all applicable Federal, State, and Local laws, regulations, and code requirements including all requirements of the Town of Brighton, Monroe County Department of Transportation, Monroe County Water Authority, Monroe County Department of Health, and New York State Department of Environmental Conservation.

Pursuant to SEQRA, based on the abovementioned information, documentation, testimony, correspondence, and findings, and after examining the relevant issues, including all relevant issues raised and recommendations offered by involved and interested agencies and Town Staff, the Lead Agency determines that the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration, and, therefore, SEQRA does not require further action relative to the Project.

The Lead Agency has made the following additional determinations:

- A. The Lead Agency has met the procedural and substantive requirements of SEQRA.
- B. The Lead Agency has carefully considered each and every criterion for determining the potential significance of the Project upon the environment as set forth in SEQRA, and the Lead Agency finds that none of the criteria for determining significance set forth in SEQRA would be implicated as a result of the Project.
- C. The Lead Agency has carefully considered (that is, has taken the required "hard look" at) the Project and the relevant environmental impacts, facts, and conclusions in connection with same.
- D. The Lead Agency has made a reasoned elaboration of the rationale for arriving at its determination of environmental non-significance, and the Lead Agency's determination is supported by substantial evidence, as set forth herein
- E. To the maximum extent practicable, potential adverse environmental impacts will be largely avoided or minimized by the Applicant's careful incorporation in its application materials of measures designed to avoid such impacts that were identified as practicable.

Date Issued: February 19, 2020

For Further Information: Contact Ramsey A. Boehner, Environmental Review Liaison Officer, Building and Planning Department, Town of Brighton, 2300 Elmwood Avenue, Rochester, New York 14618, (585) 784-5229 or [ramsey.boehner@townofbrighton.org](mailto:ramsey.boehner@townofbrighton.org)



Town of  
**Brighton**

# **Public Works Department**

Commissioner of Public Works – Michael Guyon, P.E.

## **MEMO**

Date: February 17, 2020

From: Evert Garcia

To: Ramsey Boehner

Copy: File

Re: 2P-01-20

*Application of Mamsan's Monroe LLC, Owner, for Conditional Use Permit Approval and Site Plan Modification to operate a new restaurant and construct a 417+/- sf patio for outdoor dining.  
2735 Monroe Avenue*

We have completed our review of the above referenced project and offer the following comments for the Planning Boards consideration.

### **General:**

1. A schedule of all easements (existing/proposed, public/private) associated with this project shall be provided. All texts, maps and descriptions shall be prepared and submitted to this office for review of the proposed easements. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.
2. All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
3. The contractor shall obtain all necessary Highway Access, Sewer Construction, or other permits from the Town or other agencies prior to starting work.
4. All comments made by the NYS DOT must be addressed prior to DPW approval. The NYS DOT comment letter was not included with the application package as indicated in the Engineer's Report.
5. Has the design of the right-in only entrance geometry been approved by the NYS DOT?
6. An existing conditions and demolition plan should be developed for this proposal.
7. As part of the redevelopment process, all existing utility laterals that are proposed to be used for serving this site shall be televised to determine their condition and adequacy for doing so. If the laterals require any improvements to provide this service, or if the Sewer Department determines that there are deficiencies in the service lines that require corrective action, it shall be done so at the expense of the applicant. A note indicating this requirement should be included on the plans.

### **Sustainability:**

1. Pervious pavements should be considered for the parking lot areas, sidewalks, patio and other applicable locations.

### **Engineer's Report:**

1. The engineer's report should include documentation demonstrating that the capacity of the existing sanitary sewer system is sufficient to accommodate the anticipated sewer demand.
2. Reference information for the calculations used to determine the size requirements of the grease trap should be provided.
3. The Engineer's Report indicates that the total impervious area of the site will be decreased by 155 sf. Does this calculation take into consideration the removal of green space to accommodate the installation of the outdoor dining area? Please provide supporting documentation on how the total impervious area was calculated for both pre-development conditions and post-developed conditions.
4. The Engineer's Report indicated that one (1) tree will be removed as part of the proposed improvements. All trees to be removed shall be called out accordingly on the plans.

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<http://www.townofbrighton.org>





5. The Engineer's Report indicated that the total land disturbance will be approximately 10,000 sf. Is this calculation inclusive of proposed utility installation work? Please provide supporting documentation.
6. The pressure calculations for the design of the proposed 4" combined water service should be included in the Engineer's Report.
7. The Engineer's Report indicates that there will be no traffic impact on AM peak traffic as the restaurant is currently open for lunch and dinner. Does the applicant intend to maintain the same hours of operation at the new location?

**Plans:**

1. *Site Plan, Sheet 2 of 11*
  - a. The fence and post heights referenced on this sheet do not appear to be consistent with dimensions called out on the detail for the decorative fence. Please review and revise as necessary.
  - b. 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 modifications". A cross access easement should be provided. The text, map and description for the cross-access easement shall be prepared and submitted to this office for review.
  - c. The proposed parking lot configuration must consider the updated access management plan which does not encroach into the adjacent NYS DOT property to the west. Will the proposed parking lot configuration function properly under this condition? Please review and revise the plans accordingly.
2. *Utility Plan, Sheet 3 of 11*
  - a. A note on this sheet indicates that the existing domestic water service is to be maintained. The Engineer's Report indicates that the existing water service is to be abandoned. Please review and clarify this discrepancy.
  - b. The plans must show the location of the closest fire hydrant.
  - c. The water service connection must be strategically scheduled to minimize the disruption of traffic along Monroe Ave. Night work will require a permit from the Town Board. All water services shall be either copper or ductile iron pipe.
3. *Erosion Control and Grading Plan, Sheet 5 of 11*
  - a. A sequence of construction and restoration work must be provided on the plans. The sequence must address the installation of erosion control measures, installation of site improvements, restoration, and the removal of erosion control devices and construction fencing.
  - b. Proposed grading associated with the installation of the outdoor dining area and other site hardscapes should be depicted on the plans.
  - c. Will the installation of the proposed silt fence near the rear of the building adversely impact the root system of the existing 12" crabapple? Please review and revise as necessary.
4. *Landscape and Lighting Plan, Sheet 5 of 11*
  - a. The provided photometrics should take into consideration the proposed cutoff shields on the existing lighting fixtures on the northwest side of the property.

**Details:**

The following details should be added to the plans:

- a. A detail for the proposed outdoor dining patio should be provided.
- b. A detail for the striping along the proposed crosswalk should be included with the plans.
- c. A detail for the proposed cutoff shields for the existing light fixtures should be provided.
- d. A detail for the proposed bike rack should be included with the plans.

**Notes:**

The following notes must be added to the plans:

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



## PLANNING BOARD REPORT

**HEARING DATE:** February 19, 2020

**APPLICATION NO:** 2P-02-20

**APPLICATION SUMMARY:** Application of the Country Club of Rochester, owner, for Preliminary/Final Site Plan Approval and Demolition Review and Approval to raze an existing maintenance building and replace it with an 8,550 +/- sf maintenance building and to construct an additional 44 +/- parking spaces on property located at 2935 East Avenue. All as described on application and plans on file.

### **COMMENTS:**

- \* The subject property is presently zoned RLA.
- \* A cover letter plans, and renderings and an engineering report have been submitted.
- \* The gross square footage of the proposed building is 8,550 square feet. The building will be a single story and have equipment storage, office space, bathrooms, and shop.
- \* Existing building will be demolished; the new building will be built approximately in the same spot.
- \* The proposed building will be 42' and the parking will be 15' from the nearest property lines. The Comprehensive Development Regulation require 150 foot setback for both the building and parking. All required variances shall be obtained from the Zoning Board of Appeals.
- \* The Historic Preservation Commission will review the demolition application at its February meeting.
- \* Existing asphalt area around the new building will be restored.
- \* A bulk mulch and storage area is proposed.
- \* The total project area of disturbance is .95 acres.
- \* Architectural Review Board application will be reviewed February 25th (2AR-2-20).
- \* 44 asphalt parking spaces are proposed.
- \* Proposing 36 trees will be removed and 32 will be planted.

- \* Plans show a majority of storm water runoff being handled on site.

#### **CONSERVATION BOARD:**

- Deciduous tree plantings to be 3 - 3 ½ inches in caliper.
- Tree removal/plantings should be on a one to one ratio.
- Show snow storage areas on site plan. Every effort should be made to avoid storing snow in areas adjacent to single family homes.

**TOWN ENGINEER:** See memo by Evert Garcia dated February 19, 2020.

#### **QUESTIONS:**

- \* Have you met with the neighboring property owners?
- \* How will the proposed building and parking lot be screened from the neighboring residential properties?
- \* Have you made the necessary variance applications to the Zoning Board of Appeals?
- \* How will the storm water from the project be managed?
- \* Have the architectural design and building materials of the proposed building been reviewed and approved by the Town of Brighton Architectural Review Board?
- \* Has the project been reviewed by the Conservation Board?
- \* Has the proposed demolition been reviewed by the Historic Preservation Commission?
- \* What will the hours of operation be?
- \* Will the parking lot be lighted?
- \* What is the proposed height of the parking lot lighting?
- \* What type of provisions are you providing for trash?
- \* What type of materials will be stored in the building?
- \* Will anything be stored outside? If so, will it be screened by a solid fence?
- \* Where will employees park for the maintenance building?

- \* During what hours will the subject property experience truck traffic?
- \* Do you propose to install a fire sprinkler system?
- \* Do you propose to install a solid screen fence along the rear property line?
- \* Will any existing trees be retained?
- \* Where do you propose to store snow during the winter?
- \* Do you propose to install fire and smoke detection systems and a fire sprinkler system?
- \* Will a generator be provided?
- \* Where will the HVAC units be located?
- \* Has the existing building been tested for asbestos?
- \* Will there be curbing around the parking area?
- \* Will existing site lighting be altered in anyway?
- \* Will there be lighting at the maintenance building? How will it be lit and what is the proposed lighting?

#### **APPLICATION:**

If the Board entertains tabling the application, I would suggest including, among others suggested by the Board, the following items be addressed:

1. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).
2. The entire building shall comply with the most current Building & Fire Codes of New York State.
3. 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.
4. Prior to the issuance of any building permits the architectural design and building materials of the proposed building shall be reviewed and approved by the Town of Brighton Architectural Review Board.
5. Meet all requirements of the Town of Brighton's Department of Public Works.

6. All Town codes shall be met that relate directly or indirectly to the applicant's request.
7. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
8. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
9. Erosion control measures shall be in place prior to site disturbance.
10. 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.
11. Maintenance of landscape plantings shall be guaranteed for three (3) years.
12. 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.
13. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
14. Maintenance and repair of equipment shall only be permitted in designated indoors areas.
15. An oil collection tank shall be installed as required by the Town.
16. All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed.
17. All proposed landscaping shall be installed prior to the issuance of a certification of occupancy.
18. 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.

19. 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.
20. A pre-demolition asbestos survey shall be submitted for the building proposed to be demolished.
21. A letter or memo in response to all Planning Board and Evert Garcia comments and conditions shall be submitted.
22. 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 56-3.4(a)(2) regarding on-site maintenance of a project record, and 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.
23. The fuel tanks shall be reviewed and approved by the Fire Marshal.
24. The proposed building shall be sprinklered in accordance with Town requirements.
25. The applicant shall review the site plan, elevations, and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Elevation drawings showing the height of the structure in relationship to proposed grade as shown on the approved site plan shall be submitted. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board approval.
26. If applicable, the location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.
27. The location of the HVAC shall be shown on the site plan.
28. The proposed demolition of the building shall be reviewed by the Historic Preservation Commission.
29. If any site lighting is proposed as part of this project, a lighting plan which shows the type, location and lighting contours shall be submitted. Any proposed parking lot lights shall be placed on a timer.
30. All County Development Review Comments shall be addressed

31. All comments and concerns contained in the attached memo from Evert Garcia dated February 17, 2020 shall be addressed.
32. The project engineer shall confirm if additional accessible parking spaces are required to be installed as part of this project. 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.
33. The plans shall be revised to address the following comments of the Conservation Board:
  - a. Deciduous tree plantings to be 3 - 3 ½ inches in caliper.
  - b. Tree removal/plantings should be on a one to one ratio.
  - c. Show snow storage areas on site plan. Every effort should be made to avoid storing snow in areas adjacent to single family homes.
34. The proposed building will be 42' and the parking will be 15' from the nearest property lines. The Comprehensive Development Regulation require 150 foot setback for both the building and parking. All required variances shall be obtained from the Zoning Board of Appeals.



Town of  
**Brighton**

# Public Works Department

Commissioner of Public Works – Mike Guyon, P.E.

**Evert Garcia, P.E.**  
Assistant Engineer

## MEMO

Date: February 17, 2020

From: Evert Garcia

To: Ramsey Boehner

Copy: File

Re: *Application No. 2P-02-20*

*Country Club of Rochester, Owner*

*Preliminary/Final Site Plan Approval to raze an existing building and replace it with an 8,550 +/- sf maintenance building.  
2935 East Avenue*

We have completed our review of the above referenced project and offer the following comments for the Planning Boards consideration

**General:**

1. A schedule of all easements (existing/proposed, public/private) shall be provided in conjunction with this project. All texts, maps and descriptions shall be prepared and submitted to this office for review of the proposed easements. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.
2. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: demolition, restoration, sanitary sewer, water main, stormwater water management facilities, and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
3. All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
4. The contractor shall obtain all necessary Highway Access, Sewer Construction, or other permits from the Town or other agencies prior to starting work.
5. The owner of the site must execute a maintenance easement agreement that shall be binding on all subsequent owners of land served by the stormwater management facility. The agreement shall provide for access to the facility at reasonable times for periodic inspection by the Town, or its contractor or agent, to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by the Code of the Town of Brighton, if necessary, implement emergency repairs to protect the health, safety and welfare of the public.
6. Where will materials be stored on the project site? These areas should be shown on the plans and precautions should be provided to eliminate the discharge of petroleum and other pollutants.
7. The limits of disturbance must be shown on the plans. Orange construction fencing should be used to delineate the limits of disturbance where applicable.
8. If any environmental conditions or issues, not previously identified, are encountered during construction, the owner and the contractors(s) shall immediately notify the Town, Monroe County Health Department and NYSDEC before continuing the construction process.
9. The project must 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 project must comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, Section 56-3.6(a) regarding ten-day





notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and the asbestos survey and removal requirements of Section 56-5 are met.

10. The plans indicate that 0.95 acres are to be disturbed as part of this proposal. Does this calculation take into consideration the site disturbance associated with the extension of the utilities not depicted on the plans? Please provide supporting on how the area of disturbance was calculated.
11. The proposed building and site plan must comply with the New York State Fire Code and the Town of Brighton Fire Prevention and Building Construction code. The Town of Brighton Fire Marshal must review the fire apparatus access and fire hydrant locations. The Fire Apparatus Access and Fire Hydrant Worksheet must be completed and submitted to the Town of Brighton for review. The worksheet can be found at: <http://www.townofbrighton.org/DocumentCenter/View/4557>.

#### Sustainability:

1. Regional materials should be used to construct the proposed project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.
2. Pervious pavements should be considered where applicable such as sidewalks, trails and driveways.

#### Engineer's Report:

1. Hydraulic calculations demonstrating that the proposed water distribution network has sufficient pressure and flow to accommodate the anticipated water demands associated with the proposed project must be provided.
2. A hydrologic evaluation should be completed that considers the increased volume of run-off generated by the development and the impact of this larger volume of water on downstream portions of the site.
3. A summary table comparing stormwater runoff rates for the site under existing and proposed conditions for all storm events must be provided.
4. Stormwater mitigation must be provided to meet the requirements of Chapter 215, Stormwater Management, of the Brighton Town Code. Will the proposed development cause an increase in peak flows, volume, velocity, and duration of stormwater concentration? How are these effects being mitigated? Technical calculations demonstrating compliance with the Code of the Town of Brighton must be provided.
5. The Engineers Report should include technical information regarding sanitary demand, change in runoff, and justification of the proposed stormwater quality/quantity mitigation.

#### SWPPP:

1. Chapter 215 of the Brighton Town Code states that modification of any area greater than 20,000 square feet requires the development of a Stormwater Pollution Prevention Plan (SWPPP) by the applicant in accordance with the specifications outlined by the Town, reviewed by the appropriate board and approved by the Town Engineer. The SWPPP must meet the design criteria set forth in the most recent version of the *Town of Brighton's Design Standards; NYS Stormwater Management Design Manual; and NY Standards and Specifications for Erosion and Sediment Control*; and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the Town Engineer.
2. Technical documentation demonstrating how much Water Quality volume is being provided by the proposed bioretention facility must be submitted for review.
3. Water quality mitigation should be provided for the proposed parking area.
4. The SWPPP indicates that the proposed development does not meet the thresholds necessary for completing the Irondequoit Creek Watershed Packet for Developers. A cursory review of the dimensions provided for the proposed parking lot indicates that the increase in the amount of impervious surface/parking spaces in this area might exceed this threshold. Please provide supporting documentation on how these areas were computed.
5. A hydrologic evaluation should be completed that considers the increased volume of run-off generated by the project and the impact of this larger volume of water on downstream portions of the site.
6. A sequence for construction of the development site, including stripping and clearing, rough grading, construction of utilities, infrastructure, and buildings, and final grading and landscaping shall be provided. The sequence of construction should also be outlined on the plans.
7. The SWPPP indicates that the proposed bioretention facility will provide water quality volume to the stormwater runoff from the parking area prior to ultimately infiltrating on-site. Is the parking lot runoff being directed to an infiltrating facility downstream of the bioretention area? Has the infiltration rate of the site been confirmed?

#### Plans

1. *Site Plan, Drawing No. 1*





- a. Is the proposed bulk mulch and sand storage location intended to be surrounded by an enclosure? What precautions are being considered to prevent sand from running off from this storage area into field inlet D-1 during storm events?
- b. The plans must be submitted to the Fire Marshal for review and comment. Has the Fire Marshal reviewed the proposed relocation of the fuel tanks?
- c. A detail should be provided for the proposed stone retaining wall which is to be extended.
- d. What is the proposed stone dust trail connection intended to connect to?

2. *Existing Conditions and Demo Plan, Drawing No. 2*

- a. The plans indicate that the contractor is to remove existing catch basins and storm sewer in various locations adjacent to the existing building. Where do those catch basins currently drain to? The existing conditions map does not appear to depict a point of discharge for the aforementioned storm sewer.
- b. The provided tree survey summary should identify the trees which are to be removed as part of the proposed improvements. Additionally, the condition of the trees which are to be removed should be included.
- c. A site restoration plan should be included with the drawing set. The restoration plan should demonstrate how the site will be restored should construction of the new facility not commence immediately after demolition of the existing structure. The restoration plan must include a grading plan showing existing and proposed contours.
- d. 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. The location of the orange construction fencing must be shown on the site plan. Trees shall be pruned, watered and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.

3. *Utility Plan, Drawing No. 3*

- a. As part of the redevelopment process, all existing sanitary and storm sewer utilities that are proposed to be used for serving this site shall be televised and tested in accordance with the Town of Brighton requirements to determine their condition and adequacy for doing so. If the utilities require any improvements to provide this service, or if the Sewer Department determines that there are deficiencies in the service lines that require corrective action, it shall be done so at the expense of the applicant.
- b. If there are sanitary sewer cleanouts on site, they shall be protected by orange construction fencing during the site construction.
- c. Floor drains, if installed, shall be connected to the sanitary sewer system. Floor drains do not include foundation or footer drains. Discharge from any floor drain must meet the effluent limits of the local and/or Monroe County Pure Waters Sewer Use Law. A note indicating this requirement should be included on the plans.
- d. Will an oil/grit separator be installed in the new maintenance building?
- e. All utility services serving the site shall be disconnected at the direction of the utility provider. The severance of utility services should be confirmed by the Sewer Department and other agencies prior to demolition.
- f. A sewer permit is required for the demolition and reconnection to the sanitary sewer lateral.
- g. Sanitary sewer cleanouts must be provided every 75 feet.
- h. A minimum of 4' feet of cover must be provided along the entire length of the sanitary sewer lateral.
- i. Standard Town notes and details must be incorporated into the plans.
- j. The plans indicate that the contractor is to extend the sanitary lateral and water service to the new structure as needed. The utility plan must depict the location of the existing sanitary sewer lateral and the how the lateral is proposed to be extended. Additionally, the plans must depict the location of the existing water service and how the service is to be extended.
- k. Have the plans for the water service and backflow prevention device been submitted to the MCWA for review and approval?
- l. Information on the proposed water service size and material shall be provided on the plans along with the appropriate details.
- m. Where does the existing 10" CPP storm sewer connect to? The plans depict the pipe terminating in the lawn area without a point of discharge.
- n. Sizing calculations for the proposed bioretention facility should be included in the engineer's report.
- o. A profile should be provided for the proposed storm sewer crossing over the existing water service. Has the depth of the existing water service been confirmed?





- p. A detail for the proposed terminus of the parking lot stormwater system should be provided. Additionally, calculations must be provided demonstrating that the end of pipe treatment will result in velocities that are within the permissible range for the site soil type and coverage.
- q. Where is the proposed parking lot storm sewer system ultimately discharging to? Ortho imagery suggest that the point of discharge as depicted on the plans is immediately adjacent to existing tennis courts. This situation should be mitigated.
- r. A detail for the proposed bioretention outlet structure should be included with the plans.
- s. The location of roof drainage downspouts for the proposed maintenance building should be depicted on the plans.

4. *Grading Plan, Drawing No. 4*

- a. The plans should include spot elevations for the bottom/top of the retaining wall.
- b. The proposed grading adjacent to the drive for the maintenance building indicates that substantial grading will occur beneath various trees that are designated to remain. The grading plan should be revised to mitigate adverse impacts to the root system of trees which are to remain.
- c. The proposed grading for the driveway to the maintenance building is approaching 10%, this indicates that three to four feet of fill will be required for this area. Can the slope to this drive aisle be reduced?
- d. Will material be stockpiled on the site? If so, the location of soil and material stockpiles should be depicted on the plans along with the appropriate erosion control measures.

5. *Landscape Plan, Drawing No. 5*

- a. A landscaping plan should be developed for the bioretention facility.
- b. How will power be provided to the relocated light fixtures? The location of existing and proposed electrical utilities should be depicted on the plans.

