

B R I G H T O N
P L A N N I N G
B O A R D

February 19th, 2020

At approximately 7:30 p.m.

Brighton Town Hall

2300 Elmwood Avenue

Rochester, New York 14618

PRESENT:

WILLIAM PRICE, CHAIRPERSON

PAMELA DELANEY)
JOHN J. OSOWSKI)
LAURA CIVILETTI)
DAVID FADER)
JASON BABCOCK-STINER)
JAMES WENTWORTH)

BOARD MEMBERS

DAVID DOLLINGER, ESQ.
Town Attorney

RAMSEY A. BOEHNER
Town Planner

REPORTED BY: RHODA COLLINS, Court Reporter
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, New York 14020

CHAIRPERSON PRICE: Good evening. I'd like to call to order the February session of the Town of Brighton Planning Board. In the unlikely event of any kind of emergency tonight there are exits behind you and one behind me.

Mr. Secretary, please call the roll for this evening.

MR. BOEHNER: All present.

CHAIRPERSON PRICE: Thank you. We had meeting minutes for our January 15th, meeting and they will be reviewed and approved at our March meeting.

Mr. Secretary, were tonight's public hearings properly advertised?

MR. BOEHNER: Yes, they were properly advertised in the Brighton Pittsford Post of February 15, 2020.

CHAIRPERSON PRICE: Okay, thank you. We will now hear the applications. The first one is application 01-02-20, the application of Nicholas Leonardo. That one has actually been postponed to our March 18th meeting.

Our second application is 2P-01-20, application of Mamasan's Monroe LLC.

APPLICATION 2P-01-20

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9 GREG MCMAHON: Good evening. I'm Greg
10 McMahon, with McMahon LaRue Associates 822 Holt Road,
11 Webster, New York. I'm here representing Bee Walters the
12 owner of Mamasan's and developers for this project. This has
13 been before you several times and we're here tonight looking
14 for a sight plan modification. What is being modified is
15 that we're no longer going to construct a new building with a
16 drive-thru. We're going to repurpose the existing building
17 remove some parking that exists in front of that building,
18 construct an outdoor patio which was part of the plans all
19 along. The drive-thru is gone, there are no modifications to
20 the parking lot, everything is basically remaining as is
21 other than to get reshaped and cleaned up, dumpster enclosure
22 remains where it is, it does meet town standards. There will
23 be a new 4-inch fire service water service brought into the
24 building for purposes of fire protection.

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And the proposed driveway, the entrance will

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3 remain as it exists right now, but per the plans at that
4 future time when the Whole Foods Development happens or
5 something happens, the traffic light is put in, the detail is
6 on the detail sheets. It shows the modifications in
7 reference to a right turn. That again remains identical to
8 what was submitted and approved before.

9 There are -- we originally had four variances
10 on this project. Those variances are due to expire this
11 month. We're going to go back in and renew the variances for
12 the fence that goes around the patio. If you recall, she's
13 going to hopefully take her decorative fence from 2800 Monroe
14 Avenue and put that. The fence met the code but the post in
15 between did not. We did get a variance, we will have to
16 renew that one.

17 Also, in a discussion with Rick DiStefano
18 yesterday we discussed the coverage. The existing coverage
19 as the site sits right now is 66.4 percent, where 65 is your
20 code. With this project we're reducing the coverage to 65.9
21 percent, roughly reducing the coverage by a half a percent.
22 He thought that we should at least pose the question whether
23 in your opinion we needed to apply for a variance even though
24 we're reducing the coverage.

25

MR. BOEHNER: No, you don't need to apply for

3 a variance.

5 GREG MCMAHON: Okay, then that leaves just the
fence variance is a variance we need to renew for this.
6 Everything else will remain in compliance or not any
7 different than what exists out there.

9 With that, also if there are any questions
10 regarding the building, Randy Peacock is here. There's going
11 to be an addition to the building, it's a structural
12 addition, a walk-in cooler which will be accessed from inside
13 the building. But at the rear of the building that cooler
14 will protrude out of the building. I think it is similar to
15 maybe Dunkin' Donuts as a similar installation of a walk-in
16 cooler. But that's at the rear of the building. That's the
only structural change to the building.

18 MR. BOEHNER: Could you talk a little bit
about the conditional use permit and the proposed restaurant?

20 GREG MCMAHON: Yes. The Conditional Use
Permit, it is for the restaurant, and it will be operated
21 very similar to Mamasan's across the street, opening for
22 lunch, through dinner, closing about 10:00 --

A PERSON IN THE AUDIENCE: Probably 9:30.

GREG MCMAHON: 9:30, so --

MR. BOEHNER: Either she has to come up or

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3 answer the question.

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5 GREG MCMAHON: So, yes, the hours are
6 basically from just before lunch, it's usually starting to go
7 up around 11:00 and in the evening, I would say at the latest
8 10:00. And the dining in, again, no longer a drive-thru.
9 The patio will be used in the summer months and I do have the
10 letter if you want me to go through the letter I submitted
for the Conditional Use Permit.

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MR. BOEHNER: Will you have any live
entertainment?

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GREG MCMAHON: No. There's no live
entertainment. There's a -- alcohol is served but a limited
-- there's not a bar that's part of this, it's just with
meals.

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MR. BOEHNER: So no bar, no food preparation
outside?

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GREG MCMAHON: Yes. No outdoor speakers,
nothing of that sort. Everything contained within the
building.

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MR. BOEHNER: How will the kitchen be vented?

GREG MCMAHON: I'll let the architect speak to
that.

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RANDY PEACOCK: Good evening. Randy Peacock,

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3 my office is 70 Linden Oaks. The kitchen will be vented the
4 same way it is now. It goes up into a concealed space in
5 that cupola on top of the Pizza Hut area up there, is about
6 15 by 60 feet.

7

8 MR. BOEHNER: And it goes right through the

9 roof?

10

11 RANDY PEACOCK: Yes. It goes through the roof,
12 you can't see them because there's about a four and a half to
13 five foot tall wall all the way around that so they're down
14 underneath that.

15

16 MR. BOEHNER: While you're up here, Randy,
17 being the architect, could you describe the improvements
18 you're going to be making to the building?

19

20 RANDY PEACOCK: Actually, we're trying to not
21 spend a fortune, but still try to de-Pizza Hut it a little
22 bit. We're going to take off the front third of the roof and
23 replace it with a gable with a large arched window in it, and
24 two folding camel doors so that the restaurant, the interior
25 can open up to the exterior patio.

26

27 And we're going to put a new roof on it. That
28 roof has been painted once and the paint is peeling off. So
29 we're going to use a metal roof that looks like a tile a lot.
30 We're scheduled for the Architectural Review Board the first

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3 meeting in march.

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5 CHAIRPERSON PRICE: Randy, the rear freezer,
6 and refrigerator are shown on your floor plan, but I don't
7 know about the shed that's being proposed.

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9 RANDY PEACOCK: That was kind of a last minute
10 addition. I'm simply going to take that same type of
11 enclosure around that. It's kind of a misnomer, these aren't
12 just some shiny metal box of stuff on the back. They have a
13 wall around them and a roof over the top of them to blend
them in with the rest of the structure and the same thing
will be with that shed.

14

15 CHAIRPERSON PRICE: Okay. Anything about the
lighting that's changing?

16

17 GREG MCMAHON: We're going to leave the
existing lighting. The only thing we're doing is
18 shielding -- and this, again, goes back to some of the
19 previous plans -- shielding the hotel, motel side of that, of
20 the lights that are up there. So, again, with trying to be
21 very economical with this renovation, we're going to utilize
22 the existing poles and fixtures but shield them to take any
23 glare off that hotel.

24

MR. BOEHNER: Will the building be sprinkled?

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RANDY PEACOCK: We did our calculation and

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3 we're planning on bringing in flange lines sprinkling,
4 because we're going to be over the 50 percent of the assessed
5 value.

6 GREG MCMAHON: That fire service is part of
7 our plan. That's been reviewed by the DOT because we'll have
8 to -- that will have to be a tap out in the street. Again,
9 it's very similar to what Dunkin' Donuts had to do down the
10 street to bring in their fire service. That's basically been
11 approved by the DOT, but until we have a contractor we can't
12 officially apply for the permit, but the plans reflect all
13 the comments we received from the DOT.

14 CHAIRPERSON PRICE: No concerns on conditions
15 of the rear access, management, easements, or anything will
16 still apply?

17 GREG MCMAHON: Yes. There will be -- I mean,
18 this was -- the traffic study we did some time ago for this
19 and that is based on the drive-thru, so from an impact
20 standpoint we're less impact. But we're still saying if the
21 project across the street gets built with the intersection
22 and so forth, and they take that right-of-way across the back
23 and purchase the land, there will be that easement. They're
24 willing to address that easement and willing to address the
25 entrance modifications at someone else's cost. But if that

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23 becomes a reality, that's all part of the agreement, part of
4 the plans.

5 CHAIRPERSON PRICE: Any questions?

6 MR. DOLLINGER: Are those easements completed?

7 MR. BOEHNER: No.

8 MR. DOLLINGER: I don't recall, I saw them a
9 year ago, maybe?

10 MR. BOEHNER: No, they are not.

11 GREG MCMAHON: We prepared the meets and
12 bounds and the easement map. I know we prepared one easement
13 and submitted, there was some issues with the wording. We
14 have an easement that was filed by the attorney Phil Silver,
15 but I have to readdress that because there may be some, while
16 the easement wording may be correct, there may be some issues
17 with the meets and bounds matching what we got.18 As we proceed with this, that's going to be
19 by -- I'm going to address that right away because that was
20 really the only thing holding up signature of the older plans
21 and we don't want to delay this any longer than necessary.22 MR. DOLLINGER: You should have him contact
23 me. I started talking to him but that was a while ago. I'm
24 not sure that's the right party.

25 MR. BOEHNER: Yeah, it was.

3 MR. DOLLINGER: That's what my objection was a
4 year ago. I thought it was quite significant.

MR. BOEHNER: That's what it was.

MR. DOLLINGER: I thought it was a problem.

We don't need to discuss it now, but I think you could have him contact me.

9 GREG MCMAHON: That's -- we have no problem
10 with a physical easement location, I've got a description in
11 the meets and bounds. It's just the legal verbiage that
12 needs to go into that, that we need someone to guide us on.
13 As soon as that's set that will be executed and filed.

14 MR. WENTWORTH: Ramsey, the application before
15 us isn't contingent upon these easements needing approval?

16 MR. BOEHNER: I would recommend there be a
17 condition, yes, that they be.

18 CHAIRPERSON PRICE: Not effective until the
19 other work occurs. Thank you.

22 HOWIE JACOBSON: Hi, I'm Howie Jacobson,
23 Brighton Resident, 10 Sandringham. I'm here to speak in
24 favor of what you just heard. I think that this application
25 is worth your consideration and approval. The fact that they

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3 have eliminated the drive-thru is a huge win for the
4 community on the traffic issue, which is a big issue for the
5 community. And the fact that they are removing that in
6 exchange for a small patio out front beautifying that piece
7 of property is awesome.

8 And number two, the fact that we keep
9 Mamasan's in Brighton is a real benefit to the Town of
10 Brighton. So we should accommodate the small things that
11 they're bringing up and allow them to continue to be part of
12 our community. I know you'll look at the easement in the
13 back and there's no question that some time in the next
14 three, four, five years, something will be built across the
15 street. There will be some resolution there, but in the
16 meantime let's keep Mamasan's in our community and the fact
17 that they're giving up the drive-thru is a big win. Thank
18 you.

19 CHAIRPERSON PRICE: Thank you. Anyone else?

20 Thank you, we will move on. The next
21 application is 2P-02-20.

22 APPLICATION 2P-02-20

23 2P-02-20 Application of the Country Club of
24 Rochester, owner, for Preliminary/Final Site Plan Approval
25 and Demolition Review and Approval to raze an existing

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23 maintenance building and replace it with an 8,550 +/- sf
4 maintenance building and to construct an additional 44 +/-
5 parking spaces on property located at 2935 East Avenue. All
6 as described on application and plans on file.7 ANDREW SPENCER: Good evening. I am Andrew
8 Spencer with BME Associates here to represent the Country
9 Club of Rochester. With me this evening is Mr. Michael Smith
10 the general manager at the club. We are here this evening to
11 request a demolition permit, as well as initiate our
12 preliminary final site plan approval process with the
13 Planning Board.14 As an overview of the property we are looking
15 at approximately a 29-acre site located off of Elmwood Avenue
16 and East Avenue. This is an overall aerial photograph
17 showing the location of the clubhouse, access from East
18 Avenue, access from Elmwood Avenue through here. The project
19 location is back in the rear corner, as well as this site
20 right here. We did provide you with a blow up aerial
21 photograph that kind of shows this in better detail and it
22 kind of gives you a sense of where this is on the site.23 We are proposing the construction of the
24 8,500-square-foot maintenance facility on the site and the
25 location of the existing facility. The existing facility is

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23 approximately 5,000 square feet in size. It is located right
4 here.5 What we are proposing is an 8,500-square foot
6 structure that would be parallel with the rear property line
7 instead of that screwed orientation fence. The building will
8 be utilized just as it is today for maintenance facility of
9 the club. They do maintenance of their lawnmowers, sometimes
10 their vehicles they utilize on the site. There will be no
11 maintenance of trucks and cars within this structure. It's
12 purely for the golf course equipment. A gulf cart blows a
13 tire and they may repair it in this location, otherwise it's
14 shipped off to another location.15 This is the existing site of the maintenance
16 facility since about 1970, 1972. None of us were in tenure
17 at the time to knowing exactly when that was constructed but
18 it was roughly in the '70s. The main clubhouse was
19 reconstructed back in that same period of time so we assume
20 it was in the 1970s that this was built.21 Why are they proposing to put up a new
22 facility? When we provided you with a letter regarding the
23 demolition permit and provided you some photographs of the
24 existing conditions of the building. It is a metal sided,
25 metal roof structure and at this point it is deteriorated.

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23 It's actually rusting from the bottom up and they have to
4 continuously do upgrades to that facility.5 Secondly, the facility is undersized for what
6 they would like to utilize it for. There is a small office
7 in the building, there's a small employee gathering, lunch
8 room in the site but they do want to expand that and provide
9 a better location for their employees.10 About two-thirds of the structure would be
11 conditioned. It will be airtight, air conditioned, heated.
12 And the other third of the structure will be uncondition
13 space. The condition space is roughly this zone here. Our
14 uncondition space will be this end right here. That's mainly
15 for the storage of equipment. They are proposing a structure
16 about 20 feet in height to the peak, about 16 feet to the
17 eave and that will allow for 12-foot garage doors to be
18 installed. Apparently they have ten-foot doors, and it's a
19 little bit too low for some of their equipment to get in.20 There are -- this is a rendering of the
21 structure you may have seen a different rendering in your
22 packets. This shows a different configuration on the roof
23 panels, those have been removed.24 This is the facade that will be facing the
25 club itself, the pool area and the main clubhouse. This

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3 facade will be facing the neighboring properties and there
4 are six overhead doors and then one main door.

5 This is the north end of the structure which
6 will also have a 12-foot high garage door and man door, and
7 this is the southern exposure which is the structure.

8 This orange cube, the plan is the existing
9 energy plant to the facility. This is where all of the
10 electrical comes in. That's a steam plant for the main
11 clubhouse.

12 There's a small patio area that is being
13 proposed between those two structures for if it's a nice day
14 if an employee wants to sit outside and have lunch.

15 The entire area as it is today, is impervious
16 surface. It is covered via the building and with parking.
17 We are not changing the amount of impervious surfaces in this
18 area. We are expanding the width of the driveway here, we
19 will increase a little bit of impervious surfaces, provide
20 better fire emergency service access to the structure,
21 utilities to the structure exist today. It is served by
22 sanitary and by water and slight upgrades may be necessary
23 for those connections, but there's no need for new public
24 utilities to come to the site for that building.

25 The building being proposed for approximately

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3 54 feet -- I'm sorry, 56 feet from the northerly property
4 line, 42 feet from the westerly property line. We will be
5 requesting and appearing before the Zoning Board of Appeals
6 at their March meeting to request a variance for the setback
7 of that structure.

8 The other portion of the project includes the
9 construction of approximately a 44-space parking area right
10 in this zone right here. The club would like to propose that
11 parking, to put that parking in because there's been a lot of
12 movement towards utilizing the pool area on the site, as well
13 as the tennis courts and the paddle courts on the facility.
14 And that parking will be in closer proximity to those uses as
15 well as closer proximity to the casual dining that occurs
16 within right here.

17 Approximately ten spaces will be removed which
18 are on the street today. Those are located right here, ten
19 on street parking spaces would be removed, 44 would be
20 constructed, it's a net made 34 spaces for the club.

21 We have met with the Conservation Board last
22 Tuesday. As I mentioned, we will be appearing before the
23 Zoning Board of Appeals for an area variance for the
24 building, but also for the parking lot. Parking lots within
25 a private golf facility need to be set back 150 feet,

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3 buildings must be set back 150 feet. But there is precedent
4 on the site as well as around the surrounding neighborhood,
5 we already have those setbacks already on the property.

6 We have provided a landscape and screening
7 plan for the new parking facility within the packet, full
8 drawings. We are proposing evergreen screen trees along the
9 northeasterly boundary as well as the westerly boundary, and
10 with a combination of scrub materials to provide screening
11 from the headlights all the way up.

12 We have met and the Country Club of Rochester
13 has reached out to the neighboring property and approximately
14 six of the property owners. Know that we have spoken
15 directly with two of them, those two didn't respond to
16 reaching out. But we did make some slight modifications to
17 the plan prior to submittal based upon their input.

18 I should also note and I apologize, on the
19 building itself we will be appearing before the Architectural
20 Review Board next Tuesday to review the architectural design.
21 But just to alert the Board we are looking at a building that
22 has a masonry base to it. A hearty siding, and then a middle
23 roof. Which is I believe a great improvement over what
24 exists there today. Aesthetically it will be improved. The
25 color scheme is also being utilized for the buildings will

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23 match what is occurring over on the main clubhouse itself.
4 Trying to carry it in a little bit better.5 I think I have run through everything very,
6 very quickly here, but I'm more than happy to answer any
7 questions or provide any more specific details.8 CHAIRPERSON PRICE: Thank you. I think I will
9 hold questions on the maintenance facility. The parking lot
10 is kind of the one that seems to have the most concerns for
11 me, and the number of trees that you are proposing to remove,
12 and the size of the trees that are being proposed. The one
13 thing that we don't have the advantage of with this is a topo
14 or a survey of the entire site to see where else you had
15 considered placing some of this parking.16 And, you know, what some of the alternatives
17 were, you know, this seems to be a pretty significant
18 intrusion into the setback and to the adjacent neighbors, but
19 also the removal of trees seems to be pretty extreme.20 ANDREW SPENCER: On the removal of the trees,
21 we did do a tree survey, you can find it in the back of that
22 package that you have. There are a number of the trees that
23 are there that are now dead. There are some dead white
24 pines, there are some locust in that area as well as a few
25 ash trees. The club has been continuously upgrading and

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23 taking down dead and/or deceased trees throughout the entire
4 course.5 There are two or three larger trees in that
6 area, one will be removed, it's approximately in this
7 location here. With the reconfiguration of the parking lot
8 here we are actually able to save I believe it's a 42-inch
9 tree over on the side right here.10 We are putting back a number of trees back
11 into the site, it is not a one-to-one basis to what's there.
12 As I say, the club is continuously upgrading their landscape
13 on the yearly basis. They're planting trees all the time on
14 the site.15 Regarding location of the parking facility,
16 this was deemed the best area to be in the closest proximity
17 to the uses it is to serve, which is the swimming pool area,
18 the tennis court area, and the casual dining on this portion
19 of the clubhouse.20 I apologize, but this aerial is not the most
21 recent. They haven't done a fly over yet, so we're not able
22 to get to a new photo. But there's an existing drive that
23 comes down, there is a cul-de-sac down at this end with
24 minimal amount of parking along this area. And this parking
25 here is to function to allow for guests to get to that casual

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3 dining more than anything, as well as to access the pool from
4 the exterior.

5 Other locations on the site would require we
6 have tennis courts, we have an ice rink, we have paddle
7 courts along this drive area. There is some parking adjacent
8 to it. Moving any of these elements may require that
9 portions of the golf course design itself and the whole
10 layout itself be effected, if you will. So the club would be

11 --

12 CHAIRPERSON PRICE: In your looking at this
13 did you look at, I mean, just, again, because the aerial
14 doesn't give us the best view, the area between the pool and
15 the tennis courts is that -- that just looks like a big area.
16 Is there topo reasons why you can't find a configuration and
17 place it in there?

18 ANDREW SPENCER: I guess I would have to have
19 you take a look at that site plan to see where that existing
20 drive comes through. But that drive comes through this area
21 and down the cul-de-sac takes up a large majority of this
22 space. It's actually parking that is right here along the
23 edge.

24 CHAIRPERSON PRICE: Is a cul-de-sac necessary
25 on a golf course?

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ANDREW SPENCER: The cul-de-sac is necessary based upon the most recent improvements we did in 2016 to the clubhouse. A cul-de-sac was required by the fire marshal to make sure that we have adequate emergency turning, getting in and out of the facility.

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MR. OSOWSKI: Couldn't the turning be in the parking lot?

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CHAIRPERSON PRICE: He is saying could you incorporate the same area for turning movement of the fire trucks into a parking concept?

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ANDREW SPENCER: Not in this location right here, that has to be free of parking coming around. There's also an access point to the clubhouse comes out along that to allow pedestrians, pedestrians that are coming down that route for parking on the street.

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MR. DOLLINGER: Do you recall that?

MR. BOEHNER: Yes, I do.

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CHAIRPERSON PRICE: We did that during the expansion, right?

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MR. BOEHNER: The expansion of the pool and clubhouse.

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ANDREW SPENCER: Correct. We did that expansion back in 2016 which we redid --

3 CHAIRPERSON PRICE: We are good with the pool
4 and the expansion. The access and the circulation I don't
5 recall.

6 ANDREW SPENCER: There's not as much room in
7 this space as --

8 CHAIRPERSON PRICE: But it does look bigger
9 than when you are putting 44 spaces into this stuff.

10 Anyway, but hanging parking off of the access
11 drive on the other side behind hockey rinks and tennis
12 courts, so that was looked at?

13 ANDREW SPENCER: Yes. We looked at where
14 parking could go. There is existing parking along this
15 roadway that comes down through --

16 CHAIRPERSON PRICE: Okay.

17 ANDREW SPENCER: -- through this area.
18 There's parking for paddle tennis down here about six or
19 eight spaces. There's parking along the portion of the ice
20 rink and parking in front of the tennis courts.

One of the things that the club wants to also try to do is minimize that amount of parking and put it into one location. And again, this location feeds the tennis courts, the pool, and that casual dining. That's the location on the book.

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MR. BABCOCK-STINER: So, Andy, you need those
34 spots day one?

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ANDREW SPENCER: Is that a trick question?

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MR. BABCOCK-STINER: Could it be phased?

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Because you're cutting so many trees and you're rebuilding a
buffer, the buffer isn't going to be as ideal on day one.

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Three, four, five, seven years out maybe. So is it possible
to phase the parking to the southern half or 20-some spots
and then let that buffer planting establish and then do the
rest of the tree cutting and finish the parking expansion?

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ANDREW SPENCER: That's a very interesting
idea. One of the things we are also trying to do with this
project too is right now there is a high point that goes
through this area right in this location. I think if you
take a look at your grading plan you can see where the high
point exists. Drainage falls to the north and northwest from
that point and the remainder of this drainage comes cross the
parking lot, across this area, across the road, and then
through this parking area and then gets put and distributed
to this zone right here.

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One of the things that we're trying to do is
to regrade this parking area such that this becomes the high
point. We can direct all of the drainage down toward this

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23 area right here, which would incorporate a bio-retention area
4 with a pipe network in it. Piping then to go down through
5 and between the tennis court and that existing drive and
6 actually get released out into the bluff area of the D
7 fairway.8 To piecemeal that would be very, very
9 difficult to do. We would have to go in and grade half of it
10 and not all of it which is not a proper way of doing that
11 necessarily. So we do want to make sure that all of this is
12 graded appropriately to begin with to allow for that
13 drainage. Reduce the drainage coming off the site to the
14 north and focus the drainage down to this side.

15 CHAIRPERSON PRICE: Any other questions?

16 MR. WENTWORTH: Okay. Switching to the
17 maintenance building, so now that the dormers aren't present
18 I'm wondering what's the purpose of having the cable end
19 instead of a shed roof?20 ANDREW SPENCER: You're speaking about this
21 right here?22 MR. WENTWORTH: Right. So you've got a ridge,
23 which goes up to 20 and then the eave on the high side is 16,
24 you could shave four feet off and just shed it from one side
25 to the other.

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3 ANDREW SPENCER: And just create -- are you
4 suggesting creating one entire shed roof in the structure?

5 This structure has been reviewed in a number
6 of different manufacturers. The intended construction of
7 this is going to be prefabricated metal struts, metal rafter
8 structure, and then applying all of the siding onto it. This
9 design was done such that I think from a metal standpoint and
10 a metal construction standpoint this was the most economical
11 way to approach this roof.

12 The strength -- a strength issue with carrying
13 one plane of a roof and then all of a sudden there may be
14 additional structural support that is required and the rafter
15 sizes and/or strut sizes might become larger.

16 We did not look at that. We were trying to
17 minimize the roof frontage to the neighboring properties and
18 there's no need for a higher roof on the back and tearing it
19 down to --

20 MR. WENTWORTH: Right. I understand the
21 structural concern about is basing six/eight feet in length
22 on your rafters, but you'd actually reduce the impact on the
23 neighbors by four feet.

24 ANDREW SPENCER: Well, if I may, if we carry
25 six feet plus six down to this elevation down here, we want

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3 to risk that the 12-foot door will not fit within that space

4 because there's also that structural element that carries

5 some width in this. We actually took a look at trying to

6 create a leaf right in the center of the structure. I

7 shouldn't say we, the manufacturer of the building and the

8 architect. We are looking at trying to create a single peak,

9 try to make that as low as possible so again the issues with

10 how the doors would operate and how it actually will function

11 in the interior of the structure.

12 MR. OSOWSKI: Could you move the door slightly

13 to the sides so would it fit?

14 ANDREW SPENCER: You could. One of the --

15 this space right here is to house equipment and so this is

16 about the same depth as a typical garage is. And then the

17 access beyond the garage to the back side of this space which

18 cannot house some of that larger equipment. You cannot

19 get -- a piece of equipment that's parked here will need

20 access into this structure. Having to go around this

21 location means that you have to pull the vehicles back out.

22 The utilization of that structure is why this door was placed

23 where it is.

24 MR. WENTWORTH: Well, I'm just looking at

25 options. I'm not pushing in one way, just sensitive to the

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23 neighbors. The fact that it's a larger structure, I don't
4 know the height of the existing, but I assume this is several
5 feet higher.6 Again, then the new American horn beam that
7 you are planting along the fence line to the west, they're
8 going in as two inch, so how many years before they become
9 what you've drawn on the landscape plan?10 ANDREW SPENCER: It's dependent on the soil
11 conditions, it could be from 10 years to 15 years before they
12 become a true, full, mature size tree. Please also note too
13 in this zone this is all tree areas right here. Actually
14 Mr. Smith actually met with the owners of that parcel and had
15 conversation with the owner about what was going on, what was
16 being proposed. And I believe to the best of my knowledge
17 that she was relatively satisfied with what was being
18 proposed in here.

19 MR. WENTWORTH: All right.

20 CHAIRPERSON PRICE: Any other questions?

21 MR. FADER: Is there any consideration for
22 charging for electric vehicles in the parking lot addition?23 ANDREW SPENCER: That was not part of our
24 program.

25 MR. FADER: One of the fuel tanks looks like

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23 it has a skirt or a lower area. The other one I could not
4 tell, Is it a double wall tank or?5 ANDREW SPENCER: Both of the tanks are double
6 walled. If they can reutilize those tanks they will. The
7 proposed location for the fuel tank, the fuel tanks that
8 exist today one is here and the other one is here and this
9 has a full fire suppression system on the top of it, this
10 right -- they're both being proposed to be moved into this
11 area here where it's easier for vehicles to come in and
12 either put fuel into those and/or get fuel out.13 They will be designed and installed per the
14 Town of Brighton as well as New York State, Federal
15 requirements. We did meet with the fire marshal on this. He
16 had given us some direction on how to put those in making
17 sure what code to review, make sure they could be installed.
18 But they are both double walled.19 MR. BOEHNER: Can you talk about the proposed
20 site lighting?21 ANDREW SPENCER: We do. We are proposing, I
22 believe you do have a landscaping lighting plan. We are
23 proposing, hopefully -- it's not on this rendering, I
24 apologize, so I may not get the exact locations correct. But
25 we are proposing three fixtures in this area right here.

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3 One, another one I believe in this aisle, and another one
4 down here.

5 MR. BOEHNER: Do you know how tall and what
6 type of fixtures? Are they LED lights, are they --

7 ANDREW SPENCER: They are the same fixtures
8 that exist at the golf course right now. In 2016 when we did
9 the main clubhouse and the spur coming down this area right
10 here, there were three additional fixtures that were not
11 reutilized. We are actually going to utilize those fixtures.
12 They have been in storage, we will put them up. They are
13 roughly 12 feet in height. They are --

14 MR. BOEHNER: How many? I'm sorry.

15 ANDREW SPENCER: I believe they are
16 approximately 12 feet in height. They are a carriage white
17 star light, so it's a pole with that carriage head on top. I
18 could not answer whether or not it's an LED light or?

19 MR. BOEHNER: Do they have residential
20 shields?

21 ANDREW SPENCER: They can have residential
22 shields and we can shield to the backside. This fixture --
23 and we did speak with the neighboring property owner about
24 this fixture right here. We talked about actually putting
25 some form of, either painting the glass on the backside to

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23 make sure we didn't have any light coming back into their
4 backyard. So we have three fixtures, one here, here, and one
5 up in this location here.6 I should note too, the club is looking for
7 this parking facility mainly to function during spring,
8 summer, and fall activities. It's not anticipated this will
9 be a parking lot that will be fully utilized in winter
10 months. There's potentially two to three different events
11 that they have at the club, two of which I believe are in
12 December. They have a pig roast and another function,
13 potentially even New Year's Eve. But they don't anticipate
14 the remainder of that parking to be utilized in the winter.
15 Nobody is going to the tennis courts, nobody is going to the
16 swimming pool at that time.17 MR. OSOWSKI: Does that mean it will be plowed
18 and the lights will be on in the winter, or not?19 ANDREW SPENCER: Right now it's still in
20 discussion. Actually, the golf course superintendent had
21 suggested they will not plow the entire parking lot, mainly
22 plow a portion of it. We did actually review that with the
23 Conservation Board as well. They asked about where snow
24 storage might be placed if this were to be plowed. We do
25 have an area over here to the west snow can be plowed. And

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3 actually at the end of these parking spaces in this area

4 here.

5 MR. BOEHNER: Will anything be stored outside

6 the maintenance building?

7 ANDREW SPENCER: I'm sorry, excuse me?

8 MR. BOEHNER: Will any materials be stored

9 outside of the maintenance building?

10 ANDREW SPENCER: What materials?

11 MR. BOEHNER: Will there be?

12 ANDREW SPENCER: Will there. There will be

13 some materials that will be stored as it exists today. Right

14 now in this back corner they have the area for some of the

15 sands that they use in the sandpits. And when they get in

16 deliveries of mulch to do any mulching of the planting beds

17 around the course.

18 There's also storage in the new facility which

19 is on the south side of the course as well the sands and

20 mulches and things, but those will be located in that same

21 area right here.

22 There's an area to the east of the facility

23 that will house the horticulturist area. That's where they

24 do a lot of potting of their annual plants. They will bring

25 plants in, repot them, and/or prepare them for planting.

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23 That exists on the site today in this zone and it's being
4 kept in this area right here.5 So those materials will be left outside.
6 We'll have our fuel tanks outside, we have an existing
7 chemical building with some fertilizers and herbicides that
8 will be shifted from its current location here to the end of
9 the structure here, and here's the garage door is right there
10 at that end.11 But there are some materials and the reasons
12 again for expanding this facility is to get the equipment
13 inside. Right now they have a backhoe that sits outside. So
14 now that will be able to be inside. There's some lose odds
15 and ends, some tree carts, some other types of gulf cart
16 carts, all of that stuff to be housed within the structure
17 and get them out of the outside. As much for protection for
18 the equipment than anything else.19 MR. BOEHNER: Have you guys done a
20 pre-demolition asbestos survey?21 ANDREW SPENCER: I don't know if that has been
22 has been completed by the architect and the builders yet.

23 MR. BOEHNER: You're going to need that.

24 MR. OSOWSKI: Is any of the existing fencing
25 at the property lines is to remain?

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3 ANDREW SPENCER: It is to remain. Right now
4 it's an eight-foot high fence, that exists approximately here
5 and wraps around approximately here. There are some of those
6 fence sections that have been damaged over the years. Some
7 of the boards have been kicked out, some of the posts are a
8 bit rockety, and they will be reformed if you will, and
9 rehabbed so it's a solid fence and it's in relatively
10 decedent condition.

11

MR. BOEHNER: Okay.

12

CHAIRPERSON PRICE: This is a Public Hearing
13 is there anyone who cares to address this? Thank you for
14 coming.

15

MAGGIE SYMINGTON: My name is Maggie Symington
16 and I live at 6 Whitney Lane, which is I think that property
17 right there. So is there the ability for me to speak off the
18 record or not?

19

CHAIRPERSON PRICE: Sorry.

20

MAGGIE SYMINGTON: Okay. Then I will not say
21 everything I have to say.

22

CHAIRPERSON PRICE: We can guess probably.

23

MAGGIE SYMINGTON: No, no, no. You actually
24 cannot. No, no, no. Actually, no.

25

Our property backs up to the proposed

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3 additional parking lot. First, I would like to say that my
4 husband and I fully support CCR's right to expand their
5 parking lot within compliance of the Town Code. I didn't
6 understand from the presentation, it sounded like the zoning
7 setback for a parking lot is 150 feet and they're asking for
8 a variance, he didn't say to what. So what's the setback
9 they're asking for?

10 CHAIRPERSON PRICE: So the variance will be to
11 the Zoning Board of Appeals will be for relief from 150 foot
12 down to 15 foot.

13 MAGGIE SYMINGTON: To 15 foot, okay. I'm not
14 sure exactly the number of trees that will be removed. I've
15 heard the number 85, but that's probably --

16 CHAIRPERSON PRICE: It's 32.

17 MAGGIE SYMINGTON: 32, in total, including the
18 dead trees?

19 CHAIRPERSON PRICE: Correct.

20 MAGGIE SYMINGTON: Okay, so 32. While dead
21 trees don't meet the definition of a tree for the Town Code
22 they still do contribute to the habitat for birds and
23 insects. For example, they provide homes for our local
24 woodpeckers. I would hope that Country Club of Rochester
25 would leave as many trees as possible intact understanding

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3 that dead trees might need to be cleared for the safety of
4 vehicles parking in the lot.

5 I would also hope that Country Club of
6 Rochester would be encouraged to be environmentally
7 thoughtful to plant replacement trees not just on the site
8 for ornamental and as a shield between their property and us,
9 but elsewhere on the property to maintain the health of our
10 environment.

11 Additionally, it is our hope that the new
12 parking lot be constructed and graded such that it does not
13 create run off problems, and sounds like they're doing that.
14 And that any installation of lighting will be thoughtful so
15 that additional nighttime light isn't detrimental to the
16 environment and to the neighboring houses and also keeps
17 safety in mind.

18 And I'm thinking not just the safety of the
19 people parking there, but the neighborhood from perhaps
20 things that shouldn't happen in a parking lot that is remote
21 and not physical to people passing by. That's all I can say
22 on that since I have to be on the record. Thank you.

23 MR. BOEHNER: Thank you.

24 CHAIRPERSON PRICE: Thank you, appreciate your
25 time. Anybody else care to speak? Please come up.

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3 JOHN BUTTRILL: My name is John Buttrill and
4 my wife and I own the property at 7 Whitney Lane, which is
5 this property here and the property would be right here. So
6 we are the immediate adjacent property.

7 First of all, I want to say that I fully -- my
8 wife and I both fully support the new building. It's
9 something the grounds crew needs, it's something the club
10 should do. We have no objection to that. We've met with
11 Andy and with Bill Smith and we want to help and cooperate as
12 much as possible. And they have been kind enough to make a
13 few changes, but we do have concerns. Right now the drainage
14 is not an issue. They hand painted that -- this is kind of a
15 high point right back here and here, but because it's all
16 trees and vegetation, it's mostly to store. We get very
17 little water when it rains heavy from this area.

18 What does happen is it just, the heavy rain
19 waters does flow this way around our house. Not a problem,
20 but if you replace all of those trees and vegetation with
21 impervious surface, there's going to be a lot more water
22 running off. So we're very concerned that the grading be
23 done correctly.

24 And while they would like to have 44 places,
25 parking spaces and, you know, we want whatever will work for

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3 the club, if they could get by with fewer that would
4 certainly not be something that we would object to.

5 So, and, again, I think we share Maggie's
6 concern that a large parking area that's back in a remote
7 area off the beaten path does attract cars to park and do
8 whatever they would do. So we're a little bit concerned
9 about that. And I think that's all I have to say. Thank you
10 very much.

11 MR. BOEHNER: Thank you.

12 CHAIRPERSON PRICE: John, a question for you.
13 The soil around your home is it -- are you in a sandy area or
14 is this more of a Brighton clay?

15 JOHN BUTTRILL: Well, you know, there's clay
16 but another question I guess I had is there is a lot of
17 bedrock and there's some outcroppings.

18 And have you done sampling to see if the
19 grading can be done without removing a lot of rock? I mean,
20 because there's a lot of rock. Right? We actually have a
21 path right now that comes from our house that comes over
22 here. There are a couple places where you see rock coming
23 out of this ground. The bedrock comes right up to the
24 surface. So I have to believe there's bedrock here and I
25 don't know if this is going to cost a lot of money to do

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that.

4

CHAIRPERSON PRICE: Please feel free to respond. Thank you.

6

7 bedrock is relatively shallow. We encountered that when we
8 did the pool project. And sometimes there was only two or
9 three feet and sometimes only a foot before you hit some of
10 that bedrock. And it did have to be chiseled and it did have
11 to be broken out.

12

13 hoed out or does it have to be blasted, or can it be ram
14 hoed?

15

16 jacked and ram hoed out of that. What we are doing with the
17 site though, is we're actually filling some of that area.
18 We're actually not going to be digging into the existing
19 subsoils as much. We hope the majority of this area, the
20 high point we would be taking down and then we would filling
21 in this zone and filling in the back zone to raise that
22 grade. We are not going to be excavating in close proximity
23 to that property line.

24

25

Have we done any test kits in that area? No,

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3 CHAIRPERSON PRICE: But you know with the
4 experience of the pool at least?

5

ANDREW SPENCER: Yes.

6

CHAIRPERSON PRICE: Thank you.

7

MAGGIE SYMINGTON: So I'm just wondering, can I ask a question?

9

CHAIRPERSON PRICE: You have to address us.

10

11 when you asked if they had considered other spots for the
12 parking if you were thinking maybe of the very underutilized
13 ice rink as a potential location for the parking? Was that
14 something you were thinking to ask?

15

16 does it have to be such a concentration right there? And I
17 guess the question is, is this just one of those you have
18 enough asphalt already, it's just not in the right place?
19 Which is typically the situation. Or you have parking out by
20 Elmwood Avenue, it's not convenient and, you know, we're
21 taking out trees and getting into people's back yards for the
22 convenience of the members. That's about it.

23

just not in the right place and is there other considerations
of how to get people around other than the continued

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3 convenience of the automobile?

4

4 ANDREW SPENCER: Would you like me to -- the
5 ice rink, yes, we did take a look at what the ice rink would
6 potentially provide us. That being said, there has been
7 increased interest in tennis on the -- within the Country
8 Club of Rochester and that may actually be a location where
9 additional tennis courts may be going in the near future,
10 five, ten, fifteen years. But there has been discussions
11 about reutilizing that space for additional activities and
12 tennis was one of them.

13

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CHAIRPERSON PRICE: This is a Public Hearing,
is there else that would like to speak?

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3 discussion I wonder if it's worth considering instead of

4 taking down all of the trees and what I think is mature

5 forest, instead replacing one of the current tennis courts

6 which is directly imposed to the parking lot which serves

7 everything you are talking about and with the long-term plan

8 in mind, putting all of the additional parking spots there

9 and then subsequently replacing some or all of the existing

10 skating rink with another plan.

11 We've lived there for 20 years, we walk by

12 that every day and there's a lot of land between the existing

13 parking lots and the tennis courts which are underutilized

14 for much of the year. Instead of taking down all of the

15 trees replace the first tennis court with the parking spots

16 and then ultimately replace the dilapidated hut that's

17 between the tennis courts and the existing skating rink with

18 another court and just move it down.

19 I'm sure I don't understand all of the

20 ramifications in terms of drainage and such, but I think the

21 existing parking lot is right opposite the fitness club, has

22 drainage issues any way. Maybe you could all just take care

23 of it all at once. Preserve the forest, put the parking lot

24 in one of the existing tennis courts, take down the little

25 shed which would be minimal expensive, and move the tennis

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3 court one further to the east.

4

5 CHAIRPERSON PRICE: So the area, you point to

6

7 LUCY SHIELDS: These are the existing four

8

9 CHAIRPERSON PRICE: So you're suggesting --

10 LUCY SHIELDS: This is a little unclear, but

11 this is where the new -- and that's all mature forest. And

12 instead, this is the existing parking lot that serves the

13 cul-de-sac you mentioned. Replace the first tennis court

14 here with more parking. It's immediately adjacent to the

15 existing parking that was put on in conjunction with the

16 expansion. And ultimately, there's a little shed here and

17 this is the asphalt for the skating rink that is used about

18 two days a year, and put a tennis court here. And then in

19 the long term expand this way if you will, but still save

20 that forest here and preserve your relationship with the

neighbors.

21

22

MR. FADER: I think you should become an

engineer.

23

24

CHAIRPERSON PRICE: Thank you very much,

appreciate your time. Anyone else?

25

GARDNER ODENBACH: Good evening, Gardner

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3 Odenbach, 5 Whitney Lane. I have a concern about the
4 lighting. This 12-foot carriage lights that are proposed are
5 extremely bright. There are some right now around the pool
6 area and the half dozen right now are shining right into our
7 house and they're extremely bright. So I have a concern if
8 you are adding three more now to the new parking lot the
9 brightness of the lights and the height of them are extremely
10 disturbing.

11 Also, the drainage in the pool parking lot is
12 a problem. Any time after a rain it does flood through
13 there, there's a lot of puddles, so that also has to be
14 addressed. So there's a drainage issue already in the pool
15 parking lot. So that's it.

16 CHAIRPERSON PRICE: Thank you. Everybody have
17 a chance?

18 JULIE ODENBACH: Hi, I'm Julie Odenbach and I
19 also live at 5 Whitney Lane. My experience is right now for
20 tennis -- and I do believe there are many times during the
21 year you do need more parking. For tennis and paddle, I
22 don't see people coming from that new parking lot and walking
23 down. Right now they park along the road and the tennis
24 ladies won't even park at the paddle courts, hardly. They
25 just want to park right by their tennis courts.

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3 a fixture here, a fixture here, and a fixture here. And it
4 provides illumination to get you around the parking area.

5 Those are, if you drive there today those are
6 the fixtures that are existing behind this area of the
7 parking field along this access drive to the cul-de-sac and
8 along the entire road going back out to East Avenue, as well
9 as the other parking lot.

10 MR. DOLLINGER: So they're the same fixtures
11 that are on the current parking that comes into the
12 cul-de-sac?

13 ANDREW SPENCER: Yes, that is correct, that is
14 correct. As I said, in 2016 when we did the expansion to the
15 clubhouse those three fixtures were not utilized and now we
16 have the opportunity to use those fixtures.

17 If I could just make two comments regarding
18 the parking. Again, one of the reasons that the club would
19 like to have the parking in this location is for the
20 proximity to the uses that are in the club today, and as well
21 as trying to get parking off of this roadway. Part of the
22 challenge of parking today is people are pulling off, going
23 into the grass areas, going off into areas where there is a
24 potential to get hit by a golf ball. They are literally
25 parking in the golf course.

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A PERSON IN THE AUDIENCE: No.

4

A PERSON IN THE AUDIENCE: No.

5

6

A PERSON IN THE AUDIENCE: No, that's not true, sorry.

7

8

MICHAEL SMITH: By number 16, we have parking there, so we have parking there --

9

10

MR. BOEHNER: Can you come up and give you name for the record to the Stenographer?

11

12

13

14

15

16

17

MICHAEL SMITH: Yes. Michael Smith, General Manager for Country Club of Rochester. To address the areas of parking, right now during our -- where we do have parking challenges we have especially during the pig roast, during our times, you know, peak times in the summertime, we do have parking where we are parking off of Elmwood Avenue right next to the 16 fairway near the green.

18

19

20

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25

The other spot is when you first pull in off of East Avenue to the left, down in that grass area there's parking that we have cars going in there during peak times. So we do see that as an impact to the club and we're --

A PERSON IN THE AUDIENCE: You're absolutely right, during pig roast, but people aren't golfing during that.

MICHAEL SMITH: Definitely, that's one

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3 example --

4 MR. BOEHNER: I'm sorry we can't --

5 CHAIRPERSON PRICE: We have to control this a
6 little better. We cannot talk between everyone. We
7 appreciate you all coming out though.8 MICHAEL SMITH: As I mentioned, during key
9 times of the year we have parking issues.10 CHAIRPERSON PRICE: Is that eight times a
11 year, is that ten times a year?12 MICHAEL SMITH: I would say 10 to 12 times a
13 year for sure.

14 CHAIRPERSON PRICE: Okay.

15 MS. DELANEY: Can I ask a question about the
16 skating rink? So the skating rink is a paved asphalt --

17 MICHAEL SMITH: It is not.

18 MS. DELANEY: But it's like an asphalt --

19 MICHAEL SMITH: No, it is a rubber membrane
20 that is down below.

21 MS. DELANEY: Okay.

22 MICHAEL SMITH: It is not asphalt.

23 CHAIRPERSON PRICE: Okay.

24 ANDREW SPENCER: Getting back on track, the
25 next steps, the things we need to do. We have made

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3 application to be on the Architectural Review Board meeting
4 next Tuesday. Meeting with them for the first time to review
5 the building architecture and the aesthetics of the
6 architecture. We are on the docket for the March 4th, Zoning
7 Board of Appeals meeting to review the requested variances
8 for the building setback. And then hopefully we can get
9 approval for some or all of this and be back before you.

10

11 And I know that this Board may not be able to
12 make a decision this evening because you don't have other
13 boards input. So we would look to come back to you in the
14 March time frame to review this once again to request
preliminary final site plan.

15

16 CHAIRPERSON PRICE: Ramsey, what would be the
17 deadline for submittal back to us after the Zoning Board of
Appeals or does this remain open?

18

19 MR. BOEHNER: It remains adjourned or tabled
20 on our agenda. And if he's going to be resubmitting
information it's two week prior to the Planning Board
21 meeting.

22

23 CHAIRPERSON PRICE: Okay.

24

25 MR. BOEHNER: When he gets the applications to
us.

26

27 CHAIRPERSON PRICE: Okay.

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23 A PERSON IN THE AUDIENCE: Could I ask a
4 question?5 CHAIRPERSON PRICE: Just a second. Okay. So
6 we know your next steps.7 MR. BOEHNER: There's one additional step, the
8 Historical Preservation will review the application next
9 Thursday.

10 CHAIRPERSON PRICE: For what purpose?

11 MR. BOEHNER: Because it's a demolition. All
12 demolitions and buildings get reviewed by them.

13 CHAIRPERSON PRICE: Okay, thank you.

14 LINDA BUTTRILL: I just have a question about
15 the --16 MR. BOEHNER: Can you just give your name for
17 the record?18 LINDA BUTTRILL: Linda Buttrill, 7 Whitney
19 Lane.

20 CHAIRPERSON PRICE: Can you come up?

21 LINDA BUTTRILL: It's about the parking --

22 MR. BOEHNER: Did you get her name?

23 THE COURT REPORTER: No.

24 MR. BOEHNER: Could you give your name again?

25 LINDA BUTTRILL: Linda Buttrill, 7 Whitney

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3 Lane.

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THE COURT REPORTER: Thank you.

5

6 LINDA BUTTRILL: I have a question about the

7 parking setback. You said it's normally 150 feet.

8

CHAIRPERSON PRICE: Correct.

9

MR. BOEHNER: That's what the code requires.

10

LINDA BUTTRILL: And they want 15 feet?

11

MR. BOEHNER: Yes.

12

LINDA BUTTRILL: So, okay. I live here.

13

CHAIRPERSON PRICE: Yes.

14

LINDA BUTTRILL: And they are going to start
the parking lot 20 feet from the --

15

16

CHAIRPERSON PRICE: Yes. It will be from

your --

17

18

LINDA BUTTRILL: But the rules should really
be that they would be from this part?

19

20

CHAIRPERSON PRICE: It would be past the
tennis courts and then to put --

21

22

LINDA BUTTRILL: Okay, just curious. Thank

you.

23

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CHAIRPERSON PRICE: They will be going to

Zoning Board of Appeals and making the argument that there is
pre-existing parking on the site that has historically been

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3 there within that 150 feet, that there is precedent on site.

4 CHAIRPERSON PRICE: Okay.

5 JULIE ODENBACH: I just have a question, did
6 they specify the you talk about the size of these trees being
7 tiny and only growing in 10 to 15 years, did they specify in
8 their plan the size of these as well and are these current
9 buffer or are these like --

10 CHAIRPERSON PRICE: It is all new.

11 JULIE ODENBACH: But you can plant something
12 new that's this tall, are they planning on planting something
13 new that is this tall?14 CHAIRPERSON PRICE: It's actually a
15 combination of shrubs and trees. So with their idea is to
16 buffer headlights as well as provide -- start to put that
17 canopy back, but it won't be day one.18 JULIE ODENBACH: But there would be something
19 --

20 CHAIRPERSON PRICE: It will be there.

21 JULIE ODENBACH: And there would be something
22 at least 12 feet to buffer us from the light?

23 CHAIRPERSON PRICE: Correct.

24 JULIE ODENBACH: Okay.

25 CHAIRPERSON PRICE: And that will only get

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3 four over top.

4 JULIE ODENBACH: Right.

5 CHAIRPERSON PRICE: Okay, thank you. I don't
6 see anymore questions. Thank you very much.

7 MR. BOEHNER: Thank you, Andy.

8 CHAIRPERSON PRICE: We will take a two-minute
9 break.

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3 APPLICATION 2P-01-20

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5 2P-01-20 Application of Mamasan's Monroe LLC,
6 owner, for Conditional Use Permit Approval and Site Plan
7 Modification to operate a new restaurant and construct a 417
8 +/- sf patio for outdoor dining on property located at 2735
9 Monroe Avenue. All as described on application and plans on
file.

10

11

CHAIRPERSON PRICE: We will begin with
Mamasan's.

12

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MR. FADER: I move the Public Hearing be
closed and the Planning Board approves Application 2P-01-20
based on testimony given and plans submitted and the 34
conditions and we accept the negative declaration as prepared
by the Town staff.

CONDITIONS:

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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

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3 Town Engineer and Fire Marshal shall be addressed.

4

5 Paragraph 201.16.B.(1) of the Code of the Town of
6 Brighton states, "Where deemed appropriate and feasible by
7 the Planning Board, Zoning Board of Appeals or authorized
8 official, a cross-access easement shall be required to
9 connect the parking areas between two or more adjacent lots.

10

11 Cross-access easements shall be considered when reviewing
12 proposals for new development, changes of use or any site
13 modifications." A cross access easement shall be provided.
14 The cross access easement shall be reviewed and approved by
15 the Deputy Town Attorney and Town Engineer. The approved
16 easement shall be filed with the Monroe County Clerk's
17 Office. A copy of the filed easement shall be submitted to
18 the Building and Planning Department for its records.

19

20 Paragraph 201.16.B.(3) of the Code of the Town of
21 Brighton states, "Where appropriate along highways containing
22 strip development, the Planning Board, Zoning Board of
23 Appeals or authorized official may identify existing curb
24 cuts that are to be removed or replaced with cross-access
25 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

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3 requires that the existing Monroe Avenue access drive be
4 modified to a right-in only configuration. All requirements
5 of the NYS DOT shall be met. The site plan shall be revised
6 to show details of the modification to a right-in only
7 configuration.

8 6. An Operational Permit shall be obtained from the Town of
9 Brighton Fire Marshal (Chris Roth, 585-784-5220).

10 7. The entire building shall comply with the most current
11 Building & Fire Codes of New York State.

12 8. Prior to issuance of any building permits, all plans for
13 utility and storm water control systems must be reviewed and
14 have been given approval by appropriate authorities. Prior
15 to any occupancy, work proposed on the approved plans shall
16 have been completed to a degree satisfactory to the
17 appropriate authorities.

18 9. Meet all requirements of the Town of Brighton's
19 Department of Public Works.

20 10. All Town codes shall be met that relate directly or
21 indirectly to the applicant's request.

22 11. The project and its construction entrance shall meet the
23 New York State Standards and Specifications for Erosion and
24 Sediment Control.

25 12. Erosion control measures shall be in place prior to site

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3 disturbance.

4 13. The applicant shall review the site plan, elevations,
5 and floor plans to ensure that the areas and dimensions
6 provided on those plans agree with one another. Any changes
7 to plans shall be reviewed by the Building and Planning
8 Department and may require Planning Board approval.9 14. The contractor shall designate a member of his or her
10 firm to be responsible to monitor erosion control, erosion
11 control structures, tree protection and preservation
12 throughout construction.13 15. Maintenance of landscape plantings shall be guaranteed
14 for three (3) years.15 16. Any contractor or individual involved in the planting,
16 maintenance or removal of trees shall comply with the
17 requirements of the town's Excavation and Clearing (Chapter
18 66), Trees (Chapter 175) and other pertinent regulations and
19 shall be registered and shall carry insurance as required by
20 Chapter 175 of the Comprehensive Development Regulations.21 17. Hours of operation shall be limited to the hours between
22 6 AM and midnight without further approval by the board.23 18. The parking lot shall be striped as per the requirements
24 of the Brighton Comprehensive Development Regulations.

25 19. Striping and signage for accessible parking spaces shall

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3 meet current requirements. Plans and details shall be
4 revised as necessary to comply. All new accessible parking
5 space signage to be installed shall have the logo depicting a
6 dynamic character leaning forward with a sense of movement as
7 required by the Secretary of State pursuant to Section 101 of
8 the Executive Law

9 20. Fire hydrants shall be fully operational prior to and
10 during construction of the building.

11 21. Erosion control measures shall be in place prior to site
12 disturbance.

13 22. The proposed building shall be sprinklered if required
14 by NYS or Brighton regulations.

15 23. The location of HVAC and vents shall be shown on the
16 site plan and shall be submitted to the Building and Planning
17 Department for review and approval.

18 24. All requirements of Sections 203-84.B.3 (restaurant
19 regulations), 203-84.B.4 (Outdoor Dining Facilities),
20 207-14.1 (waste container and grease/oil container
21 standards), and 207-142 (supplemental restaurant
22 regulations), as well as any other pertinent sections of the
23 code, shall be met.

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

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3 Department for review.

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

7 27. Any proposed signage shall require separate review.

8 28. Applicable Town standard details and notes will need to
9 be incorporated into the design drawings.10 29. Permits will be required from the Town's Sewer
11 Department and may be required from other jurisdictional
12 agencies. A grease trap shall be installed. The grease trap
13 shall be approved by the Town of Brighton.14 30. All comments and concerns of the Town Engineer as
15 contained in the attached memo to Ramsey Boehner, shall be
16 addressed.17 31. A letter or memo in response to all Planning Board and
18 Town Engineer comments and conditions shall be submitted.19 32. A landscape architect shall review the landscape plan
20 and make necessary modifications to ensure adequate sight
21 distance is provided along Monroe Avenue.22 33. The proposed shed shall meet the requirements of the
23 comprehensive development regulations. The proposed shed
24 shall be reviewed by the Architectural Review Board as part
25 of the building review.

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

9 MR. WENTWORTH: Second.

10 CHAIRPERSON PRICE: Moved and second, is there
11 any discussion?

12 Whoever moved and seconded the amended, are
13 you okay?

14 MR. FADER: Yes.

15 MR. WENTWORTH: Yes.

16 CHAIRPERSON PRICE: Okay. Moved and seconded,
17 all in favor as amended?

18 ALL COUNCIL MEMBERS: Aye.

19 CHAIRPERSON PRICE: Opposed? Motion carries.

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BRIGHTON PLANNING BOARD 02/19/2020

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3 | APPLICATION 2P-02-20

4 2P-02-20 Application of the Country Club of
5 Rochester, owner, for Preliminary/Final Site Plan Approval
6 and Demolition Review and Approval to raze an existing
7 maintenance building and replace it with an 8,550 +/- sf
8 maintenance building and to construct an additional 44 +/-
9 parking spaces on property located at 2935 East Avenue. All
10 as described on application and plans on file.

11 CHAIRPERSON PRICE: Let's go to the Country
12 Club of Rochester. Is there a motion?

13 MS. CIVILETTI: I move that Application
14 2P-02-20 be tabled based on testimony given and plans
15 submitted. Additional information is requested in order to
16 make a determination of significance, and to have a complete
17 application. The 34 items outlined in the Planning Board
18 report are required to be submitted no later than two weeks
19 prior to the next Planning Board meeting.

20

CONDITIONS :

21 1. An Operational Permit shall be obtained from the Town of

22 Brighton Fire Marshal (Chris Roth, 585-784-5220).

23 2. The entire building shall comply with the most current

24 Building & Fire Codes of New York State.

25 3. Prior to issuance of any building permits, all plans for

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3 utility and storm water control systems must be reviewed and
4 have been given approval by appropriate authorities. Prior
5 to any occupancy, work proposed on the approved plans shall
6 have been completed to a degree satisfactory to the
7 appropriate authorities.

8 4. Prior to the issuance of any building permits the
9 architectural design and building materials of the proposed
10 building shall be reviewed and approved by the Town of
11 Brighton Architectural Review Board.

12 5. Meet all requirements of the Town of Brighton's
13 Department of Public Works.

14 6. All Town codes shall be met that relate directly or
15 indirectly to the applicant's request.

16 7. The project and its construction entrance shall meet the
17 New York State Standards and Specifications for Erosion and
18 Sediment Control.

19 8. The contractor shall designate a member of his or her
20 firm to be responsible to monitor erosion control, erosion
21 control structures, tree protection and preservation
22 throughout construction.

23 9. Erosion control measures shall be in place prior to site
24 disturbance.

25 10. All trees to be saved shall be protected with orange

3 construction fencing placed at the drip line or a distance
4 greater than the drip line. Trees shall be pruned, watered,
5 and fertilized prior to, during and after construction.
6 Materials and equipment storage shall not be allowed in
7 fenced areas.

8 11. Maintenance of landscape plantings shall be guaranteed
9 for three (3) years.

10 12. Any contractor or individual involved in the planting,
11 maintenance or removal of trees shall comply with the
12 requirements of the town's Excavation and Clearing (Chapter
13 66), Trees (Chapter 175) and other pertinent regulations and
14 shall be registered and shall carry insurance as required by
15 Chapter 175 of the Comprehensive Development Regulations.

16 13. The parking lot shall be striped as per the requirements
17 of the Brighton Comprehensive Development Regulations.

18 14. Maintenance and repair of equipment shall only be
19 permitted in designated indoors areas.

20 15. An oil collection tank shall be installed as required by
21 the Town.

22 16. All outstanding Site Plan comments and concerns of the
23 Town Engineer and Fire Marshal shall be addressed.

24 17. All proposed landscaping shall be installed prior to the
25 issuance of a certification of occupancy.

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3 18. All outstanding Site Plan comments and concerns of the
4 Town Engineer regarding soil erosion, storm water control,
5 water system and sanitary sewer design shall be addressed.

6 19. A letter of credit shall be provided to cover certain
7 aspects of the project, including, but not limited to
8 demolition, landscaping, stormwater mitigation,
9 infrastructure and erosion control. The applicant's engineer
10 shall prepare an itemized estimate of the scope of the
11 project as a basis for the letter of credit.

12 20. A pre-demolition asbestos survey shall be submitted for
13 the building proposed to be demolished.

14 21. A letter or memo in response to all Planning Board and
15 Evert Garcia comments and conditions shall be submitted.

16 22. The project will comply with the requirements of NYSDOL
17 Code Rule 56 regarding asbestos control and Chapter 91 of the
18 Code of the Town of Brighton, Lead-Based Paint Removal. In
19 addition to any other requirements of Code Rule 56, the
20 applicant shall verify that the project will comply with
21 Section 56-3.4(a)(2) regarding on-site maintenance of a
22 project record, and Section 56-3.6(a) regarding 10 Day Notice
23 requirements for residential and business occupants. The
24 property owner shall ensure that the licensing requirements
25 of Section 56-3 and asbestos survey and removal requirements

3 of Section 56-5 are met.

4 23. The fuel tanks shall be reviewed and approved by the
5 Fire Marshal.

6 24. The proposed building shall be sprinklered in accordance
7 with Town requirements.

8 25. The applicant shall review the site plan, elevations,
9 and floor plans to ensure that the areas and dimensions
10 provided on those plans agree with one another. Elevation
11 drawings showing the height of the structure in relationship
12 to proposed grade as shown on the approved site plan shall be
13 submitted. Any changes to plans shall be reviewed by the
14 Building and Planning Department and may require planning
15 Board approval.

16 26. If applicable, the location of any proposed generators
17 shall be shown on the site plan. All requirements of the
18 Comprehensive Development Regulations shall be met or a
19 variance shall be obtained from the Zoning Board of Appeals.

20 27. The location of the HVAC shall be shown on the site
21 plan.

22 28. The proposed demolition of the building shall be
23 reviewed by the Historic Preservation Commission.

24 29. If any site lighting is proposed as part of this
25 project, a lighting plan which shows the type, location and

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3 lighting contours shall be submitted. Any proposed parking
4 lot lights shall be placed on a timer. The proposed light
5 shall be designed to reduce the impacts to the surrounding
6 properties.

7 30. All County Development Review Comments shall be
8 addressed.

9 31. All comments and concerns contained in the attached memo
10 from Evert Garcia dated February 17, 2020 shall be addressed.

11 32. The project engineer shall confirm if additional
12 accessible parking spaces are required to be installed as
13 part of this project. All new accessible parking space
14 signage to be installed or replaced shall have the logo
15 depicting a dynamic character leaning forward with a sense of
16 movement as required by Secretary of State pursuant to
17 section one hundred one of the Executive Law.

18 33. The plans shall be revised to address the following
19 comments of the Conservation Board:

20 A. Deciduous tree plantings to be 3 - 3 1/2 inches in
21 caliper.

22 B. Tree removal/plantings should be on a one to one
23 ratio.

24 C. Show snow storage areas on site plan. Every effort
25 should be made to avoid storing snow in areas adjacent to

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3 single family homes.

4 34. The proposed building will be 42' and the parking will
5 be 15' from the nearest property lines. The Comprehensive
6 Development Regulation require 150 foot setback for both the
7 building and parking. All required variances shall be
8 obtained from the Zoning Board of Appeals.9 35. Existing conditions plan shall be submitted which shows
10 the entire site and facilities.11 36. Alternative parking solutions that minimize the setback
12 variances and the loss of trees shall be submitted.13 37. Submittal of a plan that shows the proposed parking more
14 efficiently reconfigured in an effort to save trees.15 38. The proposed buffer between the proposed parking and
16 neighboring properties shall be increased.

17 MR. BABCOCK-STINER: Second.

18 CHAIRPERSON PRICE: Who made the motion,
19 Laura? Seconded was Jason. You guys good with the
20 amendments, yes? Moved and seconded, all in favor?

21 ALL COUNCIL MEMBERS: Aye.

22 CHAIRPERSON PRICE: Opposed? None.

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SIGNS:

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5 1575 Boomtown Cafe, for a building face sign at 1900 South

Clinton Avenue.

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7 1576 Doodle Bugs - Children's Learning Academy, for a

8 building face sign at 1925 South Clinton Avenue.

9

10 1577 Five Guys, for a building face sign at 1881 Monroe

11 Avenue.

12

13 1578 Bobbin Case, Nikki Nails, Weiders Paint, Parts Plus, for

14 a building face sign at 1780 Monroe Avenue.

15

16 1579 Baroness Tavern, for a building face sign at 1776 Monroe

17 Avenue.

18

MR. BOEHNER: Sign 1575 approved as submitted.

19

Sign 1576, approved as presented.

20

Sign 1577, approved as presented.

21

Sign 1578, approved as presented.

22

Sign 1579, approved with conditions. The sign

shall not exceed the 52.5 square feet based on the building

frontage and code requirements.

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3 REPORTER CERTIFICATE
45 I, Rhoda Collins, do hereby certify that I did
6 report in stenotype machine shorthand the proceedings held in
7 the above-entitled matter;8 Further, that the foregoing transcript is a true and
9 accurate transcription of my said stenographic notes taken at
10 the time and place hereinbefore set forth.11
12 Dated this 6th day of February, 2019.13 At Rochester, New York
14
1516 Rhoda Collins
17 Rhoda Collins
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