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

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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	)	BOARD MEMBERS
DAVID FADER	)	
JASON BABCOCK-STINER	)	
JAMES WENTWORTH	)	

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

## BRIGHTON PLANNING BOARD 02/19/2020

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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2P-01-20 Application of Mamasan'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.

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

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

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a variance.

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

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

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

GREG MCMAHON: Yes. The Conditional Use Permit, it is for the restaurant, and it will be operated very similar to Mamasan's across the street, opening for 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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answer the question.

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

MR. BOEHNER: Will you have any live entertainment?

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.

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

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

MR. BOEHNER: How will the kitchen be vented?

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

RANDY PEACOCK: Good evening. Randy Peacock,

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

MR. BOEHNER: And it goes right through the roof?

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

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

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

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

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meeting in march.

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

RANDY PEACOCK: That was kind of a last minute addition. I'm simply going to take that same type of enclosure around that. It's kind of a misnomer, these aren't just some shiny metal box of stuff on the back. They have a 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.

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

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

MR. BOEHNER: Will the building be sprinkled?

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

CHAIRPERSON PRICE: Any questions?

MR. DOLLINGER: Are those easements completed?

MR. BOEHNER: No.

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

MR. BOEHNER: No, they are not.

GREG MCMAHON: We prepared the meets and bounds and the easement map. I know we prepared one easement and submitted, there was some issues with the wording. We have an easement that was filed by the attorney Phil Silver, but I have to readdress that because there may be some, while the easement wording may be correct, there may be some issues with the meets and bounds matching what we got.

As we proceed with this, that's going to be by -- I'm going to address that right away because that was really the only thing holding up signature of the older plans and we don't want to delay this any longer than necessary.

MR. DOLLINGER: You should have him contact me. I started talking to him but that was a while ago. I'm not sure that's the right party.

MR. BOEHNER: Yeah, it was.

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

5 MR. BOEHNER: That's what it was.

6 MR. DOLLINGER: I thought it was a problem.  
7 We don't need to discuss it now, but I think you could have  
8 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.

20 This is a Public Hearing, is there anyone who  
21 cares to address this?

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

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

CHAIRPERSON PRICE: Thank you. Anyone else?

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

APPLICATION 2P-02-20

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

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3 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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approximately 5,000 square feet in size. It is located right here.

What we are proposing is an 8,500-square foot structure that would be parallel with the rear property line instead of that screwed orientation fence. The building will be utilized just as it is today for maintenance facility of the club. They do maintenance of their lawnmowers, sometimes their vehicles they utilize on the site. There will be no maintenance of trucks and cars within this structure. It's purely for the golf course equipment. A gulf cart blows a tire and they may repair it in this location, otherwise it's shipped off to another location.

This is the existing site of the maintenance facility since about 1970, 1972. None of us were in tenure at the time to knowing exactly when that was constructed but it was roughly in the '70s. The main clubhouse was reconstructed back in that same period of time so we assume it was in the 1970s that this was built.

Why are they proposing to put up a new facility? When we provided you with a letter regarding the demolition permit and provided you some photographs of the existing conditions of the building. It is a metal sided, metal roof structure and at this point it is deteriorated.

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It's actually rusting from the bottom up and they have to continuously do upgrades to that facility.

Secondly, the facility is undersized for what they would like to utilize it for. There is a small office in the building, there's a small employee gathering, lunch room in the site but they do want to expand that and provide a better location for their employees.

About two-thirds of the structure would be conditioned. It will be airtight, air conditioned, heated. And the other third of the structure will be unconditioned space. The conditioned space is roughly this zone here. Our unconditioned space will be this end right here. That's mainly for the storage of equipment. They are proposing a structure about 20 feet in height to the peak, about 16 feet to the eave and that will allow for 12-foot garage doors to be installed. Apparently they have ten-foot doors, and it's a little bit too low for some of their equipment to get in.

There are -- this is a rendering of the structure you may have seen a different rendering in your packets. This shows a different configuration on the roof panels, those have been removed.

This is the facade that will be facing the club itself, the pool area and the main clubhouse. This

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

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

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

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

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

The building being proposed for approximately



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

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

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

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

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

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

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

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

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match what is occurring over on the main clubhouse itself.  
Trying to carry it in a little bit better.

I think I have run through everything very,  
very quickly here, but I'm more than happy to answer any  
questions or provide any more specific details.

CHAIRPERSON PRICE: Thank you. I think I will  
hold questions on the maintenance facility. The parking lot  
is kind of the one that seems to have the most concerns for  
me, and the number of trees that you are proposing to remove,  
and the size of the trees that are being proposed. The one  
thing that we don't have the advantage of with this is a topo  
or a survey of the entire site to see where else you had  
considered placing some of this parking.

And, you know, what some of the alternatives  
were, you know, this seems to be a pretty significant  
intrusion into the setback and to the adjacent neighbors, but  
also the removal of trees seems to be pretty extreme.

ANDREW SPENCER: On the removal of the trees,  
we did do a tree survey, you can find it in the back of that  
package that you have. There are a number of the trees that  
are there that are now dead. There are some dead white  
pines, there are some locust in that area as well as a few  
ash trees. The club has been continuously upgrading and

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2  
3 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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dining more than anything, as well as to access the pool from the exterior.

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

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

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

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

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ANDREW SPENCER: The cul-de-sac is necessary based upon the most receipt 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.

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

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

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.

MR. DOLLINGER: Do you recall that?

MR. BOEHNER: Yes, I do.

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

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

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

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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.

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

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

ANDREW SPENCER: Is that a trick question?

MR. BABCOCK-STINER: Could it be phased? 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. 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?

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.

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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3 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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1  
2  
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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1  
2  
3 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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1  
2  
3 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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One, another one I believe in this aisle, and another one down here.

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

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

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

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

MR. BOEHNER: Do they have residential shields?

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

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1  
2  
3 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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1  
2  
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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That exists on the site today in this zone and it's being kept in this area right here.

So those materials will be left outside. We'll have our fuel tanks outside, we have an existing chemical building with some fertilizers and herbicides that will be shifted from its current location here to the end of the structure here, and here's the garage door is right there at that end.

But there are some materials and the reasons again for expanding this facility is to get the equipment inside. Right now they have a backhoe that sits outside. So now that will be able to be inside. There's some loose odds and ends, some tree carts, some other types of gulf cart carts, all of that stuff to be housed within the structure and get them out of the outside. As much for protection for the equipment than anything else.

MR. BOEHNER: Have you guys done a pre-demolition asbestos survey?

ANDREW SPENCER: I don't know if that has been has been completed by the architect and the builders yet.

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

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

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

MR. BOEHNER: Okay.

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

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

CHAIRPERSON PRICE: Sorry.

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

CHAIRPERSON PRICE: We can guess probably.

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

Our property backs up to the proposed

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2  
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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1  
2  
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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JOHN BUTTRILL: My name is John Buttrill and my wife and I own the property at 7 Whitney Lane, which is this property here and the property would be right here. So we are the immediate adjacent property.

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

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

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

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

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

MR. BOEHNER: Thank you.

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

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

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

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that.

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

ANDREW SPENCER: We know on the site that bedrock is relatively shallow. We encountered that when we did the pool project. And sometimes there was only two or three feet and sometimes only a foot before you hit some of that bedrock. And it did have to be chiseled and it did have to be broken out.

CHAIRPERSON PRICE: Does it have to be ram hoed out or does it have to be blasted, or can it be ram hoed?

ANDREW SPENCER: It can be ram hoed, it can be jacked and ram hoed out of that. What we are doing with the site though, is we're actually filling some of that area. We're actually not going to be digging into the existing subsoils as much. We hope the majority of this area, the high point we would be taking down and then we would filling in this zone and filling in the back zone to raise that grade. We are not going to be excavating in close proximity to that property line.

Have we done any test kits in that area? No, we have not.

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

ANDREW SPENCER: Yes.

CHAIRPERSON PRICE: Thank you.

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

CHAIRPERSON PRICE: You have to address us.

MAGGIE SYMINGTON: Okay. So I'm wondering when you asked if they had considered other spots for the parking if you were thinking maybe of the very underutilized ice rink as a potential location for the parking? Was that something you were thinking to ask?

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

My concern is, you have enough asphalt it's 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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convenience of the automobile?

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

There are quite a few spaces that exist along this drive area and I believe you are correct, they are not located in a location that is easily usable and best used to get to the clubhouse itself and to provide parking for those elements that are immediately around this.

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

LUCY SHIELDS: My name is Lucy Shields, we live at 3 Whitney Lane, which is not directly impacted by this. My husband and I have seen the plans, the long-term plans for the Country Club proposed. We understand that there's thought to replacing the skating rink with additional clay courts. And with that in mind, in light of the recent

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discussion I wonder if it's worth considering instead of taking down all of the trees and what I think is mature forest, instead replacing one of the current tennis courts which is directly imposed to the parking lot which serves everything you are talking about and with the long-term plan in mind, putting all of the additional parking spots there and then subsequently replacing some or all of the existing skating rink with another plan.

We've lived there for 20 years, we walk by that every day and there's a lot of land between the existing parking lots and the tennis courts which are underutilized for much of the year. Instead of taking down all of the trees replace the first tennis court with the parking spots and then ultimately replace the dilapidated hut that's between the tennis courts and the existing skating rink with another court and just move it down.

I'm sure I don't understand all of the ramifications in terms of drainage and such, but I think the existing parking lot is right opposite the fitness club, has drainage issues any way. Maybe you could all just take care of it all at once. Preserve the forest, put the parking lot in one of the existing tennis courts, take down the little shed which would be minimal expensive, and move the tennis

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court one further to the east.

CHAIRPERSON PRICE: So the area, you point to the tennis courts on there.

LUCY SHIELDS: These are the existing four tennis courts.

CHAIRPERSON PRICE: So you're suggesting --

LUCY SHIELDS: This is a little unclear, but this is where the new -- and that's all mature forest. And instead, this is the existing parking lot that serves the cul-de-sac you mentioned. Replace the first tennis court here with more parking. It's immediately adjacent to the existing parking that was put on in conjunction with the expansion. And ultimately, there's a little shed here and this is the asphalt for the skating rink that is used about two days a year, and put a tennis court here. And then in the long term expand this way if you will, but still save that forest here and preserve your relationship with the neighbors.

MR. FADER: I think you should become an engineer.

CHAIRPERSON PRICE: Thank you very much, appreciate your time. Anyone else?

GARDNER ODENBACH: Good evening, Gardner

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

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

CHAIRPERSON PRICE: Thank you. Everybody have a chance?

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

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Your idea is a good idea, Lucy, except the last tennis court is really below grade. I don't know how you could ever fill that in to get it up to a parking, I don't know how that would work. But there must be a way you can make one happen. So, thank you.

CHAIRPERSON PRICE: Thank you. Anyone else? Okay, very good.

Andy, do you mind just doing a quick recap on the Zoning Board of Appeals, Architectural Review Board and the rest of the process as you see it?

MR. DOLLINGER: Can I have a recap of the lighting again? Exactly what your intention is for the lighting? You're going to reuse some of the current lighting and then where is it going to go again? I just wanted to make sure I understand that.

ANDREW SPENCER: The lighting that we are proposing to use are the same fixtures that are out on the roadway at Country Club of Rochester today. So they are approximately 12 feet in the height and they are the carriage lamp style fixtures. We have three of them that are available to us for use in this parking facility, and they are proposed to be one at this zone right here, one in this area here, and then one back here. For those who didn't see,

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1  
2  
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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2  
3 A PERSON IN THE AUDIENCE: No.

4 A PERSON IN THE AUDIENCE: No.

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

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

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

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

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

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

25 MICHAEL SMITH: Definitely, that's one

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example --

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

CHAIRPERSON PRICE: We have to control this a little better. We cannot talk between everyone. We appreciate you all coming out though.

MICHAEL SMITH: As I mentioned, during key times of the year we have parking issues.

CHAIRPERSON PRICE: Is that eight times a year, is that ten times a year?

MICHAEL SMITH: I would say 10 to 12 times a year for sure.

CHAIRPERSON PRICE: Okay.

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

MICHAEL SMITH: It is not.

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

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

MS. DELANEY: Okay.

MICHAEL SMITH: It is not asphalt.

CHAIRPERSON PRICE: Okay.

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



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1  
2  
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 And I know that this Board may not be able to  
11 make a decision this evening because you don't have other  
12 boards input. So we would look to come back to you in the  
13 March time frame to review this once again to request  
14 preliminary final site plan.

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

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

22 CHAIRPERSON PRICE: Okay.

23 MR. BOEHNER: When he gets the applications to  
24 us.

25 CHAIRPERSON PRICE: Okay.

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A PERSON IN THE AUDIENCE: Could I ask a question?

CHAIRPERSON PRICE: Just a second. Okay. So we know your next steps.

MR. BOEHNER: There's one additional step, the Historical Preservation will review the application next Thursday.

CHAIRPERSON PRICE: For what purpose?

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

CHAIRPERSON PRICE: Okay, thank you.

LINDA BUTTRILL: I just have a question about the --

MR. BOEHNER: Can you just give you name for the record?

LINDA BUTTRILL: Linda Buttrill, 7 Whitney Lane.

CHAIRPERSON PRICE: Can you come up?

LINDA BUTTRILL: It's about the parking --

MR. BOEHNER: Did you get her name?

THE COURT REPORTER: No.

MR. BOEHNER: Could you give your name again?

LINDA BUTTRILL: Linda Buttrill, 7 Whitney

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Lane.

THE COURT REPORTER: Thank you.

LINDA BUTTRILL: I have a question about the parking setback. You said it's normally 150 feet.

CHAIRPERSON PRICE: Correct.

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

LINDA BUTTRILL: And they want 15 feet?

MR. BOEHNER: Yes.

LINDA BUTTRILL: So, okay. I live here.

CHAIRPERSON PRICE: Yes.

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

CHAIRPERSON PRICE: Yes. It will be from your --

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

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

LINDA BUTTRILL: Okay, just curious. Thank you.

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

CHAIRPERSON PRICE: Okay.

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

CHAIRPERSON PRICE: It is all new.

JULIE ODENBACH: But you can plant something new that's this tall, are they planning on planting something new that is this tall?

CHAIRPERSON PRICE: It's actually a combination of shrubs and trees. So with their idea is to buffer headlights as well as provide -- start to put that canopy back, but it won't be day one.

JULIE ODENBACH: But there would be something --

CHAIRPERSON PRICE: It will be there.

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

CHAIRPERSON PRICE: Correct.

JULIE ODENBACH: Okay.

CHAIRPERSON PRICE: And that will only get

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four over top.

JULIE ODENBACH: Right.

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

MR. BOEHNER: Thank you, Andy.

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

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APPLICATION 2P-01-20

2P-01-20 Application of Mamasan'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.

CHAIRPERSON PRICE: We will begin with Mamasan's.

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:**

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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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

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requires that the existing Monroe Avenue access drive be modified to a right-in only configuration. All requirements of the NYS DOT 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



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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

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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 207-142 (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

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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 the requirements of the comprehensive development regulations. The proposed shed shall be reviewed by the Architectural Review Board as part of the building review.

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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.

MR. WENTWORTH: Second.

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

Whoever moved and seconded the amended, are you okay?

MR. FADER: Yes.

MR. WENTWORTH: Yes.

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

ALL COUNCIL MEMBERS: Aye.

CHAIRPERSON PRICE: Opposed? Motion carries.

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## APPLICATION 2P-02-20

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

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

**CONDITIONS:**

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

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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

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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.

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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



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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

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

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 1/2 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

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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.

35. Existing conditions plan shall be submitted which shows the entire site and facilities.

36. Alternative parking solutions that minimize the setback variances and the loss of trees shall be submitted.

37. Submittal of a plan that shows the proposed parking more efficiently reconfigured in an effort to save trees.

38. The proposed buffer between the proposed parking and neighboring properties shall be increased.

MR. BABCOCK-STINER: Second.

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

ALL COUNCIL MEMBERS: Aye.

CHAIRPERSON PRICE: Opposed? None.

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**SIGNS:**

1575 Boomtown Cafe, for a building face sign at 1900 South Clinton Avenue.

1576 Doodle Bugs - Children's Learning Academy, for a building face sign at 1925 South Clinton Avenue.

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

1578 Bobbin Case, Nikki Nails, Weiders Paint, Parts Plus, for a building face sign at 1780 Monroe Avenue.

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

MR. BOEHNER: Sign 1575 approved as submitted.

Sign 1576, approved as presented.

Sign 1577, approved as presented.

Sign 1578, approved as presented.

Sign 1579, approved with conditions. The sign shall not exceed the 52.5 square feet based on the building frontage and code requirements.

## REPORTER CERTIFICATE

I, Rhoda Collins, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

Further, that the foregoing transcript is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth.

Dated this 6th day of February, 2019.

At Rochester, New York

*Rhoda Collins*  
Rhoda Collins