

T E N T A T I V E   A G E N D A  
BOARD OF APPEALS - TOWN OF BRIGHTON  
AUGUST 5, 2020

Due to the public gathering restrictions and executive orders in place because of COVID-19, this Zoning Board of Appeals meeting will be conducted remotely. Members of the public will be able to view the meeting via Zoom or online at The Town of Brighton's YouTube channel at <https://www.youtube.com/user/TownofBrighton>.

Written comments will be received by Rick DiStefano, Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to [rick.distefano@townofbrighton.org](mailto:rick.distefano@townofbrighton.org), until August 5, 2020 at 12:00 PM.

Applications subject to public hearings are available for review on the town's website.

The public may also join the Zoom meeting and share comments with the Board. For Zoom meeting information, please reference the town's website at <https://www.townofbrighton.org> prior to the meeting.

7:00 P.M.

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

SECRETARY:        Call the roll.

CHAIRPERSON:      Approve the minutes of the July 1, 2020 meeting.

CHAIRPERSON:      Announce that the public hearings as advertised for the BOARD OF APPEALS in the Brighton Pittsford Post of July 30, 2020 will now be held.

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4A-05-20      Application of Mamasan's Monroe LLC, owner of property located at 2735 Monroe Avenue for an Area Variance from Section 207-2A to allow a front yard fence to be 49 inches in height with 86 inch posts where the maximum height of any portion of the fence can not exceed 3.5 ft. as allowed by code. All as described on application and plans on file. **WITHDRAWN BY APPLICANT**

4A-08-20      Application of Pete and Jenna Morgante - Tree Town Café, lessee, and 745 Penfield Road , LLC, owner of property located at 745 Penfield Road, for modification of conditions of approval (2A-06-19) to allow for an increase if indoor seating from 12 to 25 and an increase in hours of operation from 7:00 am to 9:00 pm Monday thru Saturday to 6 am to 9:00 pm Monday thru Sunday (adding Sunday hours). All as described on application and plans on file. **WITHDRAWN BY APPLICANT**

[7A-04-20](#)      Application of Richard Aerni and Carolyn Dilcher-Stutz, owners of property located at 60 Helen Road, for an Area Variance from Sections 203-2.1B(3) and 203-9A(4) to allow for the construction of a 960 sf detached garage in lieu of the maximum 600 sf detached garage allowed by code. All as described on application and plans on file. **TABLED AT THE JULY 1, 2020 MEETING - PUBLIC HEARING REMAINS OPEN - POSTPONED TO THE SEPTEMBER 2,**

## 2020 MEETING AT APPLICANTS REQUEST

- [8A-01-20](#) Application of Joseph O'Donnell, architect, and Sarah D. Realty, owner of property located at 885 Winton Road South, for an Area Variance from Section 205-6 to allow for an increase in building density from 5,158 sf (as approved per application 12A-08-09) to 5,469 sf (after construction of a 310 sf addition) where a maximum density of 4,504 sf is allowed by code. All as described on application and plans on file.
- [8A-02-20](#) Application of Joseph O'Donnell, architect, and Sarah D. Realty, owner of property located at 885 Winton Road South, for an Area Variance from Section 205-12 to allow for 30 on site parking spaces in lieu of the minimum 37 parking spaces required by code (relief from 35 spaces approved per application 12A-06-09). All as described on application and plans on file.
- [8A-03-20](#) Application of Laurence Heining and Susan Nitray, owners of property located at 376 Meadow Drive, for extension of an approved variance (5A-08-19) to allow a detached garage addition to be 3 ft. from a side lot line in lieu of the minimum 5 ft. required by code. All as described on application and plans on file.
- [8A-04-20](#) Application of Amy Pink, owner of property located 15 Victoria Drive, for an Area Variance from Section 207-2A to allow a front yard fence (Winton Road South frontage) to be 5.5 ft. in height in lieu of the maximum 3.5 ft. allowed by code. All as described on application and plans on file.
- [8A-05-20](#) Application of Ian and Jamie Smith, owners of property located at 204 Wilshire Road, for 1) an Area Variance from Section 209-10 to allow livable floor area to increase from 3,392 sf to 3459 sf (after construction of two additions) where a maximum 2,796 sf is allowed by code; and 2) an Area Variance from Section 205-2 to allow building lot coverage to increase from 31.7% to 31.9% where a maximum 25% is allowed by code. All as described on application and plans on file.
- [8A-06-20](#) Application of Kathleen Anderson and Christopher Liston, owners of property located at 72 Westland Avenue, for an Area Variance from Sections 203-2.1B(7) and 203-9A(4) to allow an air conditioning unit to be located in a front yard in lieu of the side or rear yard as required by code. All as described on application and plans on file.
- [8A-07-20](#) Application of Pardi Partnership Architects, agent, and George's Family Restaurants, owner of property located at 2171 West Henrietta Road, for a variance from Section 73-29 (Structures Required to Have an Automatic Fire Sprinkler System) in accordance with Section 73-34 to allow for the remodeling of a restaurant building without the installation of an automatic sprinkler system as required by code. All as described on application and plans on file.
- [8A-08-20](#) Application of Pierrepont Visual Graphics, Inc., agent, and 2561 Lac De Ville Management LLC, owner of property located at 2561 Lac De Ville Blvd., for a Sign Variance from Section 207-32 to allow for a freestanding identification sign where not allowed by code. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Janet and Douglas Dalke, 53 Helen Road, dated July 3, 2020, in support of applications 7A-04-20 and 7A-05-20.

Letter from Bob and Kathy Webster, 34 Helen Road, dated July 6, 2020, regarding the denial of application 7A-05-20.

Letter from Nicole Mix, 120 Helen Road, dated July 9, 2020, regarding placement of a proposed detached garage at 60 Helen Road.

Letter from Audrey Shaughnessy, Flower City Arts Center, dated March 18, 2020, in support of application 7A-04-20.

Letter from Grant Holcomb - Director Emeritus, Memorial Art Gallery/University of Rochester, dated June 3, 2020, in support of application 7A-04-20.

Letter from Blake held, architect, dated July 27, 2020, requesting postponement of application 7A-04-20 to the September 2, 2020 meeting.

Letter from Greg McMahon, McMahon Larue Associates, dated July 28, 2020, withdrawing application 4A-05-20.

Letter from Peter Morgante, dated July 27, 2020, withdrawing application 4A-08-20.

PETITIONS:

NONE