

T E N T A T I V E A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
OCTOBER 7, 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.

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, until October 7, 2020 at 12:00 PM.

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

The public may 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.

SECRETARY: Call the roll.

CHAIRPERSON: Approve the minutes of the August 5, 2020 meeting.
 Approve the minutes of the September 2, 2020 meeting.

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Brighton Pittsford Post of October 1, 2020 will now be held.

[9A-03-20](#) Application of RFM Morgan Properties, owner of property located at 2125 Monroe Avenue (Brighton Garden Apartments) for an Area Variance from Section 205-12 allowing for the demolition of two carports (40 stalls) leaving the property with no covered parking spaces where 40 covered parking spaces are required by code. All as described on application and plans on file. **TABLED AT THE SEPTEMBER 2, 2020 MEETING - PUBLIC HEARING REMAINS OPEN** ([See Revisions](#))

[9A-04-20](#) Application of Save Monroe Ave., Inc. (2900 Monroe Avenue, LLC, Cliffords of Pittsford, L.P., Elexco Land Services, Inc., Julia D. Kopp, Mark Boylan, Ann Boylan and Steven M. Deperrior), appealing the issuance of a building permit (Starbucks Coffee) by the Town of Brighton Building Inspector (pursuant to Section 219-3) to the Daniele Family Companies, developer of the Whole Foods Plaza project located at 2740 / 2750 Monroe Avenue. All as described on application and plans on file. **TABLED AT THE SEPTEMBER 2, 2020 MEETING - PUBLIC HEARING REMAINS OPEN** ([See Supplement Submittal](#))

[10A-01-20](#) Application of Katherine Solano, owner of property located at 4 Cardiff Park, for an Area Variance from Section 207-10E(5) to allow a driveway expansion to be 2.8 ft. from a side lot line in lieu of the minimum 4 ft. required by code. All as described on application and plans on file.

- [10A-02-20](#) Application of Brighton Grassroots, LLC, appealing the issuance of a building permit (Starbucks Coffee) by the Town of Brighton Building Inspector (pursuant to Section 219-3) to the Daniele Family Companies, developer of the Whole Foods Plaza project located at 2740 / 2750 Monroe Avenue. All as described on application and plans on file.
- [10A-03-20](#) Application of Chris and Nicole Fitzgerald, owners of property located at 177 Commonwealth Road, for 1) an Area Variance from Section 207-11A to allow an inground swimming pool to encroach 4 +/- ft. into a front yard (Ashbourne Road frontage) where not allowed by code; and 2) an Area Variance from Section 207-2A to allow a front yard fence to be 4 ft. in height in lieu of the maximum 3.5 ft. allowed by code. All as described on application and plans on file.
- [10A-04-20](#) Application of Brian and Sarah Costello, owners of property located at 281 Pelham Road, for an Area Variance from Section 205-2 to allow a garage addition to extend 18.25 ft. into the 58.5 ft. rear setback where a 60 ft. rear setback is required by code. All as described on application and plans on file.
- [10A-05-20](#) Application of Marisa and Serge Tsvasman, owners of property located at 110 Oak Lane, for Area Variances from section 205-2 to allow a garage addition to extend 2.5 +/- ft. into the existing 12.6 ft. rear setback where a 60 ft. rear setback is required by code, and extend 3 +/- ft. into the existing 18.1 ft. side setback where an 18.75 ft. side setback is required by code. All as described on application and plans on file.
- [10A-06-20](#) Application of Christopher and Rebecca Hays, owners of property located at 41 Midland Avenue, for an Area Variance from Section 205-2 to construct a shed in a side yard in lieu of the rear yard as required by code. All as described on application and plans on file.
- [10A-07-20](#) Application of Terry Zappia, Pierrepont Visual Graphics, Inc., agent, and MBC Canal Holdings, LLC, owner of property located at 140 Canal View Blvd., for an Area Variance from Sections 207-10A(1) and 205-8 to allow an awning to extend 12.2 ft. into the 75 ft. front setback required by code. All as described on application and plans on file.
- [10A-08-20](#) Application of Mark Anderson and Randi Forman, owners of property located at 257 Dunrovin Lane, for an Area Variance from Section 205-2 to allow a screened porch to extend 10 ft. into the 60 ft. front setback required by code. All as described on application and plans on file.
- [10A-09-20](#) Application of Marco and Anna Frasca, owners of property located at 333 Rhinecliff Drive, for an Area Variance from section 205-2 to allow a 2 story addition to extend 2.3 ft. into the 9 ft. side setback required by code. All as described on application and plans on file.
- [10A-10-20](#) Application of Jennifer Hanson, owner of properties located at 1050 and 1054 Highland Avenue, for an Area Variance from Section 205-2 to allow a side setback to be 11.8 ft. (13.8 ft. to house foundation, 2 ft. bay window) after resubdivision of two properties into one, in lieu of the minimum 21.88 ft. required by code. All as described on application and plans on file.

- [10A-11-20](#) Application of the University of Rochester, owner of property located at 220 East River Road, for a Temporary and Revocable Use Permit pursuant to section 219-4 to allow a mobile MRI scanner (trailer) to be on site for an 18 month period where not allowed by code. All as described on application and plans on file.
- [10A-12-20](#) Application of FSI Construction / Frank Imburgia, owner of property located at 3300 Brighton Henrietta Town Line Road, for extension of approved variances (9A-04-19, 10A-07-19 and 10A-08-19), pursuant to Section 219-5F, required for the construction of a 10,000 sf office building. All as described on application and plans on file.
- [10A-13-20](#) Application of Ken Stavalore, Home Power Systems, agent and Sandy Haque, owner of property located at 290 Hibiscus Drive, for an Area Variance from Section 203-2.1B(6) to allow a standby emergency generator to be located in a side yard in lieu of the rear yard behind the house as required by code. All as described on application and plans on file.
- [10A-14-20](#) Application of Sean and Lauryn McCabe, owners of property located at 3395 Elmwood Avenue, for an Area Variance from Section 205-2 to allow a garage addition to extend 2.5 ft. into the existing 36.1 ft. rear setback where a 60 ft. rear setback is required by code. All as described on application and plans on file.
- [10A-15-20](#) Application of John and Dina Wright, owners of property located at 3644 Elmwood Avenue, for an Area Variance from Section 205-2 to allow an addition to extend 3 ft. into the existing 52 ft. rear setback where a 60 ft. rear setback is required 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, with attachments](#), from Ramsey Boehner, Town of Brighton Building Inspector, and John A. Mancuso, Esq., dated September 23, 2020, in response to applications 9A-04-20 and 10A-02-20. (For entire record <https://www.townofbrighton.org/DocumentCenter/Index/675>)

Letter from Warren B. Rosenbaum, Woods Oviatt Gilman LLP, dated September 23, 2020, in response to applications 9A-04-20 and 10A-02-20.