

## B R I G H T O N

## PLANNING BOARD

November 18, 2020

## Brighton Town Hall

2300 Elmwood Avenue

Brighton, New York 14618

10 PRESENT:

WILLIAM PRICE, CHAIRPERSON  
LAURA CIVILETTI  
JASON BABCOCK-STINER  
JOHN OSOWSKI

DAVID DOLLINGER, ESQ.  
Town Attorney

RAMSEY A. BOEHNER  
Town Planner

Not present:  
DAVID FADER

REPORTED BY: ALEXANDRA K. WIATER, Court Reporter  
Forbes Court Reporting Services, LLC  
21 Woodcrest Drive  
Batavia, New York 14020

1 CHAIRMAN PRICE: Good evening, everyone.  
2  
3 I'd like to welcome you to the November 18th meeting  
4 of the Town of Brighton Planning Board. This is -- I  
5 don't know. This is probably our 7th or so Zoom  
6 meeting. We're getting a little bit better at it  
7 every time. I am Bill Price. I'm the Chair of the  
8 Planning Board and I'd like to just quickly introduce  
9 the other Members of the Board that are here tonight,  
10 Laura Civiletti, Pam Delaney, John Osowski, Jason  
11 Babcock-Steiner, and Ramsey is with our staff. Jeff  
12 is with our staff. He's handing the technology. And  
our attorney is David Dollinger.

20 I will ask everybody that when you are -- if  
21 you are interested in addressing an application, that  
22 you use the raise hand feature. And I know there's  
23 that feature on Zoom. And if you're on a different  
24 platform, I apologize. I don't know what that -- how  
25 that -- what that feature might look like on a

1           different platform. But please if all else fails,  
2           just wave your arms frantically and Ramsey and Jeff will  
3           try to catch you and -- and let you in to make a  
4           comment on the application of interest to you.

5           So, Ramsey, will you please call the roll  
6           for tonight?

7           MR. BOEHNER: Osowski?

8           MR. OSOWSKI: Here.

9           MR. BOEHNER: Babcock-Stiner?

10          MR. BABCOCK-STINER: Here.

11          MR. BOEHNER: Delaney?

12          MS. DELANEY: Here.

13          MR. BOEHNER: Civiletti?

14          MS. CIVILETTI: Here.

15          MR. BOEHNER: Price?

16          CHAIRPERSON PRICE: Here.

17          MR. BOEHNER: Absent is Member Fader.

18           CHAIRMAN PRICE: Okay. Thank you. There  
19           will be several Public Hearings tonight.

20           Mr. Secretary, were these Public Hearings  
21           properly advertised?

22           MR. BOEHNER: Yes. They were properly  
23           advertised in the Brighton-Pittsford Post on November  
24           12th, 2020. We should also maybe do minutes before we  
25           go into the Public Hearing.

1                   CHAIRMAN PRICE: Oh, okay. We do have  
2 minutes from our October meeting. Did everybody have  
3 a chance to review those -- see them and review them?

4                   MS. CIVILETTI: Yes.

5                   CHAIRMAN PRICE: If so, is there a motion to  
6 approve the minutes?

7                   MS. CIVILETTI: I'll move to approve the  
8 minutes with the corrections sent to Alexandra.

9                   MR. BOEHNER: We also have minutes for  
10 September.

11                  MR. OSOWSKI: This is John. Let's do those  
12 separately because I was absent in October. So...

13                  MR. BOEHNER: Okay.

14                  CHAIRMAN PRICE: All right. Well, let's --  
15 let's wrap up October. We do have a motion to approve  
16 from Laura. Is there a second?

17                  MS. DELANEY: I'll second.

18                  MR. BOEHNER: Delaney seconds.

19                  Member Price?

20                  CHAIRMAN PRICE: Aye.

21                  MR. BOEHNER: Civiletti?

22                  MS. CIVILETTI: Aye.

23                  MR. BOEHNER: Delaney?

24                  MS. DELANEY: Aye.

25                  MR. BOEHNER: Babcock-Stiner?

1                   MR. BABCOCK-STINER: Aye.

2                   MR. BOEHNER: Osowski abstains.

3                   MR. OSOWSKI: Yes.

4                   CHAIRMAN PRICE: All right. We did receive  
5 also September's meeting minutes. We did receive  
6 those. I thought we had approved those last month.  
7 But do we have a motion to approve September's meeting  
8 minutes?

9                   MR. OSOWSKI: I'll move that we approve  
10 September's meeting minutes.

11                  MR. BABCOCK-STINER: Second.

12                  CHAIRMAN PRICE: Thank you, John. Jason  
13 seconds.

14                  MR. BOEHNER: Babcock-Stiner?

15                  CHAIRMAN PRICE: Yeah.

16                  MR. BOEHNER: Member Price?

17                  CHAIRMAN PRICE: Aye.

18                  MR. BOEHNER: Civiletti?

19                  MS. CIVILETTI: Aye.

20                  MR. BOEHNER: Delaney?

21                  MS. DELANEY: Aye.

22                  MR. BOEHNER: Babcock-Stiner?

23                  MR. BABCOCK-STINER: Aye.

24                  MR. BOEHNER: Osowski?

25                  MR. OSOWSKI: Aye.

1 MR. BOEHNER: Approved.

2 CHAIRMAN PRICE: All right. Thank you.

5 MR. BOEHNER: Yes. They were properly  
6 advertised in the Brighton-Pittsford Post on November  
7 12th, 2020.

8 CHAIRMAN PRICE: Okay. And can we say that  
9 the -- all of the applications for tonight have  
10 been -- have been posted to the Town website?

11 MR. BOEHNER: Yes, they have.

12 CHAIRMAN PRICE: Okay.

13 MR. BOEHNER: We do have a couple of  
14 applications that have been adjourned.

15 CHAIRMAN PRICE: Please tell us which those  
16 are.

17 MR. BOEHNER: Application 8P-01-20. The  
18 application of John Greer, for the application of 2171  
19 West Henrietta Road has been postponed until the  
20 December 16th, 2020 meeting at the applicant's  
21 request.

1 CHAIRMAN PRICE: Okay.

2 MR. BOEHNER: Both have been adjourned.

3 CHAIRMAN PRICE: Okay. Ramsey, could you  
4 please call our first application?

5 MR. BOEHNER: Yes. The application of Loyal  
6 Group REM, owner, for a demolition review and approval  
7 to raise a commercial building on property located at  
8 1285 East Henrietta Road.

9 CHAIRMAN PRICE: Okay. Who's -- we have  
10 somebody here to represent the owner?

11 MR. BOEHNER: Raise your hand.

12 PAUL: Good evening. This is Paul. The  
13 owner of Loyal Group REM.

14 CHAIRMAN PRICE: Hello, Paul.

15 PAUL: How are you?

16 CHAIRMAN PRICE: Good. Thank you. Can you  
17 tell us a bit about this?

18 PAUL: Yeah. So, it's a property we  
19 purchased roughly two-plus years ago. And we've been  
20 marketing it ever since. We had a couple of different  
21 parties that toured the property. A lot of them can't  
22 make the property work or retrofit it. Other parties  
23 want a newer building built. We're trying to make it  
24 work with what we have by making some renderings and  
25 doing build-ons and additions. But just can't make it

1 work.

2 CHAIRMAN PRICE: And at this point your  
3 proposal is -- is to demolish. And, Ramsey, has a  
4 restoration plan been submitted?

5 PAUL: Yes, it has.

6 MR. BOEHNER: How are you handling the truck  
7 traffic coming in and out of the site because that's  
8 a -- that's a tough little intersection there?

9 PAUL: Can you please -- please restate  
10 that?

11 MR. BOEHNER: How are you planning to handle  
12 the trucks coming in and out of the site during the  
13 demolition when you're removing the debris?

14 PAUL: It's a small building. I mean, we --  
15 we planned about four truckloads coming out -- four  
16 dump trucks coming out of there.

17 MR. BOEHNER: I thought you were proposing  
18 to restrict the hours of when they were coming and  
19 going?

20 PAUL: Yeah, which we can do early in the  
21 morning.

22 MR. BOEHNER: Is it consistent with what you  
23 presented in the application?

24 THE PAUL: Yes.

25 MR. BOEHNER: What will happen to the

1 existing fuel tanks?

2 PAUL: The fuel tanks were removed.

3 MR. BOEHNER: Have they been?

4 PAUL: Yes.

5 MR. BOEHNER: And how are you planning to  
6 restore the existing building pad?

7 PAUL: We're going to either mulch it or  
8 hydroseed it. It matters on the conditions -- on the  
9 weather conditions.

10 MR. BOEHNER: Okay. So, you might do both?

11 PAUL: Most likely -- most likely mulch --

12 MR. BOEHNER: Yeah.

13 PAUL: -- because nothing will grow on the  
14 frozen ground.

15 MR. BOEHNER: And then come back in the  
16 spring --

17 PAUL: Yes.

18 MR. BOEHNER: -- to seed it?

19 PAUL: And seed it, correct.

20 MR. BOEHNER: Are you planning to change the  
21 grade at all?

22 PAUL: No.

23 MR. BOEHNER: And will the site during  
24 demolition be fenced off?

25 PAUL: No, it won't be.

1                   MR. BOEHNER: How long do you think the  
2 demolition is going to take?

3                   PAUL: It should take less than a week.  
4 Within -- within two days we estimated we should have  
5 it done.

6                   MR. BOEHNER: Is there a septic system on  
7 the site?

8                   PAUL: I don't remember.

9                   MR. BOEHNER: Because if there is, it has to  
10 be shown on the plans and properly removed.

11                  PAUL: Okay.

12                  MR. BOEHNER: I don't have any other  
13 questions.

14                  CHAIRMAN PRICE: Okay. Other Board Members  
15 have questions?

16                  MS. CIVILETTI: I do not.

17                  CHAIRMAN PRICE: John?

18                  MR. BABCOCK-STINER: No.

19                  CHAIRMAN PRICE: Jason, thank you.

20                  MS. DELANEY: I'm all set.

21                  CHAIRMAN PRICE: Delaney, thank you.

22                  MR. OSOWSKI: No, I'm good. This is John.

23                  CHAIRMAN PRICE: Okay. All right. At this  
24 point, this is a Public Hearing. Is there anyone in  
25 attendance tonight that wishes to address this

1 application?

2 MR. BOEHNER: Raise your hand.

3 MR. FRISCH: I don't see anybody.

4 MR. BOEHNER: I don't see anyone either,  
5 Bill.

6 CHAIRMAN PRICE: Okay. All right. Paul,  
7 thank you.

8 PAUL: Thank you, everyone.

9 CHAIRMAN PRICE: All right. We'll move on.  
10 Ramsey can you -- would you mind reading the next  
11 application?

12 MR. BOEHNER: Yeah. The next application is  
13 11P-02-20.

14 APPLICATION 11P-02-20

15 the application of the University of  
16 Rochester, owner, for site plan modification, to  
17 install a new back up emergency generator on property  
18 located at 250 East River Road.

19 CHAIRMAN PRICE: If I could just take a  
20 minute. I believe I need to recuse myself from this  
21 application.

22 MR. BOEHNER: Laura, could you pitch it?

23 MS. CIVILETTI: Sure.

24 CHAIRMAN PRICE: What do I -- Ramsey, do I  
25 get on -- do I turn the video off?

1                   MR. BOEHNER: So, we'll find -- is there  
2                   anyone -- a lawyer -- or we'll find -- is there anyone  
3                   that speaks for this application?

4                   NATE BUCZEK: Yes. This is Nate Buczek with  
5                   TY Lin.

6                   MR. BOEHNER: Hi, Nate.

7                   MS. CIVILETTI: Hi, Nate.

8                   NATE BUCZEK: Good evening, all. I am  
9                   representing U of R. We've -- I've worked with ME  
10                   Engineering on this project. It is for the  
11                   replacement of an existing emergency generator on  
12                   site. The new generator will be roughly a 1250  
13                   kilowatt generator, which will replace the existing  
14                   one. It will be located just on the other side of the  
15                   existing drive aisle. Probably about 30 feet to the  
16                   north.

17                   The existing fuel tank will remain on-site.  
18                   There will be a new concrete pad installed with  
19                   bollards protecting the -- the existing -- or the  
20                   proposed generator. There will be some new asphalt  
21                   paving to fix up the access driveways, some new lawn  
22                   areas installed, and some -- some new trees for  
23                   screening along the north side of the generator.

24                   That's pretty much the project. It's pretty  
25                   simple. So, I don't know if you guys have any

1           questions.

2           MS. CIVILETTI: This is also diesel fuel?

3           NATE BUCZEK: Correct.

4           MR. BOEHNER: What are the decimal levels of  
5           the generator? Because you're proposing to enclose it  
6           with a level two enclosure; is that right?

7           NATE BUCZEK: Correct. Not 100 percent sure  
8           on the decimal levels. I can follow up with that  
9           information exactly. But it is my understanding it's  
10           going to be much quieter than the existing with the  
11           new enclosure and the new -- the new systems that are  
12           being installed with the -- with the generator. So...

13           MR. BOEHNER: In the documentation that you  
14           provided to the Town -- if I could just pull that out  
15           for a second. I think you said it was going to be 73.  
16           It's the submittal data for the generator.

17           NATE BUCZEK: Yup.

18           MR. BOEHNER: There it says it's going to be  
19           73 decimal levels at 23 feet. And you're going to do  
20           a level two enclosure?

21           NATE BUCZEK: Correct.

22           MR. BOEHNER: Okay. Thank you.

23           MR. OSOWSKI: This is John. I'm -- I'm  
24           curious, is there a reason why you didn't want to go  
25           to a natural gas generator instead of diesel fuel?

1                   NATE BUCZEK: I believe the intent was the  
2 tank was -- was existing and in place and in good  
3 shape, which was the reason for the generator being  
4 diesel-fueled.

5                   MR. OSOWSKI: Okay. Is the new generator a  
6 lot bigger than the one that it's replacing?

7                   NATE BUCZEK: Yeah. My understanding is,  
8 roughly, the existing was about, I believe 800  
9 kilowatts plus or minus. And the new one was  
10 installed for some -- some future expansions for this  
11 building.

12                  MR. OSOWSKI: Okay.

13                  NATE BUCZEK: Also includes new circuit  
14 breakers, et cetera, to kind of distribute the power a  
15 little bit easier and better.

16                  MR. BOEHNER: What are the dimensions of the  
17 generator?

18                  NATE BUCZEK: The generator is roughly --  
19 one second. I can't read the screen. The generator's  
20 roughly, with the enclosure, is roughly 11 feet wide  
21 by 36 feet long.

22                  MR. BOEHNER: There's a wood-framed shed  
23 that's going to be relocated. Do you know where  
24 that's going to be relocated to?

25                  NATE BUCZEK: I do not. It was relocated

1           already by -- by the facilities at the LLE staff. I  
2           am not sure. My understanding is they moved it to the  
3           back of the site or got rid of it altogether. I can  
4           follow up with that --

5           MR. BOEHNER: Okay.

6           NATE BUCZEK: -- for you.

7           MR. BOEHNER: And how is the generator being  
8           screened from the abutting roadway?

9           NATE BUCZEK: It's screened from -- it's  
10          being screened from the north, specifically along East  
11          River Road with some new pine trees, which are going  
12          to be on Norway spruce.

13          MR. BOEHNER: I don't have any other  
14          questions.

15          MS. CIVILETTI: Do any Members of the Board  
16          have additional questions?

17          MR. BABCOCK-STINER: I'm good.

18          MR. OSOWSKI: No.

19          MS. DELANEY: I'm good. Thanks.

20          MS. CIVILETTI: Okay. This is a Public  
21          Hearing, would anyone care to address this  
22          application? If you could raise your hand if -- so  
23          you can be called on.

24          MR. FRISCH: I don't see anybody.

25          MS. CIVILETTI: Okay. In that case, we will

1 move on.

2 NATE BUCZEK: Thank you.

3 CHAIRMAN PRICE: Ramsey, what's our -- our  
4 next --

5 MR. BOEHNER: Our next application, Bill, is  
6 the application of the Baptist Temple, owner, and  
7 Clover Park Properties, LLC, contract vendee, for  
8 preliminary site plan approval to convert an existing  
9 church building into a high-end office space. And to  
10 construction a two-story 10,000 square foot addition  
11 on the property located at 1075 Clover Street.

12 CHAIRMAN PRICE: Okay. Jerry or John are  
13 you able to --

14 JERRY GOLDMAN: Yes. I --

15 CHAIRMAN PRICE: -- give us some background?

16 JERRY GOLDMAN: Yes. I -- this is Jerry  
17 Goldman. I'm the attorney and agent for Clover Park  
18 Properties, LLC who is the contract vendee of this  
19 property located on the southwest corner of Highland  
20 Avenue and Clover Street -- there it is.

21 If you look at the far left of the picture  
22 outside the shading, you will see John August's house.  
23 John is one of the principals of Clover Park  
24 Properties, LLC.

25 John has lived next to the Baptist Temple

1 for many, many years and has had a tremendous amount  
2 of interest in its development and use over the course  
3 of the years. It started out exclusively as a church.  
4 And then as church use kind of waned their  
5 church-related uses that have gone into the site --  
6 daycares, spirituality, and wellness centers, there  
7 are -- there are other uses, I think, maybe in there.  
8 So, unlike typical church uses, which very often are  
9 only utilized in the property on weekends and  
10 religious holidays, this property is busy pretty much  
11 all the time. I -- I visited the property a few times  
12 and during the day there are -- there are a number of  
13 cars that are there every time that I have been there.

14 As Ramsey pointed out, the proposal for this  
15 property is to convert the existing -- the existing  
16 building, which will have 31,000 square feet of office  
17 space on one, and in some cases a second floor, that's  
18 the total square footage being used.

19 And what's also be proposed is a 5,000  
20 square foot footprint additional located at the  
21 northwest corner of the building for a total of 10,000  
22 additional square feet on the site.

23 John -- John has taken a particular interest  
24 in the development of this property. And there have  
25 been prior applications for this property, which

1 haven't -- or interests in the property, which haven't  
2 really come to fruition. John's been concerned with  
3 the stability of the property. And trying to make  
4 sure that it's used in a way, which one, doesn't have  
5 a great deal of intensity. And two, in particular,  
6 preserves the lawn area, which is on the northeast  
7 corner of the property. I don't know how to point to  
8 anything but it's the bottom right corner of the -- of  
9 the site.

10                   And -- and as you can see, the site plans  
11 successfully addresses the goal of being able to keep  
12 that area, which really is a focal point for this  
13 neighborhood and this gateway for this part of the --  
14 of the Town of Brighton.

15                   When John first approached us and talking  
16 about coming in and doing this redevelopment, I talked  
17 to him about the fact that one of the most important  
18 things you can do is to go and meet with your  
19 neighbors and talk to the neighborhood. And, in fact,  
20 John did that into the summer and into the early fall.  
21 He received enough positive input to move forward with  
22 this application -- this application process. And as  
23 the Board knows, we were in front of the Board I  
24 believe in July -- maybe it was August -- but I think  
25 it was July of this year, with a concept plan and a

## 1 concept review.

2 The Town process wants us to come in with a  
3 preliminary site plan application before going to the  
4 Zoning Board for any Zoning Board relief by nature of  
5 a use variance in this case and a single area  
6 variance.

13 So, with that, Matt.

14 MATT TOMLINSON: Great. Thanks, Jerry.

15 Good evening, everyone. Matt Tomlinson from  
16 Marathon, as Jerry mentioned. We have prepared and  
17 submitted this preliminary package, which is for the  
18 most part consistent with a conceptual plan that we  
19 presented to this Board and also to the Conservation  
20 Board as Jerry mentioned a couple of months ago.

1 talk about that a little bit more as we go along.

2                   In general, the goal of this plan is really  
3 to develop the parking in the fields and the  
4 improvements to the rear -- or south and west of the  
5 site where there's existing screening were we back to  
6 rear yards. And as Jerry mentioned, maintaining the  
7 large park-like setting out at the front of the site.  
8 As well as the mature trees headed down Clover, which  
9 I am going to get into the trees a little bit here  
10 shortly as well.

11                  But from an overall site plan standpoint,  
12 the parking in the front, the use of banked pervious  
13 pavements for overflow areas that we do not anticipate  
14 to be needed based on our anticipated demand and  
15 maintenance of the existing building and entrances  
16 points, as well as the proposed addition located here  
17 on the east side towards the north. This is set  
18 approximately 105 feet back from Highland Avenue. And  
19 is positioned in such a way that it provides  
20 additional screening to the parking area. This is an  
21 existing parking area currently, which is visible out  
22 to the street.

23                  So, from that standpoint, I just wanted to  
24 point to the Board that this is consistent. We have  
25 added some additional banked parking in the rear,

1                   which is back near the playground area that's utilized  
2                   for the daycare currently. Appreciate the pointer. I  
3                   am doing that here even though you can't see my mouse.

4                   But I wanted to touch base on a couple of  
5                   things because as Jerry mentioned, we have reached out  
6                   to neighborhoods. We've heard some concerns from  
7                   them. We've also received and read through comments  
8                   that have been sent into the Town from the neighbors.  
9                   And we did have a meeting with the neighbors out here  
10                  on the sites a few weeks ago as well. Again,  
11                  endeavoring to put the developer's best foot forward  
12                  and being as transparent as possible with the  
13                  neighbors.

14                  The -- I want to talk about the trees and  
15                  tree removals if I can, briefly.

16                  We did submit and have a demo plan as part  
17                  of the package, which it looks like you're scrolling  
18                  to. The majority of the trees that are to be  
19                  removed -- or all of the trees have been reviewed for  
20                  condition by Heinrich Fisher. And also he  
21                  sub-consulted with an arborist relative to condition  
22                  expected life consistency -- or expectancy of these  
23                  trees.

24                  And the trees that we are removing for the  
25                  most part are none of the specimen or large trees,

1 especially out to the perimeter. And I'll talk  
2 through that a little bit.

3                   Along Clover Street, there's several mature  
4 oak trees fronting the project. It is intended to  
5 leave the existing curb cuts where they are and  
6 maintain those mature trees. We did revise the layout  
7 going through the process to maintain the large  
8 36-inch oak directly next to tree number two, which is  
9 on the site there, and eliminated the small oak that's  
10 over shaded by larger and in poor condition  
11 surrounded by pavement in number one that's shown on  
12 the layout plan.

13                   But I am going to step through some of these  
14 trees that we're proposing to remove because most of  
15 them are either invasive species, in poor condition,  
16 pines that have not been maintained and are kind of  
17 past their life expectancy. So, I'll step through  
18 those really quickly. And we did the same with the  
19 Conservation Board at the time in -- in showing them.

20                   So, one, as I mentioned, is a very small  
21 pine oak. It's in an island area that's surrounded by  
22 asphalt and it's in poor condition. We're removing  
23 that in order to maintain the 36-inch oak, which is  
24 directly to the east in an existing island that we're  
25 making larger -- I am sorry. Directly to the west,

1 sorry. North is to the right. Directly opposite to  
2 the way you got it there.

3 Number two is an American dogwood. Again,  
4 it's roots are compromised by the asphalt. And it's  
5 in relatively poor condition and overshadowed by that  
6 large 36-inch oak.

7 Number three is a honey locust. It's small.  
8 That was one of the trade-offs in the area for the new  
9 parking in keeping that large 36-inch to the east of  
10 it. And is not in good condition and is not a very  
11 high-quality tree when compared to some of the beaches  
12 and oaks that we have elsewhere on the site.

13 Four, five, six, and seven are all pines  
14 that are grouped through the -- through the  
15 development area. I did want to note -- I don't  
16 believe we have a number but there is a 14-inch  
17 cherry, which is a flowering tree that we were looking  
18 to keep but ended up having to show for removal for  
19 some of the banked parking that we -- or some of the  
20 parking that we needed to create. It is an older  
21 cherry tree and will be replaced with a similar  
22 flowering tree as part of the planting plant.

23 Eight is an overgrown cedar arborvitae just  
24 on the west side that's back near where we're  
25 proposing our dumpster. It leans over the pavement

1 and is in very poor condition.

2 Number nine is another Colorado spruce.

3 That tree is within the playground area. And I'll  
4 come back and speak about the daycare briefly.

5 Nine and ten are within the playground area  
6 and would not be removed unless and until the daycare  
7 relocates from the building. And again, I am going to  
8 come back to that daycare discussion as we get in to  
9 the traffic portion of this.

10                 Eleven and twelve are the two largest mature  
11 trees that are proposed to be removed. And they are  
12 outside of the work area. And this was a  
13 recommendation from the landscape architect and  
14 arborist. These are two larger silver maples that  
15 have a lot of deadwood. They're both 28-inch. They  
16 grow close together and the branches are co-mingled,  
17 which impacts the health of them. They would have  
18 several years of life expectancy left. And if it was  
19 a major issue, those trees could be left. However,  
20 given the opportunity to clean those up now, remove  
21 the potential of root impact  
22 to the existing asphalt drive, and replant that area,  
23 which is a buffer to the neighbor immediately to the  
24 west, we thought that it was a very good opportunity  
25 to remove a tree that may not last all that long and

1       get some plantings in that will grow to maturity all  
2       the sooner for being installed now. So, we -- we can  
3       come back to that if the Board has questions there.

4               And then relative to 13 and 14, both of  
5       those are Callery pears, which are invasive species.  
6       And immediately adjacent to the proposed building  
7       footprint would be impacted by that construction. And  
8       so those are proposed to be removed.

9               Fifteen and sixteen are a larger crab apple  
10      that is getting towards the end of its life. And a  
11      spruce tree that's out in the middle of the lawn  
12      and -- and also not in the greatest of condition. And  
13      again, to replant some trees and more in a formal  
14      relationship to a proposed building and extend some of  
15      those trees out through that front yard that's being  
16      maintained along Highland felt that was a good  
17      opportunity to remove those as well.

18               So, with that, I just wanted to say that the  
19      mature trees out at the corner of Highland, the  
20      signature trees out there, for the most part, are  
21      beach, some large Japanese maple, horse chestnut, and  
22      oaks that are really beautiful trees. And again, the  
23      owner -- or the developer has every intention of  
24      maintaining those, getting them trimmed up,  
25      maintaining the health of those to ensure that this

1 view -- or this setting of this building is maintained  
2 throughout the development and the ownership of the  
3 property.

4 And with that, I'd like to talk about  
5 traffic a little bit. What we have submitted to the  
6 Town for consideration is a preliminary plan set. And  
7 as Jerry mentioned -- excuse me -- we are working  
8 towards obtaining hopefully a use variance for the  
9 site. And as part of the Towns requirements, we need  
10 to come in with this preliminary plan set so the  
11 Planning Board can weigh in on -- on the proposal.  
12 And given the timeframe that we're in with COVID and  
13 everything else, a full traffic study may be warranted  
14 or maybe ride by the Town and I know we've received  
15 several comments and questions relative to it.

16 However, obtaining background information  
17 with the reduction in kids in school, reduction of  
18 folks in the office reduced, and travel, we're in  
19 somewhat of a difficult spot or were in when we were  
20 putting the package together relative to potentially  
21 preparing a traffic study that wouldn't necessarily be  
22 reflective of what the built conditions will be of  
23 this proposal.

24 And so what we have submitted is a trip gen  
25 letter, as Jerry mentioned and John has before, there

1       are many varied uses within the existing building,  
2       including the daycare. And so this is an intention to  
3       provide the Town with a consideration of what would be  
4       anticipated for traffic, full occupancy, full  
5       build-out of that 10,000 square foot addition. As  
6       well as giving some background and comparison to  
7       existing -- to existing traffic levels for uses within  
8       the buildings themselves.

9               The -- and we can get into the details of  
10      that trip gen letter. But I wanted to give some  
11      background to the Town relative to what our thought  
12      process was in providing the documentation that we  
13      have. And with the understanding that as we go  
14      through this approval process, if our use variance  
15      request is successful, that we will provide the  
16      additional detail. We have received comments from the  
17      Town Engineer, which I believe was posted online. And  
18      I know that the Board has several questions that were  
19      outlined in the posting for the agenda tonight.

20               I'd like to take a couple of minutes and  
21      just run through those questions, as I know we'll have  
22      some further discussion on them. But if I touch on  
23      them now that they are all written out, I'd like to  
24      just read those out. And then we can have a further  
25      discussion as the Board deems necessary.

1 So, there were several questions including:  
2 What are the proposed uses for the building? It's  
3 intended to be a professional and medical office.  
4 I -- we are proposing to have the daycare there for a  
5 transition period. John correct me if I am wrong, but  
6 the intention is for no occupation -- or the developer  
7 has committed that he will not occupy the addition  
8 unless and until the daycare is relocated from the  
9 site. There's a concern or a question raised as to  
10 whether or not the daycare would be required to  
11 relocate immediately. And that is not the intention.  
12 We do not want to displace the daycare that services  
13 the Brighton residents. John, I don't know if you  
14 want to add on to that statement.

15 JOHN AUGUST: I don't know if I'm unmuted.  
16 I -- I was trying to unmute. I don't know if I heard  
17 what just started. But yes, we in fact are committing  
18 that we will not occupy the addition while the daycare  
19 is on the premise. And we think that would allow,  
20 knowing 10,000 feet to come online, would be done so  
21 the traffic wouldn't be handing both the daycare and  
22 the addition.

23 MR. BOEHNER: I certainly would want to see  
24 what the impact of the daycare would be with whatever  
25 you're proposing to do in the short-term over the next

1                   three years.

2                   MATT TOMLINSON: Understood. And --

3                   MR. BOEHNER: We need to see the worst-case  
4                   scenario. I think we might want to talk with the  
5                   county and state if needed. They may have  
6                   jurisdictional authority in the area just to figure  
7                   out what is the best way to go about the traffic based  
8                   on your plans for the immediate future and the  
9                   long-term future.

10                  MATT TOMLINSON: Understood. Thank you,  
11                  Ramsey. And so I -- I -- I bring that up not because  
12                  we're trying to avoid trying to analyze something. We  
13                  fully, again, anticipate going -- diving really hard  
14                  into the details and working with Town staff and this  
15                  Board in order to ensure that everyone is satisfied  
16                  with the -- with the development and the traffic  
17                  levels.

18                  I bring it up because I want to let the  
19                  Board know that we didn't just eliminate consideration  
20                  of it but in looking at it said, hey, it's not a  
21                  long-term. So, what are the long-term impacts here?

22                  In addition, there's I am sure question  
23                  about the playground, how is that going to work if we  
24                  build that parking, et cetera? And the intention --  
25                  intention again would be to have a transition period.

1       We wouldn't necessarily need all the parking yet if  
2       the additions were not built. So, that would allow  
3       for some overlap or synergy there in the development  
4       of this parcel.

5                    MR. BOEHNER: Matt, one thing I do want to  
6       say about the parking and the playground, it does need  
7       to be figured out because the parking study did not  
8       include the daycare. So, the daycare and what you're  
9       proposing again in the short-term needs to be analyzed  
10      to make sure we do have enough parking.

11                  MATT TOMLINSON: Understood. Understood.  
12                  There's a question about --

13                  MR. BOEHNER: They may need another  
14       variance. I don't know if you need a parking variance  
15       or not.

16                  MATT TOMLINSON: Yeah. We did take a quick  
17       look at that and we can provide those numbers --

18                  MR. BOEHNER: Okay.

19                  MATT TOMLINSON: -- to the Board and our  
20       response to the written comments.

21                  MR. BOEHNER: Thank you.

22                  MATT TOMLINSON: Yes -- yes. The parking  
23       lot is intended to be the lighting. We're proposing  
24       16-foot high LED downlighting. It is a post top but  
25       it's a LED flat fixture down into it. It's 16-feet in

1                   height. All of these are dimmable and controllable.  
2                   It is not the intention to light this up all hours of  
3                   the night. And we can get in to some detail about  
4                   when and whether or not lighting is reduced or turned  
5                   off, other than necessary for security, of course.

6                   The light posts have been pulled for the  
7                   most part as far from properties on the west as  
8                   possible. I did note a couple of questions relative  
9                   to the intensities or the values. I believe that  
10                  these are all shown at the highest intensity  
11                  available. Again, they are all dimmable and  
12                  controllable from the light level standpoint.

13                  The lighting legend does show a 4k color.  
14                  Understand the standard of 3K and the final plans or  
15                  revised plans will reflect that it will be the correct  
16                  color for the Town of Brighton's standards. There's a  
17                  question --

18                  MR. BOEHNER: Will these be on timers, Matt?

19                  MATT TOMLINSON: I am sorry, Ramsey?

20                  MR. BOEHNER: Will the lights be on timers?

21                  MATT TOMLINSON: They can be or -- yes.

22                  They will be or can be controlled to whatever  
23                  satisfies the owner, as well as the Town, relative to  
24                  time constraint on -- on that lighting. Again,  
25                  subject to building code and security.

1 MR. BOEHNER: Are they dark sky compliant?

2 MATT TOMLINSON: I do not know the answer to  
3 that, Ramsey. I believe that they are. They're  
4 straight downlights, LED mounted on a -- on a  
5 horizontal housing above it. But I did not see on the  
6 sheet where it says it's dark sky compliant.

9 MATT TOMLINSON: Will do. The Conservation  
10 Board raised a question and I believe that the  
11 Planning Board did as well during the concept review  
12 relative to screening to the neighbors on the west.  
13 And there's a variety of fences -- solid fencing along  
14 the entirety of the property lines to the west. The  
15 north most neighbor has put in a very nice fence  
16 relatively recently. And again we're proposing some  
17 additional plantings over in that area.

18 And there is solid screening by fencing  
19 along the entirety of that best line. A Conservation  
20 Board raised a question and I believe the staff has as  
21 well relative to, well, that's on other people's  
22 property and not necessarily screening provided by the  
23 developer. So, what if somebody takes a fence down.  
24 And so, I don't know that we are opposed to providing  
25 a solid fence along there. Providing a second fence a

1                   foot or two feet apart from another fence becomes  
2                   somewhat of a maintenance issue and would seem  
3                   somewhat redundant. So, we're definitely open to the  
4                   discussion. Don't necessarily have a great resolution  
5                   on that issue or that request at this point. So, I  
6                   guess that's an open item that we look forward to  
7                   discussing with the Board.

8                   There's a question relative --

9                   MR. BOEHNER: Matt -- Matt can I ask you a  
10                  question on that --

11                  MATT TOMLINSON: Yes.

12                  MR. BOEHNER: -- as we're going through the  
13                  questions. Has the property been surveyed? And how  
14                  much space do we have along that property line --

15                  MATT TOMLINSON: It has been.

16                  MR. BOEHNER: -- where you can do some  
17                  buffering on your side of the property, that maybe is  
18                  not a fence but can give some maybe landscaping or  
19                  some screening? Or --

20                  MATT TOMLINSON: Yes, it has been surveyed.  
21                  John was successful in -- in purchasing the survey  
22                  work that had been done or coming to an agreement with  
23                  the survey work that had been done for a previous  
24                  applicant on the property. That was a full boundary  
25                  survey and topo that we have utilized in developing

1       this. The existing spacing and proposed spacing is  
2       within three or four inches of each other for this  
3       west line based on where the existing asphalt is  
4       today. There's also remnants of some asphalt back in  
5       this banked parking area where there was previous  
6       parking back in the day.

7                   So, essentially we're maintaining that west  
8       property line again a couple of inches to the existing  
9       fencing -- or to the existing parking lot from the  
10      property line.

11                There is a relatively significant impact if  
12       we remove some of that parking to provide a  
13       landscaping buffer there in that -- that parking then  
14       needs to be found elsewhere. And I know in previous  
15       applications, there was some parking pushed out  
16       towards the front. Again, our goal from an impact to  
17       the neighborhood standpoint, especially given the  
18       solid screening or the option for a fence to be  
19       installed by the applicant, I believe that any  
20       buffering or shifting of that parking will -- would be  
21       a more significant impact to the neighborhood and to  
22       the project than putting the parking there and  
23       providing that additional green space out in the  
24       front. And -- and again I -- I think that's an  
25       ongoing discussion item that we're happy to have with

1 the Board.

2                   Trash provisions, we are proposing a  
3                   dumpster back in the south and west corner, that would  
4                   be accessed off in the drive aisle either by front or  
5                   rear loading. And all trash would be brought back to  
6                   that enclosure.

7                   We do anticipate that a fire sprinkler  
8                   system will be required. We know it will be in the  
9                   new addition and believe that we'll be past any type  
10                  of thresholds for the existing building. We'll be  
11                  working with the fire marshal both on a sprinkler  
12                  system as well as rerouting of emergency vehicles  
13                  throughout the site.

14                  I know that there was a question relative to  
15                  the turning movements. I have no doubt that turning  
16                  movements through the main corridor of the site will  
17                  be sufficient for fire trucks. We may have to clip  
18                  that just a little bit. Getting it right up to next  
19                  to -- with a fire truck we'll have to route that. And  
20                  again, we will provide that to the fire marshal as  
21                  part of the ongoing technical review.

22                  I touched on the trees. The playgrounds. I  
23                  do not know the answer to the generator or the HVAC  
24                  units. I don't know if John had any thought or  
25                  discussion relative to that. I know that there is

1       mechanical space that's part of the existing brick  
2       wall enclosure here at the front. I am not aware of  
3       any generator or HVAC requirements that would be  
4       anywhere other than potentially back in this green  
5       space or in that mechanical space. But I will let him  
6       speak to that.

7                   And then I think Jerry is going to take the  
8       horns as questions come up.

9                   MR. BOEHNER: Matt, I had one question on  
10       the lighting: Do any of those lights have residential  
11       shields? Will that help the lighting at all?

12                   MATT TOMLINSON: They do not have  
13       residential shields, Ramsey. If we put residential  
14       shields on them, what that does is push the lights  
15       back closer to the residences and towards the  
16       perimeter. And then you put a shield on it to  
17       protect. So, we've located them approximately 30 feet  
18       away and again at a 16-foot height. With the  
19       downlighting, we don't anticipate that we would have  
20       any spillover towards that area.

21                   MR. BOEHNER: Okay. Thank you, Matt.

22                   JERRY GOLDMAN: Okay. If I can continue  
23       just to talk a little bit about the application  
24       process, where we've been. Where we're going on this.  
25       The host has asked me to start my video. So I will go

1 and do that. I think you'd rather see my picture  
2 still than seeing me live but that's okay.

3 The -- we have met, as -- as Matt indicated  
4 with the Conservation Board. The Conservation Board  
5 comments are in the staff report packet, the normally  
6 thorough staff report packet, which has gone to Board  
7 Members.

8 One thing to note with regard to the  
9 Conservation Board was that they did have an  
10 opportunity to see our landscape plan and the proposed  
11 removal of trees and there were no comments to retain  
12 any of the trees that were proposed for the reasons  
13 that Matt has set forth.

14 I know that there was a flyer that went  
15 around the neighbor that talked about the removal of  
16 trees. And I think some of the neighbors who have  
17 written letters to the Town have kind of took that to  
18 mean that the developer was going to strip the site  
19 of -- of trees and vegetation to a large degree. But  
20 as Matt pointed out we're trying to be very careful to  
21 maintain those trees of quality. To remove those  
22 trees which are diseased or problematic from a growth  
23 point of view. And -- and of course, as we stated  
24 earlier and often, preserve -- preserve the corner at  
25 Highland and Clover Street.

1                   As I stated earlier John did walk the  
2 neighborhood, received enough input from the neighbors  
3 to proceed further. We did receive communication from  
4 two attorneys, who are representing neighbor across --  
5 one of whom represents neighbors across the street on  
6 Clover Street. And one who represents a group of  
7 neighbors, which are varied. And we haven't really  
8 been able to pinpoint exactly who his clients are.

9                   But nonetheless, we scheduled a meeting with  
10 those neighbors at the church probably, I'd say a  
11 couple -- three weeks ago now, to talk about the  
12 plans. To ascertain their input. As a result of that  
13 process, we are in communication with both groups ones  
14 a little bit further along in their communication  
15 than -- than the other but we're hoping to be able to  
16 address issues of concern.

17                   One is -- one deals with the parking spaces  
18 that are located in front of the building -- actually  
19 in the back of the building on the Highland Avenue  
20 frontage. Also a question with regard to the medical  
21 use and the intensity of the medical use on the site.  
22 And we have -- we've committed previously to say that  
23 there won't be high impact medical such as urgent care  
24 or anything if that's what we're talking about.

25                   Initially offices for -- for practitioners. And that

1           -- and the use is still under discussion. The  
2           occupancy, the daycare, those are issues that we are  
3           still under discussion at this point and may entail  
4           some massaging of the site plan that will be finally  
5           considered by this Board.

6           As you know -- but for the benefit of the  
7           neighbors and those Zooming in -- this is a very early  
8           stage of the process certainly with the Planning  
9           Board. The Town does mandate us to visit with the  
10           Planning Board on a preliminary application. We know  
11           that there is more that we have to provide. We have  
12           to provide more on the way of traffic, certainly. But  
13           the heavy lifting, if you will, on a site plan would  
14           follow determination by the Zoning Board on -- on the  
15           use variance. And one area variance, which is located  
16           on the south end -- on the left end of the property,  
17           which is the south end of the property adjacent to  
18           John's house. Because this is in a residential  
19           district, there is a limitation on the amount of  
20           impervious area between the building not -- not  
21           directly in the Highland Avenue frontage but between  
22           the building and the -- and our west property line.  
23           We would need a -- we exceed that percentage right  
24           now. We would need a variance to -- to have our plan  
25           as -- as shown. But as you notice, adjacent to the

1       residential areas are where we plan to -- at least in  
2       the initial stages -- land bank our parking on the  
3       site.

4                   So, our subjective tonight clearly is to  
5        obtain as much input from the Board we know that the  
6        Board will not be making any determinations with  
7        regard to this application this evening. Move on.  
8        Hopefully, continue our dialogue with the neighbors.  
9        And in the hope of trying to achieve some -- some  
10       degree of -- of consensus on -- on some issues. But  
11       to move on is the next step in the normal town process  
12       is the Zoning Board of Appeals, which at this point is  
13       scheduled for the December 2nd meeting. And depending  
14       on results with the -- with the Zoning Board, come  
15       back to the Planning Board and continue the dialog  
16       on -- on-site plan review.

17                  John, I don't know if you have anything that  
18        you wanted to address at this point?

19                  JOHN AUGUST: A couple -- just a couple of  
20        things, Jerry, if I am unmuted.

21                  JERRY GOLDMAN: You are.

22                  JOHN AUGUST: Matt, you through something to  
23        me on the HVAC. I didn't understand. Was that  
24        placement of the units you wanted me to elaborate on  
25        just before you -- the assumption is that we have two

1       big flat roof sections they would house the -- any of  
2       the HVAC and be screened up there. There should be  
3       nothing on the ground. Nothing visible to the  
4       community.

5               The variance Jerry spoke about I think  
6        towards it's -- that's because we don't have  
7        sufficient green in the rear yard was a choice we made  
8        rather than trying to push parking up into the front  
9        green areas, which we could accomplish and avoid that  
10       variance, I think. But again, working in and -- and  
11       -- and taking away from the front the beauty of the  
12       property so that was a choice we made. I think there  
13       are other ways to do it. And because many felt the  
14       neighborhood was best served by leaving this entire  
15       front intact. And if anyone took any of the burden of  
16       that, it's up against my home.

17               I just guess I'd like to say that I started  
18        sending 140 letters out that explained what I wanted  
19        to do, why I was doing it. It was quite detailed.  
20        And that was sent to the immediate neighbors all the  
21        people that touched the property, which including the  
22        folks at the country club across the street and the --  
23        the East Avenue -- the towers -- which were a great  
24        deal of those. Plus all the members that get -- the  
25        neighbors that were adjoining the property directly.

1                   We held two meetings at those groups for  
2                   anyone that wanted to come listen to all comments,  
3                   didn't get a whole lot of negative feedback from  
4                   anyone. People said they liked the plan but many  
5                   people didn't take me up on the opportunity to come  
6                   and speak to it.

7                   I then went in -- in that letter, gave my  
8                   cell phone number and my email and -- and urged any of  
9                   the neighbors if they have any questions whatsoever,  
10                  concerns, please to reach out. This was very early in  
11                  the process.

12                  I then went door to door to the neighbors  
13                  again that didn't hear from and abutted the property.  
14                  In particular, all of but the once on Council Rock  
15                  that butt up to the property explained exactly what we  
16                  were doing. And again got a reasonably good bill of  
17                  health that this was something that they believed was  
18                  their vision too. I was surprised again when the  
19                  attorneys were hired and we held a second meeting and  
20                  I thanks the attorneys who represented those groups  
21                  for agreeing to meet with us, as Jerry said, about  
22                  three weeks ago to hear all their concerns.

23                  So, we didn't try to hide anything through  
24                  this. And I just want the Board to understand as  
25                  we -- we promised you that we would make a good effort

1 to try to communicate with -- especially the nearest  
2 neighbors.

3 I believe in the project -- I believe it's  
4 good for the area and Brighton. I said the only thing  
5 that I think is better -- or is good for me is if we  
6 put something single-family homes there. We've done  
7 such numbers on trying to see that -- that -- if that  
8 could work and it just doesn't appear. It would scare  
9 me in knowing that I would live through months and  
10 months of the demolition of that building, which would  
11 have to come down on a wrecking ball, to accommodate  
12 any single-family homes. But again we just couldn't  
13 see it viable. And this took to me and the people I  
14 know around the neighborhood is a really good  
15 compromise and reuse of this building.

16 So, appreciate the input from the Planning  
17 Board. We'll address everything we possibly can and  
18 do everything we possibly can to suede the -- the  
19 neighbors concerns. So, thanks.

20 CHAIRMAN PRICE: Thank you, John.

21 JERRY GOLDMAN: And with, that we'll close  
22 our presentation and be available to answer questions  
23 from the Board.

24 CHAIRMAN PRICE: Okay. Thank you. I -- I  
25 personally -- you know, we've -- we've seen this.

1       We've made our comments. But -- and I don't have any  
2       additional comments. Board Members, do you have  
3       additional comments?

4                   MS. CIVILETTI: I do not.

5                   MR. BABCOCK-STINER: I'm all set.

6                   MS. DELANEY: I am all set too.

7                   MR. OSOWSKI: No. This is John. I am good  
8        too.

9                   CHAIRMAN PRICE: Okay. Thank you. This is  
10       a Public Hearing. Is -- all of those who wish to  
11       speak to this, I am going to let Jeff and Ramsey let  
12       you in one at a time. And please just give us your  
13       name and address and please feel free to give us your  
14       comments or ask questions. Thank you.

15                Who's up first, guys?

16                MR. FRISCH: I am letting Allison Bartlett  
17        in.

18                CHAIRMAN PRICE: Allison, hello.

19                ALLISON BARTLETT: Hi. Evening. Can you  
20        hear me okay?

21                CHAIRMAN PRICE: Yes, we can.

22                ALLISON BARTLETT: Okay. Great. Thank you.  
23        Good evening. My name is Allison Bartlett. I am from  
24        Harter Secrest and Emery and I am speaking tonight on  
25        behalf of our clients, John and Erica Stanit, Jonathan

1 Friedburg and, Laura Calvey.

2 CHAIRMAN PRICE: Allison, where do they  
3 live?

4 ALLISON BARTLETT: They live -- so,  
5 Jonathan's actually on the line as well so I'll let  
6 him -- I believe it's 2 Marvin Park. And -- sorry. I  
7 am blanking on Jonathan's address right now. It's on  
8 Clover Street.

9 CHAIRMAN PRICE: Okay. Thank you. Please  
10 proceed.

11 ALLISON BARTLETT: Okay. Thank you. Our  
12 clients are long-term residents of the properties  
13 adjacent to 1075 Clover Street property, that's the  
14 subject of tonight's preliminary site plan  
15 application.

16 As detailed in our letter submitted to the  
17 Board earlier today, our clients have serious concerns  
18 regarding the proposed redevelopment, which would  
19 convert the Baptist Temple site into an office park.

20 Based on the current plans, we request that  
21 if the Planning Board is not willing to deny the  
22 application at this time, that it holds the Public  
23 Hearing open and withhold any approval unless or until  
24 the developer has received a use variance for the  
25 project.

1                   Our clients decided to move to their homes  
2                   in large part due to the unique and special character  
3                   of the neighborhood. The introduction of an office  
4                   park undeniably alters the residential character of  
5                   this neighborhood and will have negative impacts on  
6                   those who have settled in the area and relies on its  
7                   continued residential nature.

8                   I'd like to address a few of our concerns  
9                   that may be considered as part of the preliminary site  
10                  plan review process. The factors include adequacy and  
11                  arrangement of traffic access and circulation,  
12                  protection of adjacent properties from noise, glare,  
13                  unsightliness, or other objectionable features, and  
14                  the overall impact on the neighborhood.

15                  So, starting with the overall impact on the  
16                  neighborhood, this is the most obvious factor  
17                  implicated by the project. As you know, the proposed  
18                  use will require a use variance, which although not  
19                  the subject of tonight meeting that the very fact that  
20                  a use variance will be required is directly indicative  
21                  of the profound impact that the proposed commercial  
22                  use will have on the existing character of the  
23                  neighborhood making it an appropriate factor for the  
24                  Planning Board to consider during its review process.

25                  The project would significantly change the

1 character of the neighborhood by greatly increasing  
2 the intensity and frequency of use. For example, when  
3 used regularly by Baptist Temple, the property was  
4 used predominantly over the weekend. If the property  
5 is converted to an office park, it will be used  
6 regularly, Monday through Friday, with weekend use as  
7 well. The intensity of use will also depend on the  
8 nature of businesses permitted by any use variance.  
9 And therefore as a result the extent of the impacts on  
10 the neighborhood are yet to be defined.

11 So, the Planning Board should not move  
12 forward with site plan review unless and until a use  
13 variance is granted for the project.

14 Another factor considered during the review  
15 process is the adequacy and arrangement of traffic  
16 access and circulation. First we question the  
17 developer's response in the short environmental  
18 assessment form indicating that the project will not  
19 result in a substantial increase in traffic above  
20 present levels. Because the project involves  
21 constructing a relatively large scale office facility  
22 in a residential neighborhood, we believe that a  
23 traffic impact study should be completed.

24 The trip generation assessment that was  
25 submitted as part of the application raises several

1 concerns as well.

2                   First the assessment offers limited  
3 projection data by only curving one peak morning and  
4 one peak evening hour with no designation as to which  
5 hours were chosen and why.

6                   In addition, the trip generation data used  
7 for Clover Street and Highland Avenue are both several  
8 years old with the data for Clover Street generated  
9 back in 2011. Therefore, it might not be indicative  
10 of the regular patterns over the past couple of years.

11                  The study also contemplates the use of  
12 approximately 6,000 square feet of the property for  
13 medical office, which if this is not limited to  
14 administrative or teleconsulting medical office use,  
15 this would greatly increase traffic trips and  
16 intensity of use throughout the day and not just the  
17 peak hours.

18                  In addition to traffic and the overall  
19 impact to the neighborhood, the Board is also required  
20 to consider the protection of adjacent properties from  
21 noise, glare, unsightliness or other objectionable  
22 features. With the introduction of office and  
23 commercial use, we anticipate that there will be  
24 increased light spillage from the property onto  
25 adjacent properties, which will extend later into the

1       evening hours and on a regular basis. And I  
2       understand that this was discussed earlier in  
3       tonight's meeting, the mitigation efforts that are in  
4       place.

20 We believe that there are likely to be a  
21 number of potentially significant impacts from the  
22 project. Consequently, the Planning Board should deny  
23 the preliminary site plan approval for -- for the  
24 project based on the current plans. If not willing to  
25 deny the application at this time, the Planning Board

1 should at minimum hold the Public Hearing open and  
2 withhold any approvals unless or until the developer  
3 has received a use variance for this project.

4 Thank you all for your time and  
5 consideration.

6 CHAIRMAN PRICE: Thank you, Allison.

7 ALLISON BARTLETT: Thank you.

8 CHAIRMAN PRICE: Jeff, who's up next?

9 MR. FRISCH: Jared Lusk.

10 CHAIRMAN PRICE: Please give us your name.

11 JARED LUSK: Good afternoon -- or good  
12 evening. I guess it's a little bit beyond the  
13 afternoon. It's Jared Lusk from Nixon Peabody. We  
14 represent a group of concerned neighbors from various  
15 addresses surrounding the area, both across the  
16 street, and around the corner, and on adjacent streets  
17 that are on -- some of which are almost directly  
18 across the street from the project.

19 At this point, I don't want to pile on to  
20 what Ms. Bartlett said. I think she did a nice job  
21 summarizing the concerns. We have been in  
22 consultation with Mr. Silvestri. And as Mr. Goldman  
23 said, we've been in consultation with -- with he  
24 and -- and Mr. August. I will say, again, along with  
the generalized concerns and the specific concerns

1                   raised by Ms. -- Ms. Bartlett, I think we continue to  
2                   hear the -- the zero-sum game here, that -- regarding  
3                   the parking and the lighting, et cetera. The reason  
4                   why we can't provide more -- provide more landscaping  
5                   buffer along the western edge is because in doing so  
6                   would require the parking to be moved into the parking  
7                   -- into the grassy area out at the Clover and Highland  
8                   intersection. I don't think that's fair. I think  
9                   that they're the -- the third alternative is to  
10                   actually not have as much office space or office space  
11                   at all so that you wouldn't need to build parking to  
12                   accommodate a 10,000 square foot addition and/or  
13                   office space in the meantime.

14                   I think these -- the lighting, the same  
15                   thing. I think the question was whether or not  
16                   there's residential lighting. If we did that we'd  
17                   have to put it back in -- near the parking lot up by  
18                   the western boundary instead, again, eliminating the  
19                   need for parking by reducing the amount of parking  
20                   necessary and not having office -- office complex use  
21                   in a residential neighborhood.

22                   I realize the dynamic that we're in, as I  
23                   explained it to my -- to my family tonight, it's a  
24                   little bit like speaking to college-aged kids that are  
25                   going to talk about the huge frat party they're going

1 to have with the beer trucks and the -- and the -- and  
2 the band set up and port-a-Johns for the huge party,  
3 except you point out the fact that they're not old  
4 enough to drink.

5 And so, all the -- so in this case, we don't  
6 have the -- we don't have the right to have this  
7 office here. We have a use variance that we know very  
8 well is very different to achieve. We've got -- I  
9 know from the -- the -- from our clients and the  
10 letters that are referenced in the agenda that there  
11 are a fair number of concerned neighbors concerning  
12 this project. And yet we're again talking about  
13 parking and lighting on a project that's not yet  
14 permitted and it's very concerning.

15 As Ms. Bartlett indicated, we'd prefer at  
16 least to -- to -- that you leave the matter on --  
17 again open. Better yet turn -- turn Mr. August back  
18 and say why don't you come back and why don't you  
19 identify the uses that are actually permitted by the  
20 Zoning Board of Appeals, if at all, beyond what is  
21 currently permitted in the zone. And then we'll be  
22 able to determine whether adequate parking lighting  
23 and traffic is -- is appropriate for the approved use.  
24 We're now speaking about appropriate parking,  
25 lighting, landscaping, et cetera, for uses that aren't

1           permitted and it's -- it's a little shocking to sit on  
2           this end of the computer and -- and watch this because  
3           it's so -- so speculative in nature. But again, I  
4           appreciate the position and the policy of the Town and  
5           hope that the -- the Board recognizes the concerns  
6           of -- of the neighbors, many in which will be speaking  
7           after me.

8                            CHAIRMAN PRICE: Can you go back to your  
9                            statement about a frat party. I didn't understand  
10                           that.

11                           JARED LUSK: No it's just, again, it's --  
12                           it's -- you're talking about having -- about all the  
13                           uses and the office uses and the great parking and the  
14                           lighting. But again we're in a residential  
15                           neighborhood where none of that would be permitted  
16                           and -- and -- and we're talking about all of the  
17                           different operations when it's just not permitted.  
18                           And it seems like I -- I was trying to analogize to  
19                           people planning a party that they're not allowed to  
20                           have. And -- and we're a little bit far down the path  
21                           with that.

22                           CHAIRMAN PRICE: We're far down the path? I  
23                           don't -- have your client considered buying this  
24                           building and doing something with it?

25                           JARED LUSK: Mr. Price, the answer is yes

1           they have.

2           CHAIRMAN PRICE: They have?

3           JARED LUSK: We'll they weren't aware that  
4           it was for sale. Most of them. But -- and that's  
5           part of the issue with the use variance. And so again  
6           I can't speak for all of my clients but I know several  
7           of my clients would have liked the opportunity to  
8           have -- to bid on the projects and potentially develop  
9           it in a manner that is consistent with the permitted  
10           zoning. But again, was not publicly marketed. You  
11           asked that question. It was not publicly marketed.  
12           It's been, again, it's been a sealed bid process of  
13           which people have no access to information and yet  
14           that's the basis for the use variance application  
15           before you. It's been -- not been a transparent  
16           process by the church. It's not been a transparent  
17           process by the broker involved. And there are  
18           plenty -- there are several of our clients that are  
19           commercial real estate investors and have been in --  
20           in commercial and residential real estate that had no  
21           idea that this was happening. That should be an  
22           indication this Board --

23           CHAIRMAN PRICE: Thank you.

24           JARED LUSK: -- about the process. You  
25           asked the question.

1                   CHAIRMAN PRICE: Yes. Thank you very much  
2 for your response. Our next guest, please.

3                   MR. FRISCH: Okay. I am going to unmute  
4 Mary.

5                   MARY JANE MAHON: Hello. I am Mary Jane  
6 Mahon. And I am a neighbor I live at 2409 East  
7 Avenue. A short statement here, folks. As a  
8 homeowner in this area, the commercial usage being  
9 proposed in a high-density residential area will  
10 forever negatively impact the character of the  
11 neighborhood. Not only will it be unsightly, but it  
12 will also financially impact the neighbor. The value  
13 of the homes will -- will decrease. I happen to any  
14 this because I am a real estate broker.

15                  Please keep us in mind before you grant any  
16 requests. Thank you.

17                  CHAIRMAN PRICE: Thank you for  
18 participating. Thank you. Mary Jane, I do -- I do  
19 have one question: Have you -- have you been aware of  
20 the public meetings that this has been a part of?

21                  MARY JANE MAHON: I actually was at one of  
22 the public meetings.

23                  CHAIRMAN PRICE: Very good. Thank you.  
24 Next speaker, please.

25                  MR. FRISCH: If people could raise their

1 hand in Zoom so I can unmute you. All right.

2 CHAIRMAN PRICE: Jeff --

3 JONATHAN FRIEDBURG: Hi, there I'm --

4 CHAIRMAN PRICE: I can't hear who's -- who's  
5 speaking?

6 JONATHAN FRIEDBURG: I'm Jonathan Friedburg.

7 CHAIRMAN PRICE: Hello, Jonathan.

8 JONATHAN FRIEDBURG: I'm here with my wife,  
9 Laura Calvey. We live at 1128 Clover Street, which is  
10 directly across the street. And in fact, if you're  
11 looking at this map, you could be standing on my roof  
12 because we're right at the corner of Georgian Court  
13 Road and Clover Street. So, we'd be just to the left  
14 of that. Right there. That's our property, correct.

15 We've lived here for 14 years. For those of  
16 you who are not familiar with this neighborhood, the  
17 homes -- it's one of the least dense areas of  
18 Brighton. We have an acre of land and a house that  
19 was built over a hundred years ago with a carriage  
20 house. We chose this neighborhood due in large part  
21 to the feel of the neighborhood and the fact that it  
22 wasn't a congested area at all.

23 I'll also say that the introduction implied  
24 that over the last few years there were issues with  
25 the church. Being a neighbor that's as close to the

1 church and walking around with my dog every day, I can  
2 tell you that I disagree with that sentiment. The  
3 church has been a great neighbor for us. It's not a  
4 high-density use. And the people coming through there  
5 are very cordial.

6 I am surprised that this has gone even as  
7 far as it has. The thought of taking this  
8 neighborhood and putting a commercial project in the  
9 middle of it is completely puzzling to me. This land  
10 is zoned for residential and there's a reason for that  
11 because this is a residential neighborhood. The fact  
12 that they're building all these extra parking spaces  
13 speaks to the fact there's going to be an increased  
14 intensity of use in this area.

15 Mr. August has been to some degree  
16 transparent with these plans. And I really thank them  
17 for the meeting that we had. Although every time I  
18 look at this project I notice new things. The parking  
19 spaces directly across the street from my house are  
20 new parking spaces. And in fact, the parking lot that  
21 currently abuts his property has been moved to give  
22 him more of a distance from this project as compared  
23 to the way it is now.

24 The trees that are cited as being sick  
25 and -- and problematic certainly don't appear that

1 way. If you walk through the property they're lovely  
2 trees. And I just would say I -- in similarity to our  
3 other neighbors, that this -- this project is not the  
4 type of project that should go here. This should not  
5 be a commercial property. This is a residential  
6 neighborhood. It has a variance for the use of a  
7 church, non-profit types of activities, I think there  
8 are other things that could go here. This should not  
9 be a commercial property. And we have major concerns  
10 regarding the parking across the street from us, the  
11 flow of traffic, the -- the lack of specificity  
12 regarding the use. As a physician, I can say that any  
13 physician's office is a high-density use. It requires  
14 additional parking places. The -- there's an entrance  
15 now on the front of the building, which is not being  
16 used at all. And here it's being shown as being used  
17 connected to those additional parking places that  
18 completely changes the feel as to what we're looking  
19 at. And for those of you who live in Brighton, I  
20 would just say, imagine what you would think if they  
21 were putting a commercial property right across the  
22 street from your house in this neighborhood where all  
23 the homes are a hundred years or more old.

24 CHAIRMAN PRICE: Thank you, sir. Jeff, do  
25 we have someone else?

1 MR. FRISCH: Yes.

2 LOU ANN ALCESTER: Hello.

3 CHAIRMAN PRICE: Hello. Welcome. Is this  
4 Lou Ann?

5 LOU ANN ALCESTER: Hello. Can you hear --  
6 hi. My name is Lou Ann. Can you hear me? Hello? I  
7 am breaking up?

8 CHAIRMAN PRICE: Yes.

9 LOU ANN ALCESTER: How's it now?

10 CHAIRMAN PRICE: Good.

11 LOU ANN ALCESTER: Okay. Can you hear me?

12 MR. BOEHNER: Yes.

13 LOU ANN ALCESTER: Okay. My name is Lou Ann  
14 Alcester. I live at Country Club Condominiums. And I  
15 have great concerns regarding a zoning change from  
16 residential to commercial.

17 A commercial area is out of character with  
18 our community. You know, it will lead to more people,  
19 traffic, safety issues, noise, and it may cause our  
20 property values to decrease. There's enough -- so,  
21 these adequately serve our neighborhood and the needs  
22 of our community did not require another commercial  
23 property.

24 In addition, Highland Avenue would become a  
25 major thoroughfare from the 590 exit. And as a

1                   resident, I strongly oppose any zoning change.

2                   MR. BOEHNER: Lou Ann, we're not hearing  
3                   you. Are you done? I am sorry.

4                   LOU ANN ALCESTER: Did -- did you get any of  
5                   that?

6                   MR. BOEHNER: I believe so.

7                   LOU ANN ALCESTER: Did you hear me?

8                   MR. BOEHNER: Yes.

9                   CHAIRMAN PRICE: Yup. We did.

10                  LOU ANN ALCESTER: Do you -- you heard  
11                  everything I had to say?

12                  MR. BOEHNER: You were in and out towards  
13                  the end a little bit that's why we're asking.

14                  LOU ANN ALCESTER: Oh okay. I -- you know  
15                  I -- basically the needs of our community did not  
16                  require another commercial property I think we're all  
17                  in agreement with our area. Highland Avenue would  
18                  become a major thoroughfare from the 590 exit. And as  
19                  a resident, you know, I want to be in the residential  
20                  zoning area not in a commercial area and that's why I  
21                  bought where I bought. And so I strongly oppose a  
22                  change in any zoning.

23                  CHAIRMAN PRICE: Okay.

24                  LOU ANN ALCESTER: That's it.

25                  CHAIRMAN PRICE: And we appreciate you

1 participating. Thank you.

2 LOU ANN ALCESTER: Thank you.

3 CHAIRMAN PRICE: Jeff, do you see Jim?

4 MR. FRISCH: I see Jim coming.

5 CHAIRMAN PRICE: Jim, are you there?

6 JIM PHELAN: Yup. I am Jim Phelan. I live  
7 at 2640 Highland Avenue. And that is directly across  
8 from the entrance/exit of the -- of the proposed --  
9 well, where the current exit is for that matter.

10 So, I guess my concern is the traffic  
11 pattern of how many cars would go in and out of there  
12 in -- when this is fully up and running compared to  
13 let's say over the last couple of years. The  
14 headlights coming through there are going to go right  
15 through my front window. So, I pretty much agree with  
16 everybody else that's been speaking against this. But  
17 that's just one point I want to see more of traffic  
18 through in and out how many and compared to the last  
19 couple of years. Thanks.

20 CHAIRMAN PRICE: Thanks for participating,  
21 Jim. Appreciate it. And traffic is one of the things  
22 we'll be asking them to study a little bit further.

23 Others interested in speaking?

24 MR. BOEHNER: Please raise your hand. I see  
25 one. An Ann Kelly.

1                   MR. FRISCH: Holly is on. I'll let Holly in  
2 and then I'll let Ann in. Go ahead, Holly.

3                   HOLLY CRAWFORD: Oh. I am Holly Crawford.  
4 My family lives at 1166 Clover Street, which is  
5 diagonally across from the church.

6                   I just wanted to add my support to all my  
7 neighbors who have expressed concerns about the  
8 traffic flow, congestion, use of the property. You  
9 know, we -- we also both -- we've only been here for  
10 less than five years. But we also have a hundred  
11 years old house in a park-like setting. And we have  
12 found that walking through the property -- we take  
13 walks every day -- you know, the trees are absolutely  
14 beautiful. It's quite useful right now. And the  
15 proposed uses we do have concerns about the traffic,  
16 the additional congestion on Clover and Highland,  
17 taking down of the trees, and taking down those -- the  
18 buffer of the noise and the lights.

19                   So, I just want to add in my -- add my  
20 concerns to those of my neighbors. Thank you.

21                   CHAIRMAN PRICE: Thank you. Thank you for  
22 coming out. Appreciate it. Jeff, was there someone  
23 after Holly?

24                   MR. FRISCH: Yeah. There's an Ann Kelly.

25                   ANN KELLY: Hello. Can you hear me?

1 CHAIRMAN PRICE: Yes.

2 MR. BOEHNER: Yes, we can.

3 ANN KELLY: I am Ann Kelly and I live on  
4 Ambassador Drive. Obviously, I am not going to be  
5 affected by these charges immediately because I don't  
6 front the property. However, I oppose the changes to  
7 the zoning because like the previous speakers, this is  
8 a residential area. And I think there's plenty of  
9 places -- other places in Brighton to put in  
10 commercial space. But not in this lovely neighborhood  
11 that we all cherish. So, I just wanted to go on just  
12 to say that I object to this too. Thank you.

13 CHAIRMAN PRICE: Thank you, Ann. Appreciate  
14 your input.

15 Jeff, do you see anyone else? Ramsey?

16 MR. BOEHNER: I am looking, Bill. I am  
17 looking.

18 MR. FRISCH: I don't see anyone else.

19 MR. BOEHNER: Raise your hand. Anyone else?  
20 I would like to say that this matter is scheduled to  
21 be on the December 2nd Zoning Board meeting. It's  
22 scheduled for December 2nd. So people may want to  
23 participate in that meeting for the use variance and  
24 the area variance. I just want to make everyone aware  
25 that there are additional Public Hearings that have

1           been scheduled regarding this matter.

2           I am not seeing anyone, Bill.

3           CHAIRMAN PRICE: Okay. Everyone that  
4           participated, we appreciate you coming out and voicing  
5           your opinion.

6           At this point, Ramsey, that's the end of our  
7           Public Hearings?

8           MR. BOEHNER: That is correct.

9           CHAIRMAN PRICE: Okay. All right. What we  
10          do at this point is, we go back up to the beginning  
11          and we take action on each of the applications.  
12          Everybody is willing to stay on and to listen to our  
13          deliberations. We actually encourage it.

14          Ramsey, would you please call our -- minus  
15          our first application.

16          MR. BOEHNER: First application is  
17          11P-01-20, guys. It's the application of the Loyal  
18          Group REM for the demolition review and approval to  
19          demolish the building located at 1285 East Henrietta  
20          Road.

21          CHAIRMAN PRICE: Okay. Do we have a motion  
22          to close the Public Hearing?

23          MS. CIVILETTI: I'll move to close the  
24          Public Hearing.

25          MR. BOEHNER: Civiletti closed. Motion?

1 MS. DELANEY: I'll second.

2 MR. BOEHNER: That's Delaney?

3 CHAIRMAN PRICE: Delaney seconded.

4 MR. BOEHNER: Member Price?

5 CHAIRMAN PRICE: Aye.

6 MR. BOEHNER: Civiletti?

7 MS. CIVILETTI: Aye.

8 MR. BOEHNER: Babcock-Stiner?

9 MR. BABCOCK-STINER: Aye.

10 MR. BOEHNER: Osowski?

11 MR. OSOWSKI: Aye.

12 MR. BOEHNER: Thank you, John. The Public  
13 Hearing is closed.

14 CHAIRMAN PRICE: Okay. So, this is -- we  
15 have demolition findings in the packet. Is there a  
16 motion to approve?

17 MR. BOEHNER: To adopt the demolition  
18 findings.

19 CHAIRMAN PRICE: I am sorry. Adopt the  
20 demolition findings.

21 MS. CIVILETTI: I will move that we adopt  
22 the demolition findings outlined in the Planning Board  
23 report and the Board approves application 11P-01-20  
24 based on testimony giving, plans submitted, and ten  
25 conditions, and adopts the negative declaration

1 proposed by Town staff.

2 MR. BABCOCK-STINER: Second.

3 MR. BOEHNER: Was that Babcock-Stiner?

4 CHAIRMAN PRICE: Yes. All right. We're  
5 moved and seconded. Is there any further discussion?

6 MR. BOEHNER: Member Price?

7 CHAIRMAN PRICE: It took them a long time to  
8 get this going so -- you called my name? Aye.

9 MR. BOEHNER: Civiletti?

10 MS. CIVILETTI: Aye.

11 MR. BOEHNER: Delaney?

12 MS. DELANEY: Aye.

13 MR. BOEHNER: Babcock-Stiner?

14 MR. BABCOCK-STINER: Aye.

15 MR. BOEHNER: Osowski?

16 MR. OSOWSKI: Aye.

17 MR. BOEHNER: Approved with conditions.

18 CHAIRMAN PRICE: Thank you. Our next  
19 application, Ramsey?

20 MR. BOEHNER: Next application is the  
21 application of the University of Rochester, owner for  
22 site plan modification to install a new back up  
23 generator on property located on 250 East River Road.

24 CHAIRMAN PRICE: Laura, this is yours.

25 MS. CIVILETTI: Okay. Can we -- do we have

1 a motion?

2 MR. OSOWSKI: I'll move that we close the  
3 Public Hearing.

4 MS. DELANEY: I'll second.

5 MR. BOEHNER: Delaney seconds to close the  
6 hearing.

7 MS. CIVILETTI: Do we have any -- I am  
8 sorry. Go ahead, Ramsey.

9 MR. BOEHNER: Sorry. Civiletti?

10 MS. CIVILETTI: Aye.

11 MR. BOEHNER: Delaney?

12 MS. DELANEY: Aye.

13 MR. BOEHNER: Babcock-Stiner?

14 MR. BABCOCK-STINER: Aye.

15 MR. BOEHNER: Osowski?

16 MR. OSOWSKI: Aye.

17 MR. BOEHNER: Hearing is closed.

18 MS. CIVILETTI: Okay. Do we have a motion  
19 on this application? Starting on page 23 of 35.

20 MR. BABCOCK-STINER: I move that the  
21 Planning Board adopts the negative declaration and  
22 that we approve the application based on the testimony  
23 given and the 13 conditions. Did I forget anything?

24 MS. CIVILETTI: We have a motion.

25 MR. BOEHNER: Do we have a second?

1 MS. DELANEY: I'll second.

2 MR. BOEHNER: Delaney seconds. Civiletti?

3 MS. CIVILETTI: Aye.

4 MR. BOEHNER: Delaney?

5 MS. DELANEY: Aye.

6 MR. BOEHNER: Babcock-Stiner?

7 MR. BABCOCK-STINER: Aye.

8 MR. BOEHNER: Osowski?

9 MR. OSOWSKI: Aye.

10 MR. BOEHNER: Approved with conditions.

11 The next matter is the application of the  
12 Baptist Temple, owner, and Clover Park Properties,  
13 LLC, contract vendee, for preliminary site plan  
14 approval to construct the existing church building  
15 into high-end office space and to construct a  
16 two-story 10,000 square foot addition on property  
17 located at 1075 Clover Street.

18 MS. CIVILETTI: Has Bill returned?

19 CHAIRMAN PRICE: I am. I am here.

20 MS. CIVILETTI: Okay.

21 CHAIRMAN PRICE: Do we -- I think if we  
22 table this -- we're tabling the Public Hearing as  
23 well. I think you just -- do we have a motion to  
24 table the application?

25 MR. BOEHNER: Hearing is kept open without a

1 motion. Is there a motion to table the application?  
2 One thing that is in there is that there is a  
3 requirement or a request for this application to be  
4 coordinated pursuant to SEQRA and with the other  
5 involved agencies.

6 CHAIRMAN PRICE: And at this point, Ramsey,  
7 who do you see those being? Just county, traffic?

8 MR. BOEHNER: Potentially, without looking  
9 into it more, it would be Monroe County and possibly  
10 New York State d.o.t.

11 CHAIRMAN PRICE: Is Clover a state road or  
12 county Road? It looks like a county.

13 MR. BOEHNER: At that point Clover is  
14 county. East Avenue -- until we get a better idea of  
15 the trip generation, we'll see how far we have to go  
16 but East Avenue is state.

17 CHAIRMAN PRICE: I see. So, the  
18 intersection at --

19 MR. BOEHNER: At Clover and East, I believe  
20 is state jurisdiction. But we'll know more when we  
21 reach out to them.

22 CHAIRMAN PRICE: Very good.

23 MR. BOEHNER: They're jurisdictional.  
24 They're the experts. So, we do need to talk to them.

25 CHAIRMAN PRICE: Okay. Was there a motion?

1 I didn't hear.

2 MR. BOEHNER: No.

3 MS. CIVILETTI: I will move that we table  
4 application -- sorry.

5 MR. BOEHNER: 9P-NB1-20.

6 MS. CIVILETTI: 9P-NB1-20 based on plans  
7 submitted, testimony given, 22 conditions, and pending  
8 coordination or SEQR with involved agencies, including  
9 Monroe County and New York State d.o.t.

10 CHAIRMAN PRICE: I'll second.

11 MR. BOEHNER: Price seconds. Member  
12 Osowski?

13 MR. OSOWSKI: Aye.

14 MR. BOEHNER: Babcock-Stiner?

15 MR. BABCOCK-STINER: Aye.

16 MR. BOEHNER: Delaney?

17 MS. DELANEY: Aye.

18 MR. BOEHNER: Civiletti.

19 MS. CIVILETTI: Aye.

20 MR. BOEHNER: Price?

21 CHAIRMAN PRICE: Aye.

22 MR. BOEHNER: The application is tabled.

23 We have one sign tonight. The other sign  
24 was tabled by the Architectural Review Board. Jeff,  
25 if you want to get that up.

1                   MR. FRISCH: Is it 91 or 92?

2                   MR. BOEHNER: It is 1591.

3                   MR. FRISCH: Okay.

4                   MR. BOEHNER: There we go. That was the  
5 resubmitted one; right, Jeff?

6                   MR. FRISCH: Yes.

7                   CHAIRMAN PRICE: I am sorry, Jeff. Can you  
8 tell us where this is?

9                   MR. FRISCH: This is on Clover Street -- or  
10 not Clover --

11                  MR. BOEHNER: White Spruce.

12                  CHAIRMAN PRICE: White Spruce. Yeah. Okay.

13                  MR. BOEHNER: You can see it in the picture.  
14 They're holding up the sign.

15                  CHAIRMAN PRICE: Yeah.

16                  MR. BOEHNER: The ARB suggested they make it  
17 a little bit bigger.

18                  CHAIRMAN PRICE: I'd say.

19                  MR. BOEHNER: It's within code. So...

20                  CHAIRMAN PRICE: He wants it -- they  
21 recommended approval?

22                  MR. BOEHNER: Yes. They -- let me just  
23 double-check if I could. Yeah. They -- I would  
24 approve it as resubmitted because they came back with  
25 a larger sign, which is what you're seeing now. So,

1 I'd recommend approved as resubmitted.

2 CHAIRMAN PRICE: So moved.

3 MS. CIVILETTI: Second.

4 CHAIRMAN PRICE: Second? Moved and  
5 seconded.

6 MR. BOEHNER: Okay. Ready? Osowski?

7 MR. OSOWSKI: Aye.

8 MR. BOEHNER: Babcock-Stiner?

9 MR. BABCOCK-STINER: Aye.

10 MR. BOEHNER: Delaney?

11 MS. DELANEY: Aye.

12 MR. BOEHNER: Civiletti?

13 MS. CIVILETTI: Aye.

14 MR. BOEHNER: Price?

15 CHAIRMAN PRICE: Aye.

16 MR. BOEHNER: I think that's everything  
17 tonight, folks.

18 CHAIRMAN PRICE: All right.

19 MR. BOEHNER: Thank you, everyone.

20 CHAIRMAN PRICE: Thanks, everybody. Have a  
21 good Thanksgiving.

22 MR. BOEHNER: Have a good Thanksgiving.

23 Most of all, be safe.

24 MS. CIVILETTI: Yup. You too. Thank you.

25 MR. BOEHNER: Wear masks. Thank you to

1 everyone who participated.

2 MR. DOLLINGER: Everyone have a good  
3 Thanksgiving. Ramsey, Bill.

4 MR. BOEHNER: Yup. You too, David. Jared,  
5 thank you. Mary Jane. Everyone. Good night.

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## 1 REPORTER CERTIFICATE

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3 I, Alexandra K. Wiater, do hereby certify  
4 that I did report in stenotype machine shorthand the  
5 proceedings held in the above-entitled matter;6 Further, that the foregoing transcript is a  
7 true and accurate transcription of my said  
8 stenographic notes taken at the time and place  
9 hereinbefore set forth.

10

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12 Dated this 9th day of December, 2020

13 At Rochester, New York

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Alexandra K. Wiater

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