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

November 18, 2020

Brighton Town Hall

2300 Elmwood Avenue

Brighton, New York 14618

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

13 Tonight, we're -- as we have done in the
14 past since June -- we will have the applications on
15 the screen. And then the applicant will make a
16 presentation. The Board will have a chance to ask any
17 questions of the applicant. And then we will open it
18 up to public questions and comments about that
19 particular application.

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

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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.

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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?

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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.

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1 MR. BOEHNER: Approved.

2 CHAIRMAN PRICE: All right. Thank you.

3 Okay. So, let's get back to the Public
4 Hearings and if they were properly advertised.

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.

22 We have the application of SE Baker Company
23 for Brighton Corners for 2400 -- 1900 Monroe Avenue is
24 adjourned at the applicant's request on to the
25 December 16th meeting, 2020.

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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.

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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.

7 With that introduction, what I'm going to do
8 is turn the presentation over to Matt Tomlinson to
9 talk through the site plan. And then I will come back
10 and summarized the process as we see it, the process
11 going forward, and some of the interactions we've had
12 with the neighbors and neighborhood.

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.

21 We did request to be tabled after making our
22 initial application. And then amended the package
23 addressing some of the comments from staff that we
24 received relative to the requirements for including
25 6,000 square feet of medical office space. And I'll

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 largers 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 plan.

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 handling 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.

7 MR. BOEHNER: Neither did I. So, if you can
8 look into it.

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 involve s
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.

5 The project will also include the
6 construction of an additional 10,000 square feet of
7 commercial leasing space, which will increase the
8 existing building space on the property by about 30
9 percent. This will require additional parking to
10 conform to Town Code requirements. And based on plans
11 submitted to the Board and look at tonight, some of
12 the new parking may be added in front of the existing
13 church along the driveway entering the property from
14 Clover Street. This parking would add additional
15 noise, headlights, and safety issues on the portions
16 of the property closest to and directly across from
17 our client's homes. The overall increase in parking
18 also adds to the unsightly nature of the project in a
19 residential neighborhood.

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

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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
25 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.

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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?

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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

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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.

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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?

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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?

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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

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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

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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?

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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 SEQOR 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?

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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 SEQOR 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.

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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,

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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

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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

2
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
11
12 Dated this 9th day of December, 2020

13 At Rochester, New York
14
15

16 Alexandra K. Wiater
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