

PLANNING BOARD
TOWN OF BRIGHTON
MEETING OF DECEMBER 16, 2020
Brighton Town Hall
2300 Elmwood Avenue

Due to the public gathering restrictions and executive orders in place because of COVID-19, this Planning Board meeting will be conducted remotely. Members of the public will be able to view the meeting via Zoom.

Written comments will be received by Ramsey Boehner, Executive Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to ramsey.boehner@townofbrighton.org, until December 16, 2020 at 12:00 PM.

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

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

AGENDA

7:00 P.M. Public Hearing Via Virtual Platform

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Approval of the November 18, 2020 meeting minutes.

CHAIRPERSON: Announce that the public hearings, as advertised for the Planning Board in the Brighton-Pittsford Post of December 10, 2020 will now be heard.

8P-01-20 Application of John Greer, owner, for Preliminary/Final Site Plan Approval to expand
Revised the existing restaurant parking lot on property located at 2171 West Henrietta Road.
All as described on application and plans on file. **TABLED AT THE AUGUST 19,
2020 MEETING - PUBLIC HEARING REMAINS OPEN**

11P-03-20 Application of S.E. Baker and Company, agent, and Brighton Corners, LLC, owner,
for 1) determination of the on-site parking requirement for a pilates studio, pursuant
to Section 205-12 of the Brighton Comprehensive Development Regulations; and 2)
whether or not the parking requirements for a pilates studio located at 1900 Monroe
Avenue (Twelve Corners Plaza) can be reduced pursuant to Section 205-20
(Combined Spaces) of the Brighton Comprehensive Development Regulations. All
as described on application and plans on file. **POSTPONED FROM THE
NOVEMBER 18, 2020 MEETING.**

NEW BUSINESS:

9P-NB1-20 Application of Baptist Bible Temple, owner, and Clover Park Properties, LLC,
contract vendee, for Preliminary Site Plan Approval to convert an existing church
building into high end office space and construct a 2 story, 10,000 sf building

addition on property located at 1075 Clover Street. All as described on application and plans on file. **TABLED AT THE NOVEMBER 18, 2020 MEETING - PUBLIC HEARING REMAINS OPEN - ADJOURNED TO THE JANUARY 20, 2020 MEETING AT APPLICANTS REQUEST**

12P-NB1-20 Application of Wendy Freida and Bruce Dan, owners, for Preliminary Re/subdivision
Revised Plans approval, Preliminary Site Plan Approval and Demolition Review and Approval to raze two (2) single family homes, combine two lots into one, and construct a 3,500+/- sf 2 story single family home with a 698 +/- sf attached garage and a 517+/- sf detached garage on properties located at 561 and 575 Winton Road South. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Matt Tomlinson, Marathon Engineering, dated December 14, 2020, requesting adjournment of application 9P-NB1-20, 1075 Clover Street, to the January 20, 2021 meeting.

PETITIONS:

NONE

SIGNS:

APP #	NAME & LOCATION	TYPE OF SIGN	ARB REVIEW
			PB DECISION
ARB & PB RECOMMENDATIONS AND/OR CONDITIONS			
<u>1592</u>	Upper Cervical Chiropractic of Rochester 749 East Henrietta Road	1) Bldg Face Sign 2) Directory Sign 3) Free Standing Business ID / Directory Sign	10/27/20
			TABLED PER ARB
ARB - Tabled for additional information: 1. Better quality and accurate imagery dimensioned and scaled for the building face sign. 2. Building face sign should not interfere with architectural elements on front of building - in particular the arch details. 3. Website address shall be removed from the building face sign.			
<u>1593</u>	Townline Liquor & Wines 2852 W Henrietta Road	Bldg Face	11/24/20
ARB - Approved as presented.			
<u>1594</u>	Messianic Jewish Congregation Shema Yisrael Congregation	Free Standing	11/24/20
ARB - Approved (with recommendations) <ul style="list-style-type: none">Make top bumpout more circular to match existing circular symbol, as opposed to more ovate.Reduce kerning on second line of text and center.			
<u>1595</u>	Cricket 2852 W Henrietta Road	Bldg Face	11/24/20
ARB - Approved as presented			



39 Cascade Drive / Rochester, NY 14614 / Phone (585) 458-7770

December 14, 2020

Ramsey Boehner
Town of Brighton
2300 Elmwood Drive
Rochester NY 14618



Re: Request to Table – Planning Board
1075 Clover St
Town of Brighton, County of Monroe, State of New York

Dear Ramsey,

On behalf of our client, Clover Park Properties LLC, we are submitting this request to table the submitted application for Preliminary Site Plan Approval for the above-referenced project until the Planning Board meeting of January 20, 2021.

If you have any questions, or require additional information, please do not hesitate to contact our office.

Respectfully submitted,

Matt Tomlinson CPESC
MARATHON ENGINEERING

cc: John August, Clover Park Properties LLC
Betsy Brugg / Jerry Goldman, Woods Oviatt Gilman

Going the distance for you.

PLANNING BOARD REPORT

HEARING DATE: December 16, 2020

APPLICATION NO: 8P-01-20

APPLICATION SUMMARY: Application of John Greer, owner, for Preliminary/Final Site Plan Approval to expand the existing restaurant parking lot on property located at 2171 West Henrietta Road.

COMMENTS:

- The subject property is presently zoned Residential- RLB.
- The property has a use variance to operate a restaurant. The applicant proposes to add an ice cream window to the building and to increase the seating capacity of the restaurant. The applicant has obtained the needed approval from Zoning Board of Appeals to modify the use variance to allow the ice cream window and the additional seating.
- The applicant will be installing an automatic sprinkler system as required by Town Code.
- The West Henrietta Road driveway access points have been eliminated. Revised plans have been submitted.
- A 10' wide sidewalk Easement has been added to the Revised Site Plans. The proposed parallel parking along West Henrietta Road might conflict with the installation of future sidewalks along West Henrietta Road. The nine (9) parallel parking spots might need to be relocated on site to eliminate this conflict if/when sidewalks are constructed in the future.

CONSERVATION BOARD:

- It appears all previous comments have been adequately addressed.

TOWN ENGINEER: See attached memo from Evert Garcia dated August 17, 2020.

QUESTIONS:

- What revisions have been made to the plans since the last Planning Board meeting?
- Have you obtained approvals from Zoning Board of Appeals to modify the use variance to allow the ice cream window and the additional seating?

- Can the existing LED fixtures on the light pole which is to be relocated be retrofitted with cutoff shields? What is the color temperature of the LED fixtures?
- Where will the ice cream window be located?
- How many additional seats are you proposing for the restaurant?
- What type of provisions are you providing for trash?
- What is the status of the Monroe County Development Review?

APPLICATION:

If the Board entertains approval, I would suggest including, among any others suggested by the Board, the following conditions:

1. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).
2. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
3. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
4. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
5. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
6. Maintenance of landscape plantings shall be guaranteed for three (3) years.
7. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66), Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.
8. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.

9. All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed.
10. All outstanding Site Plan comments and concerns of the Town Engineer regarding soil erosion, storm water control, water system and sanitary sewer design shall be addressed.
11. All County Development Review Comments must be submitted.
12. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
13. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to landscaping, stormwater mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.
14. The parking lot lights shall be placed on a timer.
15. Erosion control measures shall be in place prior to site disturbance.
16. All comments and concerns of the Town Engineer as contained in the attached memo dated December 11, 2020 from Evert Garcia, Town Engineer, to Ramsey Boehner, shall be addressed.
17. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
18. All new accessible parking space signage to be installed or replaced shall have the logo depicting a dynamic character leaning forward with a sense of movement as required by Secretary of State pursuant to section one hundred one of the Executive Law.
19. The map and description for the sidewalk easement should be prepared and submitted to this office for review. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.
20. The proposed parallel parking along West Henrietta Road might conflict with the installation of future sidewalks along West Henrietta Road. The nine (9) parallel parking spots might need to be relocated on site to eliminate this conflict if/when sidewalks are constructed in the future.
21. All required NYSDOT permits shall be obtained.
22. All conditions of the Zoning Board of Appeals shall be met.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 8P-1-20

Date: December 16, 2020

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Planning Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Application of John Greer, owner

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Preliminary/Final Site Plan Approval to expand the existing restaurant parking lot.

Location: 2171 West Henrietta Road.

Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town Planning Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. Soil erosion control measures will be implemented during and after construction based upon a detailed grading and erosion control plan.
2. No threatened or endangered species of plants or animals will be affected by this project.
3. The storm water drainage system is designed and will be constructed in accordance with all applicable Town requirements and designed in a manner so as to mitigate storm water pollutant loads.
4. The duration of all impacts will be short term in nature.
5. There will be no resources of value irreversibly lost.

For further information:

Contact Person: Ramsey A. Boehner, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

Telephone: (585)784-5229



Public Works Department

Commissioner of Public Works – Michael Guyon, P.E.

Evert Garcia, P.E.
Town Engineer

Date: December 11, 2020

From: Evert Garcia

To: Ramsey Boehner

Copy: File

Re: *Application No. 8P-01-20*
John Greer, Owner
Preliminary/Final Site Plan Approval to expand the existing restaurant parking lot
2171 West Henrietta Road

We have completed our review of the above referenced project and offer the following comments for the Planning Boards consideration

General:

1. We await to review the Engineer's estimate of construction to establish the value of the letter of credit. The letter of credit is intended to cover certain aspects of the project, including, but not limited to: demolition, restoration, driveway entrance within the NYSDOT right of way, stormwater water management facilities, sediment and erosion control, and landscaping. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
2. The owner of the site must execute a maintenance easement agreement that shall be binding on all subsequent owners of land served by the stormwater management facility. The agreement shall provide for access to the facility at reasonable times for periodic inspection by the Town, or its contractor or agent, to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by the Code of the Town of Brighton, if necessary, implement emergency repairs to protect the health, safety and welfare of the public. A copy of the Town's standard maintenance agreement language will be provided to the Owner's Engineer under separate cover.

Engineer's Report:

1. A copy of the hydraulic calculations developed to demonstrate that the proposed water distribution network has sufficient pressure and flow to accommodate the demands associated with this project must be provided.
2. What is the status of the combined service and backflow preventer approvals?
3. Chapter 215 of the Brighton Town Code indicates that the discharged flow at the downstream area of the development shall be conducted in drainage facilities so that the flow effect shall be restored to predevelopment conditions prior to leaving the development area or reasonably distant therefrom. The applicant's engineer has indicated that the design of the proposed drainage facilities is still being finalized to comply with this requirement. A final review of the proposed stormwater systems will be conducted when these documents are provided.
4. The 25-year and the 50-year storm events should also be considered in the hydrologic and hydraulic model.
5. The provided green infrastructure worksheets indicate that 984 cf of RRv is being provided by filter strips in catchments 2 through 5. The site plans do not show any riparian buffers or filter strips green infrastructure features in these areas. Please clarify.

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Plans

1. *Existing Conditions and Demolition Plan, Drawing C1*

- a. The applicant's engineer has indicated that the yard inlets located on the western side of the development will be removed as part of the proposed improvements. The location of the remaining roof downspouts should be depicted on this sheet.
- b. Will the light pole within the existing planter be relocated on-site? If so, the plans should be updated to depict the proposed location.
- c. What is the status of the NYS DOT review for this project? Copies of the NYS DOT comments should be forwarded to this office for our records.

2. *Site Plan, Drawing C2*

- a. The proposed parallel parking along West Henrietta Road might conflict with the installation of future sidewalks along West Henrietta Road. The nine (9) parallel parking spots might need to be relocated on site to eliminate this conflict if/when sidewalks are constructed in the future.
- b. The map and description for the sidewalk easement should be prepared and submitted to this office for review. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures. A copy of the Town's standard sidewalk easement language will be provided to the Owner's Engineer under separate cover.
- c. The proposed storm sewers depicted on Drawings No. 2 and 3 show conflicting information. Please clarify the proposed storm sewer layout on the northwestern portion of the site.
- d. What do the circular symbols within the proposed bioretention facilities represent? Please clarify.
- e. Can the existing LED fixtures on the light pole which is to be relocated be retrofitted with cutoff shields? What is the correlated color temperature (CCT) of the LED fixtures?
- f. The pipe size and material for the Town storm sewer main on Doncaster Road should be noted on the plans.

3. *Grading Plan, Drawing C3*

- a. A temporary construction entrance should be provided for this project and a detail included on the plans.
- b. Where will materials be stored on the project site? These areas should be shown on the plans and precautions should be provided to eliminate the discharge of petroleum and other pollutants.
- c. The bioretention facilities should be protected from sediment and erosion associated with the construction of the parking lot expansion until the site has been stabilized.
- d. A sequence for construction of the development site, including stripping and clearing, rough grading, construction of utilities, green infrastructure, final grading, and landscaping shall be provided. The sequence of construction should also be outlined on the plans.
- e. The process by which previously impervious areas are restored should be outlined on the plans.
- f. Will the location of the relocated light pole conflict with the open channel depicted on this sheet?
- g. Spot elevation along the proposed open channels should be provided on the plans.
- h. The proposed invert elevation for the underdrain in the eastern bioretention facility does not appear to correlate with media depths shown on the bioretention detail. Please review and revise.
- i. Plantings should be provided in the western bioretention facility.

4. The following details should be included on the plans:

- a. Details for the proposed connections to the Town storm sewer system.
- b. A pavement transition detail.
- c. A stabilized construction entrance.

PLANNING BOARD REPORT

HEARING DATE: December 16, 2020

APPLICATION NO: 11P-03-20

APPLICATION SUMMARY: Application of S.E. Baker and Company, agent, and Brighton Corners, LLC, owner, for 1) determination of the on-site parking requirement for a Pilates studio, pursuant to Section 205-12 of the Brighton Comprehensive Development Regulations; and 2) whether or not the parking requirements for a Pilates studio located at 1900 Monroe Avenue (Twelve Corners Plaza) can be reduced pursuant to Section 205-20 (Combined Spaces) of the Brighton Comprehensive Development Regulations.

COMMENTS:

- Pilates is a use not listed in the Brighton Comprehensive Development Regulations parking schedule. Section 205-12 requires that “uses not listed, the required number of off-street parking spaces shall be determined by the Planning Board based on the need to prevent frequent on-street parking by users and employees.”
- Based on the information submitted with the application, Club Pilates requires 2 employees on site per day and proposes 12 stations. A maximum of 14 parking spaces would be needed during their most popular times (1 space for each station and 1 for each employee onsite).
- The applicant is also asking whether or not the parking requirements for a Club Pilates can be reduced pursuant to Section 205-20 (Combined Spaces) of the Brighton Comprehensive Development Regulations. “When any lot contains two or more uses having different parking requirements, the parking requirements of each use shall apply to the full extent. Where it can be conclusively demonstrated that one or more such uses will be generating a demand for parking spaces primarily during periods when the other use or uses are not in operation, the Planning Board may reduce the total parking requirement to an amount which, in its judgment, will prevent frequent parking on the street by persons working on or visiting the premises.”
- Club Pilates provided the following information regarding their hours of operation:
 - Estimated Hours of Operation: Monday - Friday, 5:30am-2:00pm & 4:30pm-7:30pm; Saturday & Sunday 7:00am-2:00pm
 - Estimated Class Schedule: 5:30/6:30/8:30/9:30am/12noon/4:30/5:30/6:30pm M-F; 7/8/9/10/11am/12noon Sat-Sun; classes run roughly 30-60 minutes on the hour.

- Club Pilates Program Offerings: reformer based group and private / semi-private Pilate's classes; 12 clients can fit within a group fitness class, and 1-2 within a private / semi-private class.
- Based on their experience at Pure Barre Rochester (Pittsford Plaza), our most popular class times are 8:30/9:30am, 5:30/6:30pm weekday, and all weekend classes.
- The current vacant 2,100 sf has 8 parking spaces assigned to it. Yotality is assigned 13 spots based on 26 seats (1 space per 2 seats) reported on premises in 2013. Per count as of 10/19/20, there are only 20 seats on premises which reduce the number of spaces needed to 10 (a gain of 3 spaces). Therefore, there are 11 parking spaces available for the Pilates Club during all their hours of operation, leaving only 3 additional spaces needed during the most popular classes.
- Brighton Vision is assigned 5 parking spaces. Brighton Vision is closed on the weekends which provide 5 available spaces for Club Pilates to use on the weekends.
- Eleventh Hour is assigned 7 parking spaces and does not open to 11:00 am Tuesday –Friday (closed Sunday and Monday). Joe's Brooklyn Pizza is assigned 34 parking spaces and does not open until 12pm Monday-Wednesday and 11:00 am Thursday –Saturday. Adequate parking is available for Club Pilates to use during their popular weekday morning classes.
- Bagel Land is assigned 4 parking spaces and closes at 3:00 pm which provides 4 additional spaces for Club Pilates to use during their popular evening classes.

QUESTIONS:

- How many stations are you proposing?
- How many employees do you have onsite?
- What times are the most popular the classes held?
- How many parking spaces are available during all the proposed hours of operation?
- Which businesses are not in operation during the most popular classes?

APPLICATION:

I would suggest the following findings, among any others suggested by the Board:

1. The proposed Pilates studio requires 14 parking spaces requires (1 space for each station and 1 for each employee on site).

2. The subject vacant 2,100 sf space has 8 parking spaces assigned to it. Yotality was assigned 13 spots based on 26 seats (1 space per 2 seats) reported on premises in 2013. Per count as of 10/19/20, there are only 20 seats on premises which reduced the number of spaces needed to 10 (a gain of 3 spaces). Therefore, there are 11 parking spaces available for the Pilates Club during all their hours of operation, leaving only 3 additional spaces needed during the most popular classes.
3. Based on experience at Pure Barre Rochester (Pittsford Plaza), the most popular class times are 8:30/9:30am, 5:30/6:30pm weekday, and all weekend classes.
4. Brighton Vision is assigned 5 parking spaces. Brighton Vision is closed on the weekends which provide 5 available spaces for Club Pilates to use on the weekends.
5. Eleventh Hour is assigned 7 parking spaces and does not open to 11:00 am Tuesday –Friday (closed Sunday and Monday). Joe’s Brooklyn Pizza is assigned 34 parking spaces and does not open until 12pm Monday-Wednesday and 11:00 am Thursday –Saturday. Adequate parking is available for Club Pilates to use during their popular weekday morning classes.
6. Bagel Land is assigned 4 parking spaces and closes at 3:00 pm which provides 4 additional spaces for Club Pilates to use during their popular evening classes.
7. Adequate parking is available for the proposed use to prevent frequent parking on the street by persons working on or visiting the premises.
8. The proposed use must obtain the necessary Certificate of Compliance from the Building and Planning Department prior to the issuance of any permits or occupancy of the space.
9. The applicant must obtain a conditional use permit from the Planning Board to operate at 5:30 am.

PLANNING BOARD REPORT

HEARING DATE: December 16, 2020

APPLICATION NO: 12P-NB1-20

APPLICATION SUMMARY: Application of Wendy Freida and Bruce Dan, owners, for Preliminary Re/subdivision approval, Preliminary Site Plan Approval and Demolition Review and Approval to raze two (2) single family homes, combine two lots into one, and construct a 3,500+/- sf 2 story single family home with a 698 +/- sf attached garage and a 517+/- sf detached garage on properties located at 561 and 575 Winton Road South.

COMMENTS:

- The subject property is presently zoned RLB Residential Low Density.
- The owners wish to demolish each of the existing homes, merge the properties, and construct one single-family home.
- The owners would like to live in 575 Winton Rd S while the new house is being constructed.
- The applicant's engineer has submitted an interim demolition and restoration plan to consider while the new house on the north side of the lot is constructed and the existing house on the south is to remain. A demolition and construction phasing plan should be provided with the drawing set.
- The demolition of the two houses must be reviewed by the Historic Preservation Commission to determine if a public hearing should be scheduled to consider designation of the houses as historic local landmarks.
- The total project area is 0.7 acres.
- Utilities (gas, electric, cable, water & sewer) exist along South Winton Road frontage and will be rerouted to serve the needs of the future home and detached garage.
- The Town of Brighton Department of Public Works (DPW) will require that the existing laterals be televised and the conditions assessed. Replacement laterals will need to be installed if the DPW determines they are required.
- The project site is currently served by 2 separate curb cuts and driveways accessing South Winton Road, the northernmost one of which is to be completely removed as part of this development proposal.
- The southernmost curb cut will remain "as-is" and the driveway west of the public sidewalk converted from asphalt to geogrid seeded and maintained as lawn.

- A new curb cut and asphalt driveway is to be installed for access to the new home's attached garage near the northeast corner of the project site.
- All work within the South Winton Road right-of-way will require a permit from the Monroe County Department of Transportation.
- The project will need to obtain the following variances and approval from the Zoning Board of Appeals:
 - The proposed rear setback for the new home is 34.5', or 5.5' less than the Code minimum.
 - There shall be no more than one access point from any lot to any street.
 - Temporary and Revocable permit to allow two dwellings on one lot while the proposed house is being constructed.
- An pre-asbestos removal survey has not been submitted.
- The proposed resubdivision meets the requirements of the Comprehensive Development Regulations.
- The architectural design and building materials of the proposed buildings have not been reviewed and approved by the Town of Brighton Architectural Review Board.

CONSERVATION BOARD:

- Investigate incorporating green infrastructure techniques.
- Investigate incorporating the use of alternative energy sources (solar, geothermal).

TOWN ENGINEER: See memo from Town Engineer, Evert Garcia, dated October 20, 2020.

QUESTIONS:

- What has changed on the Site Plan since the last Planning Board Meeting?
- What is the proposed phasing and timeline for demolition of the existing houses and construction of the new house?
- Are the owners still planning on living at 575 Winton Rd S while the new house is being constructed?

- Have the architectural design and building materials of the proposed building(s) been reviewed and approved by the Town of Brighton Architectural Review Board?
- Have all the necessary variances and approvals for this project been obtained from the Zoning Board of Appeals?
- Has the proposed demolition been reviewed by the Historic Preservation Commission?
- What type of exterior lighting is being proposed?
- Which trees are proposed to be removed?
- Will a generator be installed?

APPLICATION:

If the Board entertains tabling the application, I would suggest including, among others suggested by the Board, the following items be addressed:

1. A parkland fee in lieu of recreation land shall be paid prior to the issuance of a building permit for construction of the dwelling unit.
2. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
3. The architectural design and building materials of the proposed building(s) shall be reviewed and approved by the Town of Brighton Architectural Review Board.
4. Meet all requirements of the Town of Brighton's Department of Public Works.
5. All Town codes shall be met that relate directly or indirectly to the applicant's request.
6. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
7. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
8. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.

9. Maintenance of landscape plantings shall be guaranteed for three (3) years.
10. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66), Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.
11. If any site lighting is proposed as part of this project, a lighting plan which shows the type, location and lighting contours shall be submitted. The proposed lights shall be designed to reduce impacts to the surrounding properties
12. Meet all subdivision filing requirements of the Town of Brighton's Department of Public Works.
13. All outstanding Site Plan comments and concerns of the Town Engineer regarding soil erosion, storm water control, water system and sanitary sewer design shall be addressed.
14. All County Development Review Comments shall be addressed.
15. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
16. The project will comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the applicant shall verify that the project will comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, and Section 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and asbestos survey and removal requirements of Section 56-5 are met.
17. Prior to the issuance of a demolition permit or building permit, asbestos shall be removed according to NYS and the Town of Brighton requirements and verification shall be submitted from a qualified company that asbestos has been removed.
18. The height of the proposed house and detached garage shall be shown on plans. Elevation drawings showing the height of the structures in relationship to proposed grade shown on the site plan shall be submitted.
19. Prior to any framing above the deck, an instrument survey showing setback and first floor elevation shall be submitted to and reviewed by the Building and Planning Department.
20. The zoning notes on the site plan shall include both required and proposed information for each zoning category. The information contained on the submitted Single Family Zoning Information form shall be shown on all plans.

21. Erosion control measures shall be in place prior to site disturbance.
22. The applicant shall review the site plan, elevations, and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Elevation drawings showing the height of the structure in relationship to proposed grade as shown on the approved site plan shall be submitted.
23. Prior to the issuance of any permits, the Single-Family Zoning Information form shall be submitted to and approved by the Building and Planning Department. The form shall be completed by the applicant's architect. All information shall be shown on both the site plan and architectural drawings.
24. The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.
25. All comments and concerns of the Town Engineer as contained in the attached memo dated December 15, 2020 from Evert Garcia, Town Engineer, to Ramsey Boehner, shall be addressed.
26. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
27. Consideration should be given to the following comments of the Conservation Board:
 - a. Investigate incorporating green infrastructure techniques.
 - b. Investigate incorporating the use of alternative energy sources (solar, geothermal).
28. The applicant's engineer has submitted an interim demolition and restoration plan to consider while the new house on the north side of the lot is constructed and the existing house on the south is to remain. A demolition and construction phasing plan should be provided.
29. The demolition and restoration plans should depict the grading associated with the restoration of the site should construction of the new house not commence immediately following demolition.
30. Specifications for backfill requirements of the building footprints shall be included on the plans. No existing construction materials (concrete or other) from the existing homes shall remain on-site.
31. The demolition of the two houses must be reviewed by the Historic Preservation Commission to determine if a public hearing should be scheduled to consider designation of the houses as historic local landmarks.

32. The Town of Brighton Department of Public Works (DPW) requires that the existing laterals be televised and the conditions assessed. Replacement laterals will need to be installed if the DPW determines they are required.
33. Prior to the issuance of any permits the applicant shall obtain and submit a 239-F Permit from Monroe County DOT. All work within the South Winton Road right-of-way will require a permit from the Monroe County Department of Transportation.
34. The project will need to obtain the following variances and approval from the Zoning Board of Appeals:
 - a. The proposed rear setback for the new home is 34.5', or 5.5' less than the Code minimum.
 - b. There shall be no more than one access point from any lot to any street.
 - c. Temporary and Revocable permit to allow two dwellings on one lot while the proposed house is being constructed.
35. A pre-asbestos removal survey shall be submitted.
36. The architectural design and building materials of the proposed buildings have not been reviewed and approved by the Town of Brighton Architectural Review Board.
37. The fence proposed in the front yard, including the gate and all decorative features such as finials, shall not exceed three feet six inches in height above grade or the top of the curb, whichever is higher. Fences and walls are further restricted as required by § 207-1, Clear vision areas, of the Comprehensive Development Regulations. The applicant's engineer shall verify that the proposed front yard fence complies with the height requirement and clear vision requirements.
38. The bushes/shrubs planted along the public sidewalk shall be planted back far enough so that when they mature, they will not interfere with pedestrian access to the public sidewalk or create a clear vision problem.
39. The plans shall clearly show all trees proposed to be removed.
40. A landscape plan shall be submitted that show all proposed plantings.
41. A schedule of all easements (existing/proposed, public/private) associated with this project shall be provided. All texts, maps and descriptions of proposed easements shall be prepared and submitted to this office for review. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.

42. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: demolition, restoration, driveway entrance within the MCDOT right of way, sanitary sewer, water main, stormwater water management facilities, landscaping, and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
43. The contractor shall obtain all necessary Highway Access, Sewer Construction, Demolition, or other permits from the Town or other agencies prior to starting work.



Public Works Department

Commissioner of Public Works – Michael Guyon, P.E.

Evert Garcia, P.E.
Town Engineer

MEMO

Date: December 15, 2020

From: Evert Garcia

To: Ramsey Boehner

Copy: File

Re: *Application No. 12P-NB1-20
Wendy Freida and Bruce Dan, Owners
Preliminary re-subdivision approval, preliminary site plan approval and demolition review and approval to raze two (2) single family home, combine two lots into one, and construct a 3,500 +/- sf two-story single-family home with a 698 +/- sf attached garage and a 517 +/- sf detached garage.
561/575 Winton Road South*

We have completed our review of the above referenced project and offer the following comments for the Planning Boards consideration

General:

1. A schedule of all easements (existing/proposed, public/private) associated with this project shall be provided. All texts, maps and descriptions of proposed easements shall be prepared and submitted to this office for review. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.
2. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: demolition, restoration, driveway entrance within the MCDOT right of way, sanitary sewer, water main, stormwater water management facilities, landscaping, and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
3. All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
4. The contractor shall obtain all necessary Highway Access, Sewer Construction, Demolition, or other permits from the Town or other agencies prior to starting work.
5. The project must comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the project must comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, Section 56-3.6(a) regarding ten-day notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and the asbestos survey and removal requirements of Section 56-5 are met.
6. The applicant's engineer has submitted an interim demolition and restoration plan to consider while the new house on the north side of the lot is constructed and the existing house on the south is to remain. What is the proposed timeline for this development? A demolition and construction phasing plan should be provided with the drawing set.

Sustainability:

1. Regional materials should be used to construct the proposed project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.

**Engineer's Report:**

1. The Engineers Report should include technical information regarding sanitary sewer demand, change in runoff, and justification of the proposed stormwater quantity mitigation.
2. Will there be any changes required to the existing sanitary sewer lateral to accommodate the new sanitary sewer demand?
3. Has the existing storm sewer lateral been evaluated for adequacy and capacity? Please provide supporting documentation.
4. The applicant's engineer has indicated that the proposed infiltrator chambers in the front yard will eliminate 0.9-inches of runoff from the 1,191 sq. ft of temporary increase in impervious surfaces. How long will the site remain in this state with an increased amount of impervious surface? What is the significance of the 0.9-inches of runoff? Does this value equate to the anticipated runoff depth of a known storm frequency? Please clarify.
5. The applicant's engineer has indicated that when completed, the proposal will reduce the amount of impervious surfaces on the site. Please provide supporting documentation to substantiate this statement.

SWPPP:

1. Chapter 215 of the Brighton Town Code states that modification of any area greater than 20,000 square feet requires the development of a Stormwater Pollution Prevention Plan (SWPPP) by the applicant in accordance with the specifications outlined by the Town, reviewed by the appropriate board and approved by the Town Engineer. The SWPPP must meet the design criteria set forth in the most recent version of the Town of Brighton's Design Standards; NYS Stormwater Management Design Manual; and NY Standards and Specifications for Erosion and Sediment Control; and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the Town Engineer.

Plans

1. *Site Utility Plan, Sheet 1 of 5*
 - a. The size and materials of all utilities on-site should be called out on the plans.
 - b. Will all the roof leaders from the new house be routed to the existing storm sewer lateral?
 - c. Inverts for the sanitary sewer lateral should be called out on the plans.
 - d. Will additional landscaping be provided to mitigate the removal of the various trees on site?
 - e. The bushes/shrubs planted along the public sidewalk shall be planted back far enough so that when they mature, they will not interfere with pedestrian access to the public sidewalk.
2. *Demolition and Restoration Plan, Sheet 3 of 5*
 - a. The construction sequence should be revised to incorporate the disconnection of existing site utilities prior to start of demolition.
 - b. If any environmental conditions or issues, not previously identified, are encountered during construction, the owner, and the contractor(s) shall immediately notify the Town, Monroe County Health Department and NYSDEC before continuing the construction process.
 - c. The demolition and restoration plans should depict the grading associated with the restoration of the site should construction of the new house not commence immediately following demolition.
 - d. Demolition and Restoration notes associated with the project should be provided on this sheet.
 - e. Specifications for backfill requirements of the building footprints shall be included on the plans. No existing construction materials (concrete or other) from the existing homes shall remain on-site.
 - f. The location of the temporary construction access should be noted on the plans.
3. *Grading Plan, Sheet 3 of 5*
 - a. The grading on the northern end of the development should be revised to better define the proposed swale and ensure that runoff is not directed towards the neighboring property. Spot elevations along the centerline of the swale should be provided on the plans.
4. The following details should be included on the plans:
 - a. The current detail for the Town of Brighton sanitary sewer lateral.
 - b. Town of Brighton sidewalk repair detail.
 - c. A detail for the proposed fencing.