

PLANNING BOARD
TOWN OF BRIGHTON
MEETING OF FEBRUARY 17, 2021
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 February 17, 2021 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 December 16,, 2020 meeting minutes.
Approval of the January 20, 2021 meeting minutes.

CHAIRPERSON: Announce that the public hearings, as advertised for the Planning Board in the Brighton-Pittsford Post of February 11, 2021 will now be heard.

2P-01-21 Application of Foek and Siew Hioe, owners, for EPOD Permit (woodlot) Approval to remove trees with decay and trees which pose a danger to the property and neighboring properties and to clear brush on property located at 440 French Road. All as described on application and plans on file.

2P-02-21 Application of Wendy Freida and Bruce Dan, owners, for Final Re/subdivision approval, Final 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.

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
Revised Plans

and plans on file. **TABLED AT THE NOVEMBER 18, 2020 MEETING - PUBLIC HEARING REMAINS OPEN - ADJOURNED TO THE MARCH 17, 2021 MEETING AT APPLICANTS REQUEST**

12P-NB1-20 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. All as described on application and plans on file. **TABLED AT THE DECEMBER 16, 2020 MEETING - PUBLIC HEARING REMAINS OPEN - ADJOURNED TO THE FEBRUARY 17, 2021 MEETING AT APPLICANTS REQUEST**

CHAIRPERSON: Announce that public hearings are closed.

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Edward Pelta, 50 Heatherstone Lane, dated February 12, 2021, regarding tree removal at 440 French Road.

Letter from Matt Tomlinson, Marathon Engineering, dated February 17, 2021, requesting adjournment of application 9P-NB1-20 to the March 17, 2021 meeting.

PETITIONS:

NONE

SIGNS:

APP #	NAME & LOCATION	TYPE OF SIGN	ARB REVIEW
			PB DECISION
ARB & PB RECOMMENDATIONS AND/OR CONDITIONS			
1598	1057 East Henrietta Road 1057 East Henrietta Road Business Center	Free Standing Sign Directory Sign	1/27/21
<p>ARB - Tabled for revisions:</p> <ul style="list-style-type: none">- Signs themselves look good- Faux painted brick should not be used on base- Explore the use of an alternative material for base of signs such as brick or another alternative			
<p>Old Business</p>			
1597	Sunny's Family Diner 2171 W Henrietta Road	Bldg Face	12/22/20 TABLED
<p>ARB - Approved as presented * Provide documents showing the details for the lighting.</p> <p>PB - Tabled for variances.</p>			



Ramsey Boehner <ramsey.boehner@townofbrighton.org>

Application 2P-01-21

1 message

Pelta, Edward J. <epelta@gleason.com>

Fri, Feb 12, 2021 at 5:28 PM

To: "ramsey.boehner@townofbrighton.org" <ramsey.boehner@townofbrighton.org>

Ramsey,

I hope you are doing well. I reside at 50 Heatherstone Lane along with my wife. We are the original owners and have lived in this house since December 31, 1988. I received a notice in connection with the above-referenced application. Indeed, I am the person that contacted the Town to alert it to the activity on the subject property (440 French Road), leading to the Town's Stop Work order the same day I contacted the Town. I wasn't aware of the activity for several days, since I came home in the evening each day when the work had stopped. I wish I or someone else had contacted the Town sooner.

Frankly, I have to defer to the Town to review runoff, erosion and general appropriateness for the proposed work. My main concern are the large trees along the fence line behind my property. I don't believe the current owner properly maintains them, and they have significant growth (limbs and leaves) that overhang/enroach onto my property and that have negatively impacted my ability to have anything good grow underneath them. I would ask, given the extensive work undertaken without a permit and yet to go, that the owner remove or seriously trim back the large trees along the fence behind my property, to give me a chance to improve my plantings. We would like to engage with a landscaper that could allow us to plant something near the back fence on our side, in part to shield the view of the fence which is not attractive. But we don't stand a chance to get good sunlight or conditions with the encroachment of the trees from the subject property.

It seems like a small ask on my part.

Thank you for your consideration, and please let me know if you have questions.

I would appreciate confirmation that you received this message.

With regards,

Ed Pelta

Edward J. Pelta
Vice President, General Counsel & Secretary
Tel +1 585 256 8760
Fax +1 585 461 4092
epelta@gleason.com



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

February 17, 2021

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 March 17, 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: February 17, 2021

APPLICATION NO: 2P-01-21

APPLICATION SUMMARY: Application of Foek and Siew Hioe, owners, for EPOD Permit (woodlot) Approval to remove trees with decay and trees which pose a danger to the property and neighboring properties and to clear brush on property located at 440 French Road.

COMMENTS:

- On December 14, 2020 Foek & Siew Hioe, owners of 440 French Road, were issued two Town violations for not obtaining the necessary permits to clear brush and remove trees.
- Foek & Siew Hioe were unaware that their property was located within an EPOD district.
- The applicant is asking for EPOD Permit (woodlot) approval to remove brush and trees with decay and trees which pose a danger to the property and neighboring properties. The applicant also proposes to install a 6 foot tall wood fence on the east side of their property which would extend toward French Road. The fence would be similar to their existing fence on the west and north sides. Some limited brush removal is needed along the east side.
- The submitted Wood Lot Protection Plan depicts the approximate location of the trees removed and borrow pit location.
- The contractor began digging the brush borrow pit to bury a portion of the larger brush. The estimated soil disturbance is approximately 1,500 SF. The project engineer recommends that the brush be removed from the borrow pit and the soil be placed back into the hole and recompacted.
- All that remains of the trees cut are the stumps which have been cut within inches of the ground surface.

CONSERVATION BOARD:

- Trees to be removed shall be limited to those shown on plans submitted.

TOWN ENGINEER: See memo from Town Engineer, Evert Garcia, dated February 16, 2021.

QUESTIONS:

- Can please describe your request?
- Are you proposing any additional clearing of trees or brush?
- What is the condition of the ground cover in areas where the work as has occurred?
- How do you propose to stabilize the site? Will you be using mulch from the removed brush piles to stabilize these areas?
- Are you proposing to install 6' high wood fence along the east property line?
- Does the installation of the proposed wooden fence require the removal of any more trees?
- Are you proposing the grind the stumps of the trees that have been removed?
- What are you proposing to do with the borrow pit? Is there a construction equipment access path to the brush burrow pit and log pile available to complete the work?
- Will the brush borrow pit be restored to existing grades?
- Will there be any other grading activities associated with this project?
- Has the project been reviewed by the Conservation Board?
- Do you understand that tree service providers must be registered with the Town?
- Does this project impact any wetlands?
- How will the project meet the NYS Guidelines for Urban Erosion and Sediment Control?
- How many trees have been retained?

SEQRA:

If the Planning Board finds that the proposed action will not have a significant impact on the environment. I would suggest that the Planning Board adopts the negative declaration prepared by Town Staff.

APPLICATION:

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

1. Meet all requirements of the Town of Brighton's Department of Public Works.
2. All Town codes shall be met that relate directly or indirectly to the applicant's request.
3. 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.
4. The contractor which will remove the southern pines shall be a registered tree-service provider with the Town of Brighton and shall carry insurance as required by Chapter 175 of the Town's Comprehensive Development Regulations.
5. Pursuant to Chapter 66 of the Brighton Town Code, an Excavation and Cleaning Permit must be obtained from the Department of Public Works.
6. The brush shall removed from the borrow pit and the soil shall be placed back into the hole and recompacted as presented in the application.
7. No further trees shall be removed within the limits of the Woodlot EPOD without further Town review and approval.
8. The construction equipment access path shall be delineated and appropriate tree protection and erosion control measures should be depicted along this path as necessary.
9. A fence permit shall be obtained from the Building and Planning Department prior to the installation of the fence along the east property line. Only brush shall be removed for the installation of the fence without further Town review and approval.
10. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
11. All comments, concerns and requirements of the Town Engineer as contained in the attached memo dated February 16, 2021fFrom Evert Garcia, Town Engineer, to Ramsey Boehner, shall be addressed.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 2P-01-21

Date: February 17, 2021

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 Foek and Siew Hioe, owners

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: EPOD Permit (woodlot) Approval to remove trees with decay and trees which pose a danger to the property and neighboring properties and to clear brush.

Location: 440 French 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 clearing based on the submitted plans.
2. No threatened or endangered species of plants or animals will be affected by this project.
3. The requirements of the State Environmental Quality Review Act have been complied with.
4. The duration of all impacts will be short term in nature.
5. There will be no resources of value irreversibly lost.

6. 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.
7. The contractor which will remove the southern pines will be a registered tree-service provider with the Town of Brighton.
8. Pursuant to Chapter 66 of the Brighton Town Code, an Excavation and Cleaning Permit will be obtained from the Department of Public Works.
9. The brush will removed from the borrow pit and the soil will be placed back into the hole and recompacted as presented in the application.
10. No further trees shall be removed within the limits of the Woodlot EPOD without further Town review and approval.
11. The construction equipment access path will be delineated and appropriate tree protection and erosion control measures will be depicted along this path as necessary.
12. Only brush will be removed for the installation of the fence without further Town review and approval.

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



Town of
Brighton

Public Works Department

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

Evert Garcia, P.E.
Town Engineer

MEMO

Date: February 16, 2021

From: Evert Garcia

To: Ramsey Boehner

Copy: File

Re: *Application No. 2P-01-21*

Foek and Siew Hioe, Owners

*EPOD Permit (Woodlot) Approval to remove trees with decay and trees which pose a danger to the property and neighboring properties and to clear brush.
440 French Road.*

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

General:

1. If any environmental conditions or issues, not previously identified, are encountered during construction, the owner and the contractors(s) shall immediately notify the Town, Monroe County Health Department and NYSDEC before continuing the construction process.
2. Requirements for the Development Standards and Permit for Woodlot Protection Districts must be adhered to.
3. The contractor which will remove the southern pines shall be a registered tree-service provider with the Town of Brighton and shall carry insurance as required by Chapter 175 of the Town's Comprehensive Development Regulations.
4. The short environmental assessment form indicates that 3.73 acres will be physically disturbed as part of the proposed work. Is this statement accurate? Please review.
5. Erosion control measures shall be installed in accordance with the New York State Standards and Specifications for Erosion and Sediment Control.

Plans

1. *Woodlot Protection Plan, G-1*

- a. A detail for the proposed 6' tall wooden fence should be provided on the plans.
- b. Is there a construction equipment access path to the brush burrow pit and log pile available to complete the work? The construction equipment access path should be delineated and appropriate tree protection and erosion control measures should be depicted along this path as necessary.
- c. Orange construction fencing should be depicted around trees which are to remain near the proposed work areas. The orange fencing should be depicted on the plans.
- d. Will the brush borrow pit be restored to existing grades? Will there be any other grading activities associated with this project?
- e. A proposed seed mix for restoration of the burrow pit area should be provided on the plans.
- f. What is the condition of the ground cover in areas where the work has occurred? How does the applicant propose to stabilize the site? Will the applicant be using mulch from the removed brush piles to stabilize these areas?
- g. Will the tree stumps from the trees which were cut remain in place?
- h. Does the installation of the proposed wooden fence require the removal of any more trees?



PLANNING BOARD REPORT

HEARING DATE: February 17, 2021

APPLICATION NO: 2P-02-21 &12P-NB1-21

APPLICATION SUMMARY: Application of Wendy Freida and Bruce Dan, owners, for Preliminary Final Re/subdivision approval, Preliminary Final 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 has been reviewed by the Historic Preservation Commission and determined neither home is of historical importance.
- 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 has obtained the following variances and approval from the Zoning Board of Appeals:

Application 1A-07-21. To allow rear setback for the new home is 35.5', or 5.5' less than the Code minimum.

Application 1A-06-21. To allow two access points from any lot to any street.

Application 1A-08-21 Temporary and Revocable permit to allow two dwellings on one lot while the proposed house is being constructed.

- A pre-asbestos removal survey has been submitted for 561 S. Winton Rd.
- The proposed resubdivision meets the requirements of the Comprehensive Development Regulations.
- The architectural design and building materials of the proposed buildings have been reviewed and approved by the Town of Brighton Architectural Review Board. **1AR-2-21**

CONSERVATION BOARD:

- All previous comments appear to have been adequately addressed.

TOWN ENGINEER:

- See memo from Town Engineer, Evert Garcia, dated February 16, 2021.

QUESTIONS:

- What has changed on the Site Plan since the last Planning Board Meeting?
- 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 for this project been obtained from the Zoning Board of Appeals?
- Has the project been reviewed by the Conservation Board?

- Has the proposed demolition been reviewed by the Historic Preservation Commission?
- What is the proposed phasing and timeline for demolition of the existing houses and construction of the new house?
- Will the project meet the NYS Guidelines for Urban Erosion and Sediment Control?
- What type of exterior lighting is being proposed?
- Have you done pre-asbestos removal surveys for both buildings?
- Have you considered lowering the first floor of the proposed house?
- What is the height of the first floor elevation for the existing house located at 561 S. Winton Rd?
- What is the proposed first floor elevation of the proposed house?

SEQRA:

If the Planning Board finds that the proposed action will not have a significant impact on the environment. I would suggest that the Planning Board adopts the negative declaration prepared by Town Staff.

PARKLAND:

If the Planning Board finds that suitable park or park lands of adequate size cannot be properly located on the proposed subdivision, I would suggest requiring payment of a sum of money as adopted by the Town Board in lieu of the setting aside of recreation land.

DEMOLITION:

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

1. The existing building, if currently designated as a landmark, has received required approvals from the Historic Preservation Commission, and if not currently designated, has been found by the Commission not to be a candidate for designation by the Historic Preservation Commission as a landmark.
2. The Architectural Review Board and Conservation Board have reviewed the project per the requirements of this article and their determinations and

recommendations have been considered.

3. The project is consistent with the Brighton Comprehensive Plan
4. The project meets all Town zoning requirements, or a variance has been granted by the Brighton Zoning Board of Appeals.
5. The Brighton Department of Public Works has approved the proposed grading plan for the project.
6. The project complies with the requirements of the Town's regulations regarding trees.
7. A restoration/landscaping plan has been approved by the Planning Board.
8. 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 project will comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, Section 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants, the licensing requirements of Section 56-3, and the asbestos survey and removal requirements of Section 56-5.
9. The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
10. The project does not have a significant negative impact on affordable housing within the Town.

APPLICATION:

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

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. All conditions of the Zoning Board of Appeals shall be met.
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. Meet all plat filing requirements of the Town of Brighton's Department of Public Works.
12. 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 prior to final approval.
13. All County Development Review Comments shall be addressed.
14. 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.
15. 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.
16. 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.
17. Erosion control measures shall be in place prior to site disturbance.

18. 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.
19. 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.
20. 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.
21. 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.
22. All comments and concerns of the Town Engineer as contained in the attached memo dated February 16, 2021 from Evert Garcia, Town Engineer, to Ramsey Boehner, shall be addressed.
23. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
24. 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.
25. The contractor shall obtain all necessary Highway Access, Sewer Construction, Demolition, or other permits from the Town or other agencies prior to starting work.
26. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
27. All easements must be shown on the subdivision map with ownership, purpose, and liber/page of filing with the Monroe County Clerk's Office. A copy of the filed easement shall be submitted to the Building and Planning Department for its records.
28. A pre-asbestos removal shall be submitted for 575 S. Winton Rd.

29. 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.
30. The height of the proposed house shall be shown on plans. Elevation drawings showing the height of the structure in relationship to proposed grade shall be submitted.
31. The engineer and architect 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. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board approval.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 2P-02-21

Date: February 17, 2021

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: 575 Winton Rd South

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Preliminary/Final 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.

Location: 561 and 575 Winton Road South

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 site will be serviced by sanitary sewers and public water. There appears to be adequate capacity to service the proposed development.
4. 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.

5. The requirements of the State Environmental Quality Review Law have been complied with.
6. The duration of all impacts will be short term in nature.
7. The project is supported by the immediate community.
8. There will be no resources of value irreversibly lost.
9. No threatened or endangered species of plants or animals will be affected by this project.

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



Town of
Brighton

Public Works Department

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

Evert Garcia, P.E.
Town Engineer

MEMO

Date: February 16, 2021

From: Evert Garcia

To: Ramsey Boehner

Copy: File

Re: *Application No. 2P-02-21*

Wendy Freida and Bruce Dan, Owners

Final re-subdivision approval, final 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 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. What is the anticipated length of construction for this development?
2. The letter of credit estimate should be revised as follows:
 - a. Include the proposed orange construction fencing/tree protection in the construction estimate.
 - b. Demolition of the existing homes should be included in the letter of credit unless a separate letter of credit for demolition will be provided. Please review.
 - c. Are the costs for the driveway work included in the estimate only for the improvements in the right of way?
 - d. Is the work associated with the removal of the old curb cut and installation of the new curb cut covered under a bond to MCDOT? Otherwise, these improvements must be included in the letter of credit estimate.
 - e. The value provided for the seeding and stabilization of the site appears low based on historical estimates received by the Town for similar scope of work. The letter of credit is intended to be sufficient to ensure restoration of the property by the Town of Brighton following demolition and/or redevelopment. Please review.

Engineer's Report:

1. Was the proposed geo grid paver driveway area considered as pervious surface in the lot coverage calculations?
2. Has the designer determined the infiltration capacity of the underlying soil in the area of the proposed permeable pavers? Is the 9" gravel layer intended to provide storage for stormwater runoff?
3. The hatch pattern for the proposed 9" gravel layer in the geo paver detail should be updated to reflect the intended material. As depicted, it appears that the designer is proposing a soil/subgrade material underneath the geo grid. The NYS DEC indicates that permeable pavers without storage reservoirs cannot be treated as pervious unless they meet stringent requirements outlined in the Stormwater Design Manual due to their propensity for clogging.

SWPPP:

1. The applicant's engineer has indicated that the total site disturbance is 18,600 sq.ft. and therefore a Town of Brighton SWPPP is not required. The combined lot size for this development is 0.68 acres, or 29,620 sq. ft., and it appears that the majority of the lot will be disturbed during construction. Please provide supporting documentation on how the estimated 18,600 sq. ft. of disturbance was calculated for this project.

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**Plans****1. Site Utility Plan, Sheet 1 of 5**

- a. The roof leaders of the existing homes should be depicted on the plans.
- b. The designer should consider connecting the roof leaders on the north side of the new house to the existing storm sewer system.
- c. All utilities serving the existing homes should be depicted on the plans.
- d. A minimum of 4' of cover shall be maintained over the entire length of the sanitary lateral. As proposed, it does not appear that this requirement is being met. Please review.
- e. Are the proposed infiltrator units being connected to the existing storm sewer lateral?

2. Overall Demolition Plan, Sheet 2 of 5

- a. It is our understanding that all construction materials of the existing homes, including the existing basement walls, will be removed from the site subsequent to demolition. Please confirm our assumption.

3. Demolition and Restoration Plan, Sheet 3 of 5

- a. A legend should be provided to clarify existing versus proposed grading on the restoration and interim demolition plans.

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

- a. The standard sanitary sewer lateral detail provided on the plans is missing the minimum slope requirement of $\frac{1}{4}$ " per foot. Please revise.

