

A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
MARCH 3, 2021

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

Written comments will be received by Rick DiStefano, Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to rick.distefano@townofbrighton.org, until March 3, 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.

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Approve the minutes of the January 6, 2021 meeting.
Approve the minutes of the February 3, 2021 meeting. **To be done at the April 7, 2021 meeting.**

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Brighton Pittsford Post of February 25, 2021 will now be held.

12A-05-20 Application of Clover Park Properties, LLC, contract purchaser, and the Baptist Temple, Inc., owner of property located at 1075 Clover Street, for a Use Variance from Chapter 203, Article IA to allow for a church building (with a proposed 10,000 sf addition) to be converted into professional and medical office use in a residential RLA District where not permitted by code. All as described on application and plans on file. **ADJOURNED AT APPLICANTS REQUEST**

12A-06-20 Application of Clover Park Properties, LLC, contract purchaser, and the Baptist Temple, Inc., owner of property located at 1075 Clover Street, for an Area Variance from Section 207-10E(3) to allow rear yard impervious surface coverage (parking area) to increase from 52.3% to 65% where a maximum 35% is allowed by code. All as described on application and plans on file. **ADJOURNED AT APPLICANTS REQUEST**

2A-02-21 Application of Lot Bar-Vie, owner of property located at 2601 Lac De Ville Blvd., for an Area Variance from Section 205-12 to allow for the reuse from a professional office building to a medical office building with 45 parking spaces in lieu of the minimum 57 parking spaces required by code. All as described on application and plans on file. **TABLED AT THE FEBRUARY 3, 2021 MEETING - PUBLIC HEARING REMAINS OPEN**

3A-01-21 Application of Robert Duca, Jr., owner of property located at 537 Grosvenor Road for an Area Variance from Sections 203-2.1B(3) and 203-9A(4) to allow a detached garage to be 960 sf in size in lieu the maximum 600 sf allowed by code. All as described on application and plans on file.

3A-02-21 Application of Mary Kokinda and Annalisa Iannone, owners of property located at 34 Cardiff Park, for an Area Variance from Section 207-11D to allow an above-ground swimming pool to be 1 ft. from the rear lot line in lieu of the minimum 10 ft. required by code. All as described on application and plans on file.

3A-03-21 Application of Kenneth Bracker, architect, and Kevin and Rachel Glazer, owners of property located at 129 Ambassador Drive, for 1) an Area Variance from Section 205-2 to allow a building addition to extend 4.5 +/- ft. into the 30 ft. side setback required by code; and 2) an Area Variance from Section 209-10 to allow liveable floor area, after construction of said addition, to increase from 7,280 sf to 7,552 sf where a maximum 5,566 sf is allowed by code. All as described on application and plans on file. **ADJOURNED TO THE APRIL 7, 2021 MEETING AT APPLICANTS REQUEST**

3A-04-21 Application of Jack Sigrist, architect, and Mike and Kim Mallon, owners of property located at 20 Buckland Avenue, for an Area Variance from Section 205-2 to allow a building addition to extend 8 ft. into the 40 ft. rear setback required by code. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Jerry Goldman, Woods Oviatt Gilman LLP, dated February 23, 2021, requesting postponements of applications 12A-05-21 and 12A-06-21.

Letter from Kevin Glazer, 129 Ambassador drive, dated March 2, 2021, requesting postponement of application 3A-03-21 to the April 7, 2021 meeting.

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February 23, 2021

Mr. Rick DiStefano, Clerk
Zoning Board of Appeals
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: Clover Park Properties, LLC and Baptist Temple, Inc. – 1075 Clover Street
Zoning Board of Appeals Applications 12A-05-20 and 12A-06-20

Dear Rick:

In accordance with our telephone conversation earlier today, this letter is to confirm the request of the above referenced applicants to reschedule the public hearings on the above referenced applications from the March 3, 2020 meeting to the April 7, 2020 Zoning Board of Appeals meeting.

As a part of this application process, the proposed purchaser of this property has been regularly meeting and in contact with neighbors to this project and their representatives to ascertain whether project changes can result in common ground as to the redevelopment proposal. Those discussions continue, and we anticipate will be concluded in short order, likely resulting in changes to the site plan.

To the extent that (1) the Planning Board is lead agency for a coordinated review of this action under the State Environmental Quality Review Act and their determination of significance is a pre-requisite to the Zoning Board being authorized to decide the applications before it and (2) the Zoning Board typically conditions variance grants to the plans before it, the applicant has opted to present the anticipated revised site plan to the Planning Board at its March 17 meeting and hopefully receive enough guidance to allow it to proceed to the Zoning Board hearing on the variances on April 7. If the Planning Board process dictates that we re-visit that Board in April, we may ask for one further adjournment of the ZBA hearings, but that is not our desire.

We appreciate the patience of the Board as this process unfolds. If you or any Board member has any questions, please do not hesitate to contact me.

Very Truly Yours,

WOODS OVIATT GILMAN LLP

A handwritten signature in black ink, appearing to read "Jerry A. Goldman".

Jerry A. Goldman

Please direct responses to Rochester Office

cc: Kenneth W. Gordon, Esq.



Rick DiStefano <rick.distefano@townofbrighton.org>

Adjournment of zoning application.

1 message

Kevin Glazer <kglazer@icloud.com>
To: rick.distefano@townofbrighton.org
Cc: Ken Bracker <kenbracker@aol.com>

Tue, Mar 2, 2021 at 12:18 PM

Rick,
Could you please Adjourn my zoning application to the April 7th zoning board of appeals meeting.

Thanks

Kevin Glazer