

PLANNING BOARD  
TOWN OF BRIGHTON  
MEETING OF MARCH 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](mailto:ramsey.boehner@townofbrighton.org), until March 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 February 17, 2021 meeting minutes.

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

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## NEW BUSINESS:

9P-NB1-20     Application of Baptist Bible Temple, owner, and Clover Park Properties, LLC, Revised Plans contract vendee, for Preliminary Site Plan Approval to convert an existing church building into high end office space (construction of a 2 story, 10,000 sf building addition has been eliminated) 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 MARCH 17, 2021 MEETING AT APPLICANTS REQUEST**

CHAIRPERSON:     Announce that public hearings are closed.

## NEW BUSINESS: (cont.)

3P-NB1-21     Application of 1950-1966 Monroe Avenue LLC, owner, for Concept Review to redevelop an existing nonconforming gas station and auto repair facility into a convenience store with gasoline sales on properties located at 1950 and 1966 Monroe Avenue. All as described on application and plans on file.

OLD BUSINESS:

NONE

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PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from J. Michael Wood, Boylan Code, dated March 17, 2021 with comments and concerns regarding application 9P-NB1-20, 1075 Clover Street.

PETITIONS:

NONE

SIGNS:

APP #	NAME & LOCATION	TYPE OF SIGN	ARB REVIEW
			PB DECISION
<b>ARB &amp; PB RECOMMENDATIONS AND/OR CONDITIONS</b>			
<u>1599</u>	Hurlbut Care Communities - Nursing and Rehabilitation 1117 East Henrietta Road	Freestanding Sign	2/23/21
ARB - Approved as presented.			
<u>1600</u>	Hurlbut Care Communities - The Brightonian Nursing and Rehabilitation 1919 Elmwood Avenue	Freestanding Sign	2/23/21
ARB - Approved as presented.			
<u>1601</u>	Hurlbut Care Communities - Woodside ManorNursing and Rehabilitation 2425 S. Clinton Avenue	Freestanding Sign	2/23/21
ARB - Approved as presented.			
<u>1602</u>	OrthoLazer - Orthopedic Laser Center 2210 Monroe Avenue	Bldg Face Sign	2/23/21
ARB - Approved as presented.			
<u>1603</u>	RFG Training and Nutrition 1900 S. Clinton Avenue, Suite 750	Bldg Face Sign	2/23/21
ARB - Approved as presented.			
<u>1604</u>	Upper Cervical Chiropractic of Rochester 749 E. Henrietta Road	Bldg Face Sign Freestanding Sign	2/23/21
ARB - Tabled Freestanding sign okay. The building face sign must not overlap the architectural arch details.			

(sign continued on next page)

SIGNS: (cont.)

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

March 17, 2021

**Via Email**

Town of Brighton Planning Board  
Brighton Town Hall  
2300 Elmwood Avenue  
Rochester, New York 14618

Re: Application of Baptist Bible Temple and Clover Park Properties, LLC for  
Preliminary Site Plan Approval to Convert an Existing Church Building into Office  
Space on Property Located at 1075 Clover Street

Dear Planning Board Members:

We write this letter on behalf of Country Club Condominium with respect to the application by Baptist Bible Temple and Clover Park Properties, LLC for preliminary site plan approval of the redevelopment of the property located at 1075 Clover Street (the “Property”). The Property is located on the southwest corner of the intersection of Clover Street and Highland Avenue. Country Club Condominium is located directly across Highland Avenue from the Property.

The proposed project involves the conversion of the existing building on the Property from a church to a commercial office building. The Property is located in a zoning district designated as Residential Low Density “A”. Permitted uses in the Residential Low Density “A” district are limited to single family detached dwellings, Town of Brighton municipal buildings, family child-care homes (meaning child-care provided in a home), and, subject to certain conditions, home occupations. Brighton Town Code § 203-2.1(A). Conditional uses in the district include uses that are typically found in a residential district and are limited to places of worship, schools, private golf courses, fire and ambulance facilities, day care centers and comfort care homes. Brighton Town Code § 203-2.1(C).

As commercial office buildings are neither a permitted use nor conditional use in the district, the proposed project necessarily requires a use variance from the Zoning Board of Appeals. We therefore request that the Planning Board delay any decision on the application for preliminary site plan approval until the Zoning Board of Appeals has decided whether to grant the applicant a use variance and, if so, any conditions to be imposed as part of the use variance in order to mitigate, to the extent possible, the deleterious impact of the Project. In that regard, it should be noted that certain neighbors have been in communication with the applicant with the goal of reaching common ground on the specific nature of the redevelopment, including conditions and/or restrictions to be imposed along with any potential use variance. Progress is being made towards that goal, and for that reason as well we are requesting that the Planning Board delay any decision on the application for preliminary site plan approval.

Delaying a decision on the application for preliminary site plan approval is also appropriate because there are significant issues with the site plan. The factors the Planning Board must consider during preliminary site plan review are set forth in Section 217-12(C) of the Brighton Town Code. Those factors include the project's "[o]verall impact on the neighborhood ...."; "[c]onformance with the Town Master Plan and other plans which the Town uses as a guide for appropriate development"; "[a]dequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, channelization structures and traffic controls"; "[l]ocation, arrangement, appearance and sufficiency of off-street parking and loading areas"; and "[p]rotection of adjacent properties from noise, glare, unsightliness or other objectionable features." *See* Brighton Town Code §§ 217-12(C)(10), 217-12(C)(11), 217-12(C)(1), 217-12(C)(3), and 217-12(C)(8).

#### Overall Impact on Neighborhood

The project will have a negative "[o]verall impact on the neighborhood ..." *See* Brighton Town Code §§ 217-12(C)(10). The fact that the proposed project requires a use variance demonstrates that the development is not consistent with the surrounding neighborhood. It would bring a completely new commercial use, professional and medical offices, into a residential neighborhood and is inconsistent with the surrounding residential uses. Indeed, the proposed use is a commercial use in a district that is not only zoned residential, but is zoned as *low density* residential. The Property is surrounded on all sides by property zoned as residential and in fact used for residential purposes.

As indicated previously, we are hopeful that common ground can be reached with the applicant on the redevelopment. However, if it is not, we intend to oppose the applicant's application for a use variance, and don't believe that the applicant can satisfy the standard for a use variance, which requires a showing that the applicable zoning restrictions have caused unnecessary hardship, and in particular that the applicant demonstrate that (1) under the applicable zoning regulations the applicant is deprived of all economic use or benefit from the property in question, (2) the alleged hardship relating to the property is unique and does not apply to a substantial portion of the district or neighborhood; (3) the use variance will not alter the essential character of the neighborhood and will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, including natural features such as trees; and (4) the alleged hardship has not been self-created. *See* Brighton Town Code § 219-2(B).

#### Conformance with Town Master Plan

The proposed project is not in "[c]onformance with the Town Master Plan and other plans which the Town uses as a guide for appropriate development." *See* Brighton Town Code § 217-12(C)(11). The Brighton Comprehensive Plan Update specifically includes as one of its objectives "protect[ing] [the Town's] established residential neighborhoods." Envision Brighton 2028, Volume 2, page 12. Establishing an office park on the Property certainly does not protect the established residential neighborhoods that surround the Property on all sides, and include low density neighborhoods to the immediate west, south, and southeast of the Property.

The Brighton Comprehensive Plan Update identifies a number of areas within the Town for potential changes to the existing land use. *See Envision Brighton 2028*, Volume 2, page 25 et. al. None of the Land Use Recommendations in the Comprehensive Plan Update contemplate changing the land use or zoning of the Property or its surrounding area. *See Envision Brighton 2028*, Volume 2, page 25 et al.

The Project's site plan thus is not in conformance with the Town's Comprehensive Plan.

Adequacy and arrangement of vehicular traffic access and circulation; location, arrangement, appearance and sufficiency of off-street parking and loading areas.

The application for site plan approval fails to adequately address "vehicular traffic access and circulation, including intersections, road widths, channelization structures and traffic controls." *See Brighton Town Code § 217-12(C)(1)*. Use of the Property for professional office space will necessarily significantly increase traffic around the Property, particularly in the morning hours and early evening hours when office occupants are arriving at the Property and leaving the Property. Use of the Property for medical offices has the potential to drastically increase traffic around the Property at all times of day. The SRF Associates' traffic assessment dated October 2, 2020 submitted by applicant has a number of deficiencies, including that it fails to take into account the continued operation of a daycare facility at the Property. Although the Planning Board requested at a prior meeting that the applicant provide an updated traffic study that includes the effect on traffic of the continued operation of the day care facility at the Property, it does not appear the applicant has done so.

Protection of adjacent properties from noise, glare, unsightliness or other objectionable features.

The proposed project will also subject the adjacent properties to increased noise and glare as the commercial office use will result in more weekday evening traffic thereby increasing not only traffic noise, but headlight glare from increased traffic on weekend evenings.

For all of the foregoing reasons, we request that the Planning Board delay any decision on the application for preliminary site plan approval until discussions between the applicant and the neighbor are complete and the Zoning Board of Appeals has decided whether to grant the applicant a use variance.

Very truly yours,

BOYLAN CODE LLP

J. Michael Wood

JMW/glc  
cc: Jerry A. Goldman, Esq. (via email)

## PLANNING BOARD REPORT

**HEARING DATE:** March 17, 2021

**APPLICATION NO:** 9P-NB1-20

**APPLICATION SUMMARY:** 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 (construction of a 2 story, 10,000 sf building addition has been eliminated) on property located at 1075 Clover Street.

### COMMENTS:

- The subject property is presently zoned RLA, Residential Low Density.
- The total project area is 4.8 acres.
- The proposed office use is not a permitted use in the RLA district. A use variance must be obtained from the Zoning Board of Appeals.
- 155 parking space are proposed with 42 of them being banked. With current totals the daycare is allotted 37 parking spaces.
- The proposed site changes include a reduction paved area in the rear yard resulting in a decrease of paved area from 52.3% to 49.6%.
- Including the banked parking, there will be a net gain of 7,545 sf of impervious area for a total 111,945 sf.
- The 10,000 sf addition has been removed. The applicant is proposing 16,200 sf of professional office and 8,000 sf of medical office, and 7,000 sf for a daycare. The day care in the building will remain for the foreseeable future and is now included in the parking study. The traffic study must include and address the day care center.
- The applicant has prepared a draft Traffic Impact Study currently being reviewed by MCDOT and NYSDOT.
- The project is an Unlisted Action pursuant to SEQR. The Planning Board has coordinated review with the other involved agencies. The other involved agencies concur with the Planning Board being lead agency for this project. The Planning Board may want to declare themselves as lead agency.
- The building improvements will require approval from the Architectural Review Board.
- Parking along the loop at Clover Street was removed.

- A turning radius analysis demonstrating that the proposed layout can accommodate the turning movements of emergency vehicles must be submitted.
- All previously proposed utility work has been removed except the water service upgrade.

### **CONSERVATION BOARD:**

- The Board reviewed the revised plans and supports the reduction in building square footage, reduction of impervious surface and the retaining of trees that were originally planned to be removed. This revision helps soften the office use in a residential district.

#### Previous comments

- As stated earlier, the western boundary between the parking lot and neighbors on Council Rock Avenue needs to be properly screened as required by code regulations. This screening should be installed by the applicant on the church/office property and not be reliant on the neighboring properties fencing to meet code requirements.
- The sidewalk along Clover Street should be repaired not removed (it appears the revised plans do not include removal of the sidewalk).
- It appears some green infrastructure techniques are being incorporated, can this be expanded?

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

### **QUESTIONS:**

- What has changed from the previous proposal?
- What are the proposed uses for the building?
- What is the area of disturbance for the site improvements? Will a SWPP be required?
- Where will soil be stockpiled?
- Where will materials storage and staging areas be located?
- Will the proposed banked parking be restored to lawn area?
- Has the daycare been included in the draft TIS?

- What is the status of the necessary variances?
- Have the architectural design and building materials of the proposed building improvements been reviewed and approved by the Town of Brighton Architectural Review Board?
- What type of lighting are you proposing to install? Will they be LED and dark sky compliant? What is the color temperature of the lights? What is the proposed height of the parking lot lighting?
- What type of screening are you providing along the western boundary between the parking lot and neighbors on Council Rock Avenue?
- Do you propose to install a fire sprinkler system?
- Will any existing trees be retained?
- Why is the walnut tree on the southern property line being removed?
- Have you verified that all radii are large enough for 40' long fire ladder truck?
- Will a generator be provided?
- Where will the HVAC units be located?

#### **SEQRA:**

The Planning Board has coordinated the review and the involved agencies concur with the Planning Board being lead agency for this project. I suggest that the Planning Board declare itself as lead agency for this project.

#### **APPLICATION:**

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

1. The TIS shall be reviewed and approved by Town Engineer and the authorities having jurisdiction
2. All required variances shall be obtained.
3. The architectural design and building materials of the proposed building improvements shall be reviewed and approved by the Town of Brighton Architectural Review Board.
4. All parking lot lighting shall be low in height and intensity and directed toward the building.

5. 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
6. The dumpster shall be enclosed with building materials that are compatible with the existing building. The enclosure shall equal the height of the dumpster and shall not be higher than six and one-half (6.5) feet.
7. All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed.
8. 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.
9. All County Development Review Comments shall be addressed.
10. The parking lot lights shall be placed on a timer.
11. The applicant's architect shall evaluate the project relative to the Town of Brighton sprinkler ordinance to determine if the building needs to be sprinklered. This evaluation shall be submitted with the final application.
12. The location of any proposed generators shall be shown on the site plan.
13. The location of the HVAC shall be shown on the site plan
14. All comments and concerns of the Town Engineer as contained in the attached memo dated March 16, 2021 from Evert Garcia, Town Engineer, to Ramsey Boehner, shall be addressed.
15. A letter or memo in response to all Planning Board and Town Engineer comments and requirements shall be submitted.
16. The project engineer shall confirm if additional accessible parking spaces are required to be installed as part of this project. 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.
17. The TIS must be submitted to and approved by the Monroe County Department of Transportation, New State Department of Transportation and the Town of Brighton.
18. A turning radius analysis demonstrating that the proposed layout can accommodate the turning movements of emergency vehicles must be submitted.
19. A SWPP will be required if area of disturbance is greater than 20,000 sf.

20. The proposed buffer between the proposed parking and neighboring properties shall be increased.
21. The cut sheets for the proposed light fixtures should highlight the model to be used on site. The proposed fixtures should be full shielded with a correlated color temperature (CCT) of no more than 3000 kelvins.
22. The banked parking area shall be restored as lawn area. The plan shall be revised to show this modification.
23. 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 and fencing shall be depicted on the plans.



Town of  
**Brighton**

# Public Works Department

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

**Evert Garcia, P.E.**  
Town Engineer

Date: March 16, 2021

From: Evert Garcia

To: Ramsey Boehner

Copy: File

Re: *Application No. 9P-NBI-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 two-story 10,000 sf building addition.  
1075 Clover Street*

We have completed our review of the above referenced project and offer the following comments for the Planning Board's consideration. Some of the comments outlined below were included as part of our previous review of Planning Board Application 9P-NBI-20. Written responses to the comments below must be provided.:

**General:**

1. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: demolition, restoration, sanitary sewer, water service, stormwater water management improvements, 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.
2. The project will require multiple jurisdictional approvals. All approvals must be obtained prior to the Town endorsing the final plans.
3. A narrative describing anticipated changes to existing topography and natural features, including but not limited to trees; proposed water supply and sewage and waste disposal facilities
4. The proposed building and site plan must comply with the New York State Fire Code. The Town of Brighton Fire Marshal must review the fire apparatus access and fire hydrant locations. The Fire Apparatus Access and Fire Hydrant Worksheet must be completed and submitted to the Town of Brighton for review. The worksheet can be found at: <http://www.townofbrighton.org/DocumentCenter/View/4557>
5. As part of the redevelopment process, all existing sanitary and storm sewer utilities that are proposed to be used for serving this site shall be televised and tested in accordance with the Town of Brighton requirements to determine their condition and adequacy for doing so. If the utilities require any improvements to provide this service, or if the Sewer Department determines that there are deficiencies in the service lines that require corrective action, it shall be done so at the expense of the applicant. A note indicating this requirement should be included on the plans.

**Sustainability:**

1. The applicant should consider utilizing green infrastructure practices such as bioretention facilities and porous pavements to control the stormwater generated by the proposed development.

**Roadway and Traffic:**

1. We await to review the final draft of the Traffic Impact Study (TIS) along with comments and responses from authority having jurisdictions including the Monroe County Department of Transportation and the New York State DOT. A final review of the TIS will be completed by the Town of Brighton subsequent to receiving these documents.
2. The previously provided parking demand analysis should be updated to reflect the current proposal for the site.

2300 Elmwood Avenue Rochester, New York 14618 [www.townofbrighton.org](http://www.townofbrighton.org)  
Evert.Garcia@townofbrighton.org 585-784-5222

**Engineer's Report:**

1. A final draft of the Engineer's Report which considers the current proposal must be provided. The report must provide technical information regarding sanitary demand, change in runoff, and need for stormwater quality/quantity mitigation.
2. The capacity of the sanitary sewer lateral being used to serve this development should be evaluated in the engineer's report.
3. The proposed project is located within the Irondequoit Creek Watershed (IWC) and appears to exceed the thresholds for requiring a stormwater management report as identified in the Irondequoit Creek Watershed Stormwater Management Report Requirements Packet for Developers. Please develop and submit a SWPPP which addresses the IWC requirements.
4. 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. What is the area of disturbance for this development?
5. The previously provided drainage area maps indicated that stormwater runoff from drainage area 4S would be redirected towards a Town of Brighton storm sewer system located north of the site. Is this new point of connection still being considered as part of the revised proposal? If so, the Town storm sewer system which is being connected to should be evaluated for adequacy of existing conditions and hydraulic capacity.
6. Updated stormwater modeling and delineation of drainage areas consistent with the revised proposal should be developed and submitted for review.
7. The designer is proposing to redirect stormwater from the southwest corner of the property towards the Clover Street right of way via a drainage swale. There are no storm sewers currently available on Clover Street to collect the concentrated discharge from the proposed swale and underdrain systems. Where will this stormwater runoff ultimately discharge to? This situation must be mitigated on-site.
8. Hydraulic calculations demonstrating that the proposed water distribution network has sufficient pressure and flow to accommodate the demands associated with this project must be provided.

**Plans**

1. *Existing Conditions and Demolition Plan, Sheet 1 of 7*
  - a. The plans indicate that the boundary information provided are referenced from plans by others and shown for graphical representation only. Sufficient survey information to precisely define the boundaries of the property must be provided. The benchmark used for horizontal and vertical controls for this project must be provided on the plans.
  - b. Will the existing water service and spigot called out in the northern lawn area be abandoned as part of the demolition?
  - c. Where does the 3' diameter crock in the front of the building with the crushed pipes connect to? Will this feature be repaired as part of the proposed improvements?
2. *Layout Plan, Sheet 2 of 7*
  - a. A surface treatment legend should be provided on this sheet. It is difficult to discern the surface treatment/improvements being proposed throughout the parking lot on this sheet.
  - b. Is all of the hatched parking in the southern end of the property proposed as banked parking? What does the hatch pattern in this area represent?
3. *Utility Plan, Sheet 3 of 7*
  - a. Will this project require a backflow prevention device? If so, will the device be located inside of the building or will a hot box be required?
4. *Grading and E.C. Plan, Sheet 4 of 7*
  - a. Orange construction fencing for all trees which are to remain should be depicted on this sheet.
  - b. The location of soil stockpiles should be depicted on this sheet.
  - c. The location of material storage and staging areas should be depicted on this sheet.
  - d. The limits of disturbance calculations should include areas which are to be disturbed for proposed utility work and proposed site grading.
5. *Landscape and Lighting Plan, Sheet 5 of 7*
  - a. The cut sheets for the proposed light fixtures should highlight the model to be used on site. The proposed fixtures should be full shielded with a correlated color temperature (CCT) of no more than 3000 kelvins.

MEMO

TO: Ramsey Boehner, Associate Planner

FROM: Rick DiStefano, Planner

DATE: March 10, 2021

RE: Conservation Board's comments concerning the March 17, 2021 Planning Board meeting.

9P-NB1-20 1705 Clover Street (revised plans)

- The Board reviewed the revised plans and supports the reduction in building square footage, reduction of impervious surface and the retaining of trees that were originally planned to be removed. This revision helps soften the office use in a residential district.

Previous comments

- As stated earlier, the western boundary between the parking lot and neighbors on Council Rock Avenue needs to be properly screened as required by code regulations. This screening should be installed by the applicant on the church/office property and not be reliant on the neighboring properties fencing to meet code requirements.
- The sidewalk along Clover Street should be repaired not removed (it appears the revised plans do not include removal of the sidewalk).
- It appears some green infrastructure techniques are being incorporated, can this be expanded?

3P-NB1-21 1950 & 1966 Monroe Avenue

- Option #3 is encouraged by the Board, followed by option #2 and then option #1. The Board understands that Option #3 presents challenges but will offer a new urbanism approach bringing together elements which support pedestrian and bicycle access.
- Green infrastructure techniques need to be incorporated and green building practices considered.
- As shown on option #3 consideration should be given to providing an EV charging station on the site.
- Consideration should be given to the reuse of building materials from the demolition of the existing buildings.
- Special attention should be given to the northwest corner of the lot (intersection of Monroe Avenue and Elmwood Avenue).
- The Board will provide additional comments as plans progress.



Town of  
**Brighton**

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

**Evert Garcia, P.E.**  
Town Engineer

## MEMO

Date: March 16, 2021

From: Evert Garcia

To: Ramsey Boehmer

Copy: File

Re: *Application No. 3P-NB1-21  
1950-1966 Monroe Avenue LLC, Owner  
Concept Review to redevelop an existing nonconforming gas station and auto repair facility into a convenience store with  
gasoline sales  
1950 & 1966 Monroe Avenue*

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) shall be provided in conjunction with this project. All texts, maps and descriptions shall be prepared and submitted to this office for review of the proposed easements. 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, improvements within the NYSDOT right of way, improvements within the MCDOT right of way, sanitary sewer, water service, stormwater water management facilities, 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. The Concept Plan should include the following features; proposed signage and striping, general topography contours of the site, existing and proposed trees and other vegetation and other existing or planned features; a narrative describing anticipated changes to existing topography and natural features, including but not limited to trees; proposed water supply and sewage and waste disposal facilities
4. The project will require multiple jurisdictional approvals, including but not limited to MCDOT, MCDOH, NYSDEC, MCPW, and MCWA. All approvals must be obtained prior to the Town endorsing the final plans.
5. The proposed building and site plan must comply with the New York State Fire Code. The Town of Brighton Fire Marshal must review the fire apparatus access and fire hydrant locations. The Fire Apparatus Access and Fire Hydrant Worksheet must be completed and submitted to the Town of Brighton for review. The worksheet can be found at:  
<http://www.townofbrighton.org/DocumentCenter/View/4557>

**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.
2. Will any component of the project be LEED certified? The applicant should identify which components will be certified and the level of certification.
3. The applicant should consider utilizing green infrastructure practices such as bioretention facilities and porous pavements to control the stormwater generated by the proposed development. This site borders the limits of the award-winning Monroe

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<http://www.townofbrighton.org>



**Brighton**

Avenue GIGP project. The design team should consider installing green infrastructure features to continue the GIGP theme along the Monroe Avenue corridor.

4. The applicant should consider provisions to promote alternative transportation such as bike racks.
5. The applicant should consider the installation of a Level 2 or higher electric vehicle charging station as noted in Concept 3. NYS currently offers many rebates and incentives to aid in reducing the cost of installing EV charging stations at public locations.

**Engineer's Report:**

1. An Engineer's Report must be provided. The applicant's engineer must provide technical information regarding sanitary demand, change in runoff and need for stormwater quality/quantity mitigation, and traffic generation.

**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. This plan must be prepared in accordance with sound engineering practices by a qualified professional. The final plan must be signed by a New York State licensed professional engineer (PE), who will certify that the design of all construction phase and postconstruction phase stormwater pollution prevention and erosion and sediment control practices meets the requirements outlined in the Town's design criteria and the New York State 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.
2. The proposed project is located within the Irondequoit Creek watershed and must conform to IWC Stormwater Management Report Requirements. Additionally, the project should evaluate pollutant loading generated by the proposed project and consider treatment alternatives to reduce the pollutants discharged from the project site. The project should consider Low Impact Development, LID, techniques such as but not limited to rain gardens, permeable pavements, and bio retention areas and incorporate green infrastructure which utilizes infiltration, groundwater recharge, reuse, recycle, evaporation/evapotranspiration.

**Traffic and Roadways:**

1. A Traffic Impact Study should be prepared to identify potential impacts to traffic operations at off-site intersections and adjacent roadways. The traffic impact study must be submitted to authority having jurisdictions including the Monroe County Department of Transportation, the New York State DOT, and the Town of Brighton for review. The developer's team should contact Town of Brighton staff to coordinate the scope of the study.

**General Utility:**

1. All existing and proposed utilities on the site should be identified on the plans.
2. As part of the redevelopment process, all existing sanitary and storm sewer utilities that are proposed to be used for serving this site shall be televised and tested in accordance with the Town of Brighton requirements to determine their condition and adequacy for doing so. If the utilities require any improvements to provide this service, or if the Sewer Department determines that there are deficiencies in the service lines that require corrective action, it shall be done so at the expense of the applicant.
3. If there are sanitary sewer cleanouts on site, they shall be protected by orange construction fencing during the site construction.
4. Floor drains, if installed, shall be connected to the sanitary sewer system. Floor drains do not include foundation or footer drains. Discharge from any floor drain must meet the effluent limits of the local and/or Monroe County Pure Waters Sewer use Law.
5. Sanitary sewer mains shall be air tested and manholes shall be vacuum tested in compliance with the specifications and sewer policy of the Town of Brighton.
6. Sanitary sewer mains shall be televised after successful completion of the mandrel test. Video tape and log shall be provided to the Department of Public Works.

**Demolition:**

1. A demolition and restoration plan should be developed and submitted for review.

**Storm Sewer:**

1. Proposed storm sewers should be designed in accordance with the Town of Brighton Minimum Specifications for Dedication.



**Water:**

1. Hydrant flow test data along with the appropriate hydraulic calculations must be provided to confirm that the water distribution system, including the proposed service improvements have adequate capacity to supply the sprinkler, fire flow and domestic demands.

**Grading & Erosion Control:**

1. A grading and erosion control plan must be provided.

**Landscaping:**

1. A landscaping plan should be provided.

**Lighting:**

1. Light fixtures proposed as part of the improvements should be fully shielded with a correlated color temperature (CCT) of no more than 3000 kelvins.
2. A plan showing proposed lighting photometrics must be provided.

**Notes- The following notes should be included with the formal set of design drawings**

1. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the Town's Comprehensive Development Regulations for Excavation and Clearing (Chapter 66), Trees (Chapter 175) and other pertinent regulations. The Contractor shall be a registered tree-service provider with the Town, and shall carry insurance as required by Chapter 175 of the Town's Comprehensive Development Regulations.
2. All construction shall conform to Town of Brighton Standards unless specifically noted on the plans, and shall be subject to the inspection and approval of the Town of Brighton.
3. The contractor is directed to obtain a current copy of the Town of Brighton Standards prior to beginning work.
4. The contractor shall obtain all necessary Highway Access, Sewer Construction, or other permits from the Town or other agencies prior to starting work
5. The contractor shall be responsible for all damages and repairs to all utilities, public and private roadways, sidewalks, and structures including signs, resulting from his operation
6. The contractor shall locate, mark, safeguard, and preserve all survey control monuments in the areas of construction. For descriptive and survey data on the control monuments, call the Monroe County Geodetic Survey Office.
7. All trees to be saved shall be pruned, watered and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
8. The landscaping associated with the project shall be guaranteed for three years.
9. Erosion control measures shall be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control.
10. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control measures, tree protection and preservation throughout construction.
11. As part of the redevelopment process, all existing utility laterals that are proposed to be used for serving this site shall be televised to determine their condition and adequacy for doing so. If the laterals require any improvements to provide this service, or if the Sewer Department determines that there are deficiencies in the service lines that require corrective action, it shall be done so at the expense of the applicant.
12. All utilities services serving the site shall be disconnected at the direction of the utility provider. The severance of utility services should be confirmed by the Sewer Department and other agencies prior to demolition.
13. Sanitary and/or storm sewer cleanouts on site or within the right of way, shall be protected by orange construction fencing during the demolition.
14. 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.
15. Prior to demolition a demolition permit shall be obtained
16. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance.

