

PLANNING BOARD
TOWN OF BRIGHTON
MEETING OF OCTOBER 20, 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 October 20, 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 July 21, 2021 meeting minutes.
Approval of the August 18, 2021 meeting minutes.
Approval of the September 14, 2021 meeting minutes. **To be done at the November 17, 2021 meeting.**

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of October 14, 2021 will now be held.

10P-01-21 Application of Canal View Holdings, LLC, owner, and Ryco Management, agent, for Site Plan Modification to construct 11 new parking spaces on property located at 777 Canal View Blvd. All as described on application and plans on file.

10P-02-21 Application of Canal View Holdings, LLC, owner, and Leo J. Roth Corporation, agent, for Site Plan Modification to install a standby emergency generator on property located at 777 Canal View Blvd. All as described on application and plans on file.

10P-03-21 Application of 1925 South Clinton, LLC, owner, for Final site Plan Approval (Phase 2) to construct two 9,200 +/- sf retail buildings with drive-through facilities and associated site improvements on property located at 1905-1925 South Clinton Avenue (Tax ID #136.15-1-8.1, Lot 3). All as described on application and plans on file.

10P-04-21 Application of Trinity Reform Church, owner, for Preliminary/Final Subdivision Approval to create two lots from one on property located at 909 North Landing Road. All as described on application and plans on file.

NEW BUSINESS:

10P-NB1-21 Application of 1950-1966 Monroe Avenue, LLC (Quickle's), owner, for Preliminary Subdivision Approval, Preliminary Site Plan Approval and Demolition Review and Approval to raze two commercial buildings, combine two lots into one and construct a 2,500 +/- sf convenience store, three new gas pump islands and a new gas pump canopy on properties located at 1950 and 1966 Monroe Avenue. All as described on application and plans on file. **ADJOURNED TO THE NOVEMBER 17, 2021 MEETING AT APPLICANTS REQUEST**

10P-NB2-21 Application of James Tabbi, owner, for Preliminary Site Plan Approval and Preliminary EPOD (steep slope and woodlot) Permit Approval to construct a 2,022 +/- sf single family home with a first floor garage and storage area on property located at 830 Highland Avenue (Tax ID #136.07-1-28.2). All as described on application and plans on file. **ADJOURNED TO THE NOVEMBER 17, 2021 MEETING AT APPLICANTS REQUEST**

CHAIRPERSON: Announce that public hearings are closed.

OLD BUSINESS:

8P-NB1-21 Application of The University of Rochester, owner, for Concept Review (revised Revised Concept plans) to construct a 3 story, 55,000 +/- sf building addition (LLE Building) and a 102 space parking lot on property located at 250 East River Road. All as described on application and plans submitted. All as described on application and plans submitted. **ADJOURNED TO THE NOVEMBER 17, 2021 MEETING AT APPLICANTS REQUEST**

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from David Cox, Passero Associates, dated October 19, 2021, requesting adjournment of application 8P-NB1-21 (250 East River Road) to the November 17, 2021 meeting.

Letter from Evan Gefell, Costich Engineering, dated October 20, 2021, requesting adjournment of application 10P-NB2-21 (830 Highland Avenue) to the November 17, 2021 meeting.

Letter from John Sciarabba, Landtech, dated October 20, 2021, requesting adjournment of application 10P-NB1-21 (1950 & 1966 Monroe Avenue) to the November 17, 2021 meeting.

PETITIONS:

NONE

SIGNS:

APP #	NAME & LOCATION	TYPE OF SIGN	ARB REVIEW
			PB DECISION
ARB & PB RECOMMENDATIONS AND/OR CONDITIONS			
<u>1627</u>	Rocblooms 1476 Monroe Avenue	Bldg Face	HPC
<u>1628</u>	Women Gynecological & Childbirth Associates 700 Canal View Blvd.	Bldg Face	9/28/21
ARB - Approved as presented.			
<u>1629</u>	Krown Rust Protection, CTC Custom Truck Creations 2852 W Henrietta Road	Bldg Face (3 signs - 2 on plaza face, 1 on back building)	9/28/21
<u>1630</u>	Trinity Reformed Church 909 N Landing Road	Free Standing Sign	HPC
Old Business			
<u>1625</u>	UR Medicine, Brighton Health Center 2613-2619 W Henrietta Road	Bldg Face	8/24/21, 9/28/21
ARB - Approved as presented.			



October 19, 2021

Town of Brighton
Attn: Ramsey Boehner
2300 Elmwood Avenue
Rochester, NY 14618

**Re: U of R LLE Building Addition
Rochester, NY**

Dear Ramsey:

We are formally requesting to table our Planning Board Application for the above project until the November 17th, 2021, Planning Board Meeting. We would like to have a Town staff workshop prior to going back before the Board.

If you have any questions, please feel free to contact me directly. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Cox'.

David Cox, PE
Associate | Civil Department Manager

DLC: paf

Cc: File





10/20/2021

Ramsey Boehner
Town of Brighton
2300 Elmwood Ave.
Rochester, NY, 14618

Re: 830 Highland Ave.
10P-NB1-21- letter of adjournment

Dear Mr. Boehner:

We are requesting to adjourn application 10P-NB1-21 from the 10/20/2021 Planning Board meeting as we are working to address some comments and are waiting on the completion of our consultants technical reports.

We would like to address these comments and submit updated plans in order to attend the November 17th meeting.

Please feel free to contact me with any questions or comments you may have.

Very truly yours,

COSTICH ENGINEERING, D.P.C.

A handwritten signature in black ink that reads "Evan R. Gefell".

Evan Gefell



October 20, 2021

Project Number: 20127

Mr. Ramsey Boehner, Town Planner
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

RE: Quicklee's 12 corners
1950 & 1966 Monroe Avenue
Site Plan & Subdivision

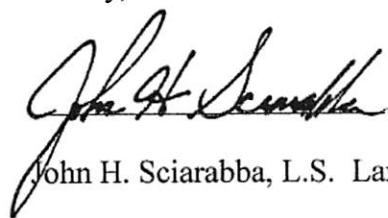
Mr. Boehner:

On behalf of 1950-1966 Monroe Avenue LLC the owner of the property and operator of Quicklee's we formal request to pull our application from tonight's Planning Board agenda.

We assume that we can submit updated plans on or before November 3rd so this application can be heard by the Planning Board at their next meeting on November 17th 2021.

In the meantime if you have any questions or concerns please don't hesitate to contact me.

Sincerely,



John H. Sciarabba, L.S. LandTech

RECEIVED
OCT 20 2021
TOWN OF BRIGHTON
BUILDING & PLANNING

PLANNING BOARD REPORT

HEARING DATE: 10/20/2021

APPLICATION NO: 10P-01-21

APPLICATION SUMMARY: Application of Canal View Holdings, LLC, owner, and Ryco Management, agent, for Site Plan Modification to construct 11 new parking spaces on property located at 777 Canal View Blvd

COMMENTS:

- The subject property is presently zoned TOP.
- The total project area is 8.796 acres.
- Lot coverage is 50%.
- The proposed use requires 453 parking spaces. There are 285 spaces proposed which includes the 11 new spaces, and there is a parking agreement with 500 Canal View for additional spaces. Adequate parking exists for the applicant's request.
- The building meets standards for ADA parking. No ADA spaces are being removed and one space is being added as part of parking changes.

CONSERVATION BOARD: Tree removal/replacement should be one for one.

TOWN ENGINEER: See memo from Commissioner of Public Works, Mike Guyon, dated October 17, 2021

QUESTIONS:

- Will wheel stops be considered to eliminate vehicles from blocking the sidewalk?
- How will access be maintained to the building during construction? Will it be ADA accessible?
- Will additional lighting be installed?
- Will employees park in the front or back of the building?
- How will snow be removed from the parking spaces?

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. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance.
5. Maintenance of landscape plantings shall be guaranteed for three (3) years.
6. 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.
7. 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
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 shall be addressed.
10. Erosion control measures shall be in place prior to site disturbance.
11. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

12. 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.
13. The requested information is required to be submitted no later than two weeks prior to the next Planning Board meeting.
14. All comments, concerns and requirements of the Town Engineer as contained in the attached memo dated October 17, 2020 From Mike Guyon, Commissioner of Public Works, to Ramsey Boehner, shall be addressed.
15. All trees removed shall be replaced one for one.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 10P-01-21

Date: 10/19/21

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: 777 Canal View Blvd Parking addition

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Canal View Holdings, LLC, owner, and Ryco Management, agent, for Site Plan Modification to construct 11 new parking spaces on property located at 777 Canal View Blvd

Location: 777 Canal View Blvd

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 requirements of the State Environmental Quality Review Law have been complied with.

5. The duration of all impacts will be short term in nature.
6. 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

Mike Guyon, P.E.
Commissioner of Public
Works

MEMO

Date: October 17, 2021
From: Michael E. Guyon
To: Planning Board
Copy: Ramsey Boehner, File
Re: 10P-01-21
Canal View Holdings LLC
Site Plan Modification to construct 11 new parking spaces

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

General:

1. The aerial photographs suggest that there are handicapped parking areas along the eastern end of the new parking spaces. Will these spaces be eliminated?
2. Wheel stops should be considered to eliminate vehicles from blocking the sidewalk.
3. How will snow be removed from this area.
4. A note must be added to the plans indicating that the parking area shall be striped per the requirements of the Town of Brighton Comprehensive Development Regulations.
5. Calculations should be provided comparing pre and post development of the disturbed area demonstrating that the increase in stormwater run-off is incidental.
6. How will the stormwater generated by the new parking be conveyed to the existing storm system? It appears that a portion will be directed to the existing curb inlet but it is difficult to determine where the stormwater generated by the eastern portion of the new parking area will be conveyed.
7. How will access be maintained to the building during construction? How will ADA access be maintained during construction?
8. Porous asphalt should be considered for the new pavement area.

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PLANNING BOARD REPORT

HEARING DATE: 10/20/2021

APPLICATION NO: 10P-02-21

APPLICATION SUMMARY: Application of Canal View Holdings, LLC, owner, and Leo J. Roth Corporation, agent, for Site Plan Modification to install a standby emergency generator on property located at 777 Canal View Blvd.

COMMENTS:

- The subject property is presently zoned TOP.
- The total project area is 8.796 acres.
- Lot coverage is 50%.
- The generator is located in the side yard.
- The dB(A) levels of the generator will be less than 65 dB(A). Screening or enclosing is not proposed.

CONSERVATION BOARD:

- No Comments

TOWN ENGINEER: See memo from Commissioner of Public Works, Mike Guyon, dated October 17, 2021.

QUESTIONS:

- Will bollards or wheel stops be installed to reduce potential damage to the generator?
- How will the natural gas service be extended?
- What is the dB(A) level of the generator?
- Are you proposing to screen or enclose the generator?

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. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).
2. Meet all requirements of the Town of Brighton's Department of Public Works.
3. All Town codes shall be met that relate directly or indirectly to the applicant's request.
4. All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed within 30 days.
5. The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met.
6. All comments, concerns and requirements of the Town Engineer as contained in the attached memo dated October 17, 2020 From Mike Guyon, Commissioner of Public Works, to Ramsey Boehner, shall be addressed.
7. The generator shall be 65 dB(A) or less.

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State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 10P-02-21

Date: 10/19/21

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: 777 Canal View Blvd Generator Installation

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Canal View Holdings, LLC, owner, and Leo J. Roth Corporation, agent, for Site Plan Modification to install a standby emergency generator on property located at 777 Canal View Blvd.

Location: 777 Canal View Blvd

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. No threatened or endangered species of plants or animals will be affected by this project.
2. The requirements of the State Environmental Quality Review Law have been complied with.
3. The duration of all impacts will be short term in nature.
4. There will be no resources of value irreversibly lost.
5. 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



Public Works Department

Mike Guyon, P.E.
Commissioner of Public
Works

MEMO

Date: October 17, 2021
From: Michael E. Guyon
To: Planning Board
Copy: Ramsey Boehner, File
Re: 10P-02-21
Canal View Holdings LLC
Site Plan Modification to install a stand by generator.

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

General:

1. The applicant should consider installing bollards or wheel stops to reduce the potential of damage to the generator by a vehicle.
2. The location of the generator shall not obstruct egress to or from the building. The placement of the generator shall not interfere with the safe passage of pedestrians or vehicles.
3. How will natural gas service be extended to the generator?
4. A note should be added to the plans indicating that the maintenance operation of the generator shall take place only during daylight hours.

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PLANNING BOARD REPORT

HEARING DATE: October 20, 2021

APPLICATION NO: 10P-03-21

APPLICATION SUMMARY: Application of 1925 South Clinton, LLC, owner, for Final site Plan Approval (Phase 2) to construct two 9,200 +/- sf retail buildings with drive-through facilities and associated site improvements on property located at 1905-1925 South Clinton Avenue (Tax ID #136.15-1-8.1, Lot 3).

COMMENTS:

- The Project has previously received Preliminary Overall Site Plan Approval and Final Phase 1 Site Plan approval which consisted of the 11,600 square foot Doodlebugs Children's Center facility.
- The proposed plan is inconsistent with the approved. A new preliminary site plan application and approval is required due to the proposed modification to the approved plan.
- The Project is subject of an Incentive Zoning Approval and is located in a BE-L Zoning District.
- Phase 2 of the development consists of two (2) 9,200 square foot retail buildings with associated parking and drive-through facilities.
- The application should be revised to address each proposed conditional use in greater detail.
- The proposed multi-use buildings have been designed to accommodate tenants of varying sizes with the northern building anchored by a Starbucks Cafe and sandwich shop (to be named).
- Pursuant to the Incentive Zoning Approvals, restaurant uses including cafes and sandwich shops are conditional uses permitted subject to approval by the Planning Board in accordance with Chapter 217, Article II of the Town Code. Additionally, drive-through facilities as accessory uses are also permitted subject to drive-through standards set forth under the Incentive Zoning Regulations.
- The Applicant is constructing the building shell and demised premises for each of the restaurant uses with the fit-out of each space subject to preparation of detailed floor plans by the perspective tenants for submission under separate cover.
- The remainder of the retail buildings is speculative at this point in time and will be tenanted based upon demand and in conformance with either permitted or conditionally permitted uses as allowed under the regulations.

- The northerly driveway off South Clinton Avenue opposite Rue de Ville was constructed in Phase 1. The southerly signalized driveway opposite Tops was also constructed. It will be striped and connected to the northerly driveway during this phase. The South Clinton turn lanes have already been constructed.
- The access driveway to the Brookdale property located south of the project site will be construction.
- The traffic projections included in the 2016 TIS indicate that drive through restaurants generate a significant volume of traffic. The TIS must be revised to consider the additional traffic generated by the second drive through restaurant. The revised TIS must be submitted to the MCDOT for review.
- The approved erosion control plan indicates that the topsoil pile was temporary and was to be removed within 6 months. The topsoil pile has been in place for well over 6 months and must be removed.
- The application should identify any differences between the proposed plan and the approved overall plans.
- The Fire Apparatus Access and Fire Hydrant Worksheet for Phase 2 of the proposed project must be submitted for review.
- The location of the proposed dumpsters will require that the waste haulers block the access drive.
- A turning radius analysis must be prepared and must consider vehicles entering the drive through from the southernmost access drive. Also the radius analysis must review vehicles exiting the northern most drive through and making a right turn onto the Rue Deville access drive.
- Provisions must be provided for pedestrians crossing the drive to access the multi-tenant buildings.
- Access to the existing shared use trial along the western property line should be provided and constructed as part of this phase.
- The outdoor eating area could block the sight line for the vehicles exiting the drive through. Confirmation must be provided that there is adequate sight distance at this location.
- The landscape plan must address the western portion of the site that will be regraded.
- The landscaping must not obstruct the sight distance at the drive through and parking area entrances/exits.

- 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:

- Continue the use of green infrastructure techniques.
- Landscaping along South Clinton Avenue shall be maintained to provide adequate screening of drive-thru lanes.

TOWN ENGINEER: See memo from Town Engineer, Mike Guyon, dated October 13, 2021.

QUESTIONS:

- What has changed on the Preliminary Site Plan? Please identify any differences between the proposed plan and the approved overall plans.
- The access driveway to the Brookdale property located south of the project site will be constructed as part of this phase.
- Have you revised the Traffic Impact Study to address the proposed uses?
- The approved erosion control plan indicates that the topsoil pile was temporary and was to be removed within 6 months. The topsoil pile has been in place for well over 6 months. When will it be removed?
- The location of the proposed dumpsters will require that the waste haulers block the access drive. What provisions are provided to limit this impact?
- Have the architectural design and building materials of the proposed building(s) been reviewed and approved by the Town of Brighton Architectural Review Board?
- Has the project been reviewed by the Conservation Board?
- What type of provisions are you providing for pedestrians crossing the drive to access the multi-tenant buildings?
- Will access to the existing shared use trial along the western property line be provided and constructed as part of this phase.

- How many employees will be on site at the most active time and when that period of maximum activity will occur?
- How many customers or visitors will be on the premises during maximum activity hours?
- What are the days and hours of operation?
- How many parking spaces are available for the uses and who are they shared with.
- How will deliveries be made to the proposed uses and at what hours?
- What is the nature of trash generated by the proposed uses? What type of provisions are you providing for trash?
- Is there any unusual solid or liquid waste such as chemicals dumped into the sanitary sewer?
- Do they have plans to have any special events, promotions or other displays?
- Will the proposed uses cause extra traffic, noise or other increase in activity to the project site.
- Will the proposed lighting be consistent with the lighting previously approved as part of this project?
- What is the height of the proposed wall?
- Will a generator be provided?
- Where will the HVAC units be located?
- Are any deliveries or shipments proposed between midnight and 6am? Is it proposed to operate any trucks on the site during that period?

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 proposed plan is inconsistent with the approved. A new preliminary site plan application and approval is required due to the proposed modification to the approved plan.
2. The application must be revised to address each proposed conditional use in greater detail.

3. The access driveway to the Brookdale property located south of the project site will be construction during this phase.
4. The traffic projections included in the 2016 TIS indicate that drive through restaurants generate a significant volume of traffic. The TIS must be revised to consider the additional traffic generated by the second drive through restaurant. The revised TIS must be submitted to the MCDOT for review.
5. The approved erosion control plan indicates that the topsoil pile was temporary and was to be removed within 6 months. The topsoil pile has been in place for well over 6 months and must be removed.
6. The application should identify any differences between the proposed plan and the approved overall plans.
7. The Fire Apparatus Access and Fire Hydrant Worksheet for Phase 2 of the proposed project must be submitted for review.
8. The location of the proposed dumpsters will require that the waste haulers block the access drive. The application must be revised to provide provisions to limit this impact?
9. A turning radius analysis must be prepared and must consider vehicles entering the drive through from the southernmost access drive. Also the radius analysis must review vehicles exiting the northern most drive through and making a right turn onto the Rue Deville access drive.
10. The plans must be revised to provide for pedestrians crossing the drive to access the multi-tenant buildings.
11. The plan must be revised to provide access to the existing shared use trial along the western property line should be provided and constructed as part of this phase.
12. The outdoor eating area could block the sight line for the vehicles exiting the drive through. Confirmation must be provided that there is adequate sight distance at this location.
13. The landscape plan must be revised to address the western portion of the site that will be regraded.
14. Verification must be submitted that the landscaping will not obstruct the sight distance at the drive through and parking area entrances/exits.
15. The architectural design and building materials of the proposed building(s) shall be reviewed and approved by the Town of Brighton Architectural Review Board.

16. The dumpster shall be enclosed with building materials that are compatible with the existing building.
17. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
18. All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed.
19. All County Development Review Comments shall be addressed.
20. The parking lot lights shall be placed on a timer.
21. The location of the HVAC shall be shown on the site plan
22. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
23. 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.
24. The plans shall be revised to address the following comments of the Conservation Board:
 - Continue the use of green infrastructure techniques.
 - Landscaping along South Clinton Avenue shall be maintained to provide adequate screening of drive-thru lanes.
25. 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.
26. Documentation must be submitted by the project engineer that confirms that the proposed project complies with the Incentive Zoning Approval and the Negative Declaration that was adopted for this project.
27. The requested information is required to be submitted no later than two weeks prior to the next Planning Board meeting.
28. All comments, concerns and requirements of the Town Engineer as contained in the attached memo dated October 20, 2020 From Evert Garcia, Town Engineer, to Ramsey Boehner, shall be addressed.



Town of
Brighton

Public Works Department

Commissioner of Public Works – Tim Keef, P.E.

Michael Guyon, P.E.
Town Engineer

MEMO

Date: October 13, 2021

From: Michael E. Guyon

To: Ramsey Boehner

Copy: File

Re: 10P-03-21
1925 South Clinton, LLC
Final Site Plan Approval, (Phase II), to construct two 9,200 sf retail buildings with drive through facilities and associated improvements

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

General:

1. Plans should be provided showing the improvements associated with the project's southernmost driveway intersection. The MCDOT plans must be provided to the Town for review.
2. The traffic projections included in the 2016 TIS indicate that drive through restaurants generate a significant volume of traffic. The TIS must be revised to consider the additional traffic generated by the second drive through restaurant. The revised TIS must be submitted to the MCDOT for review.
3. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: restoration, driveway entrance within the MCDOT right of way, sanitary sewer, storm 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.
4. 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.
5. The pedestrian crossing button at the project's southern entrance must be accessible.
6. The approved erosion control plan indicates that the topsoil pile was temporary and was to be removed within 6 months. The topsoil pile has been in place for well over 6 months and must be removed.
7. An earthwork phasing plan must be provided that identifies the entire area to be disturbed. A five acre waiver may be required for the project.

Engineer's Report:

1. The Engineering report should identify any differences between the proposed plan and the approved overall plans. Furthermore, the report must identify the impacts that the proposed development will have on the green infrastructure and stormwater management facility. Calculations must be submitted demonstrating that the proposed stormwater improvements provide the necessary water treatment to accommodate the proposed impervious area.
2. The Engineer's report must demonstrate that the proposed stormwater improvements provide sufficient water quality treatment for the proposed project.
3. The SWPPP must be amended to consider the proposed plan modifications.



4. The hydraulic computations must be submitted for review. Documentation must be provided substantiating the fire flow and sprinkler demands.
5. The Phase II Existing Features/Demolition plan suggests that the grading of the stormwater management facility is not consistent with the approved grading plan. Stormwater calculations must be submitted demonstrating that the existing stormwater management facility can provide the water quality and quantity treatment anticipated in the approved SWMP.
6. The Fire Apparatus Access and Fire Hydrant Worksheet for Phase 2 of the proposed project must be submitted for review.
7. Calculations demonstrating that the storm sewer has adequate capacity must be provided.
8. Calculations demonstrating that the grease traps are adequately sized must be submitted.

Plans**1. GA002 – General Notes and Legend Sheet**

- a. The following notes should be added to this sheet:
 - i. A pre-construction meeting must be held prior to the start of construction.
 - ii. Construction, demolition and excavation: the erection, including excavating, demolition, alteration or repair of any building, land clearing, land grading or road and utility construction must take place between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 9:00 a.m. and 6:00 p.m., Saturday and Sunday, except in case of an urgent necessity in the interest of public safety.
 - iii. No person, firm, partnership or corporation shall engage in or conduct the trade or business of plumbing within the Town of Brighton without first having obtained a license therefor issued by the Building Department.
 - iv. No person who plants, maintains, or removes trees as a business shall work on any tree on any area of land in the Town without first applying for and obtaining an annually renewable registration certificate from the Town
- b. The sequence of construction must address the removal of the topsoil and debris piles on the site. In addition, the sequence of construction must address the erosion control, grading and restoration of the area west of the proposed development.

2. CA100 – Existing Features and Demolition Plan

- a. The existing grading contours shown on this sheet do not correspond with the grading on the approved plans. The grading and erosion plan, CA130, should include proposed grading contours that illustrate how the stormwater will be directed to the erosion control devices and ultimately to the stormwater management facility. Moreover, it is our understanding that during the initial phase of construction the stone rubble found on the site was crushed and was to be used to establish the base of the proposed parking and access drives. This grading plan must illustrate the placement of this material. Additionally, an erosion control plan for the overall site must be provided.
- b. Construction vehicles should not conflict with the Doodlebug traffic and should not use the northern access. Temporary signage should be provided directing construction vehicles to use the southern driveway.

3. CA110 –Overall Site and Pavement Marking Plan & CA111 – Site and Pavement Marking Plan

- a. The location of the proposed dumpsters will require that the waste haulers block the access drive. What provisions are provided to limit this impact? Please confirm that these provisions are consistent with the Town's noise code.
- b. The turning radius analysis must consider vehicles entering the drive through from the southernmost access drive. Also the radius analysis must review vehicles exiting the northern most drive through and making a right turn onto the Rue Deville access drive.
- c. Easements must be provided for the driveway to the Gables. The existing easement may need to be revised and an easement from 1925 South Clinton LLC will be required.
- d. Provisions must be provided for pedestrians crossing the drive to access the multi-tenant buildings.
- e. The proposed staging area located west of the proposed parking areas must be fully restored at the conclusion of this phase of the project.
- f. Traffic signage must be provided at the Gables intersection and at the access drive intersection to control the vehicle movement to and from the Gables.
- g. Access to the existing shared use trial along the western property line should be provided and constructed as part of this phase.
- h. The outdoor eating area could block the sight line for the vehicles exiting the drive through. Confirm that there is adequate sight distance at this location.



4. *CA120 – Utility Plan*

- a. Section 199-9 of the Code of the Town of Brighton indicates that each premise to which water is supplied must be connected with the main by a separate service pipe which must be laid in a straight line from the main and enter the front of the building at a right angle thereto. The site plan shows a single service serving two buildings. Please review.
- b. The MCWA and MCDOH must approve the design of the reduced pressure zone device prior to the issuance of a building permit.
- c. The 6" sanitary sewer laterals must enter the manhole at or near the elevation of the upstream sewer main invert.
- d. The Town of Brighton Specifications indicate that a minimum drop of 0.20 feet shall be provided for the inverts through the manhole. Wherever the inlet invert is such that the 9" maximum slope is exceeded, the inlet pipe shall be connected with a 24" minimum outside drop and cleanout pipe half bricked up.
- e. A revised overall utility phasing plan must be provided.
- a. The storm sewer infrastructure serving the bioretention areas along with the bioretention areas should be installed with this phase.
- b. A phasing plan showing the chronological progression of the installation of the green infrastructure must be provided.
- c. The location of the storm sewer and grease trap are in conflict. A greater separation between the grease trap and the storm sewer should be considered.
- d. A grease trap should be provided for the southernmost building.

5. *CA130 – Grading and Erosion Control Plan*

- a. See comment a. in section CA100 – Existing Features and Demolition Plan.
- b. A grading phasing plan that defines the maximum disturbed area to be disturbed at one time, and the specific sequencing and phasing that will be done to minimize the amount and duration of exposed areas to the maximum extent practicable must be submitted for review and approval. The phasing plan must illustrate the successive grading, erosion control and restoration measures by phase. This plan shall be submitted to the Town of Brighton for review and approval. Any deviation from this plan must be reviewed and approved by the Town of Brighton. Grading activities shall be limited to the phase and/or section immediately under construction to decrease the time that soil is exposed, which, in turn, decreases the potential for erosion. Additional phases should begin only when the previous phase is stabilized.
- c. The grading of the northernmost bioretention area differs from the previous plans. The design calculations must consider this deviation.
- d. The existing piles of topsoil, stone and debris must be removed.
- e. The earthwork generally precedes the installation of the utilities. The grading plan must control and treat the stormwater prior to the installation of the utilities. A series of diversion ditches may be necessary to convey the stormwater as portrayed in the SWPPP.
- f. All disturbed areas must be restored per NYSDEC deep ripping and de-compaction requirements. These areas should be delineated on the plans.
- g. All disturbed areas must be restored. Six inches of topsoil must be installed above the areas that are not proposed to be paved. The plans should illustrate the areas where topsoil will be placed.
- h. Orange construction fencing delineating the extent of the disturbed area must be shown on the plans. The construction fencing must be extended along the length of the western and southern disturbed areas.
- i. Jute mesh should be installed along the steep areas adjacent to the South Clinton sidewalk. Areas requiring soil restoration and jute mesh must be clearly delineated on the plans.
- j. The location of the concrete wash-out must be shown on the plans. The appropriate detail must be provided.
- k. The location of sedimentation basins should be delineated and shown on the plans. Computations must be provided demonstrating that the sedimentation basins have sufficient volume to accommodate the contributing area.
- l. Erosion control measures must be provided for the earthwork on the Gables property. Jute mesh should be used to stabilize the steep slopes in this area.
- m. The installation of the driveway to the gables will require additional tree removal. How will this loss of trees be mitigated?

6. *LA 100 Phase II Landscape Plan*





- a. The landscape plan must address the western portion of the site that will be regraded. Six inches of topsoil should be spread over all of the disturbed areas except those that will be paved in the future. The plans should illustrate this.
- b. The landscaping must not obstruct the sight distance at the drive through and parking area entrances/exits.

7. *EA100 – Lighting Plan*

- a. The wall mounted lights should have shields to reduce lighting glare. The shield should block the visibility of the light source, (bulb), from S. Clinton Avenue.
- b.



PLANNING BOARD REPORT

HEARING DATE: 10/20/2021

APPLICATION NO: 10P-04-21

APPLICATION SUMMARY: Application of Trinity Reform Church, owner, for Preliminary/Final Subdivision Approval to create two lots from one on property located at 909 North Landing Road.

COMMENTS:

- The subject property is presently zoned RLB.
- The current lot is 114,960 sf and will be split into two lots. The one lot containing the residence will be 13,500 sf, and the other containing the church will be 101,410 sf
- The subdivision required a variance for the side setback of the church. It was granted by the Zoning Board of Appeals at the October 6th, 2021 meeting.
- Access easements are required for the residence to meet zoning requirements of the Town Code.

CONSERVATION BOARD: - No Comment

TOWN ENGINEER: See memo from Town Engineer, Evert Garcia, dated October 20, 2021.

QUESTIONS:

- Have all the necessary variances for this project been obtained from the Zoning Board of Appeals?
- Have access easements been granted for the residence to use the private drive?
- Why are you resubdividing the parcels?

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. All conditions of the Zoning Board of Appeals shall be met.
2. Meet all requirements of the Town of Brighton's Department of Public Works.
3. All Town codes shall be met that relate directly or indirectly to the applicant's request.
4. Meet all plat filing requirements of the Town of Brighton's Department of Public Works.
5. 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. Upon filing, all easements shall be noted upon the resub map (with ownership, purpose and liber/page) prior to the site or subdivision plans being signed by the DPW.
6. All comments, concerns and requirements of the Town Engineer as contained in the attached memo dated October 20, 2021 From Evert Garcia, Town Engineer, to Ramsey Boehner, shall be addressed.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 10P-04-21

Date: 10/20/21

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: 909 N landing Rd Subdivision

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Trinity Reform Church, owner, for Preliminary/Final Subdivision Approval to create two lots from one on property located at 909 North Landing Road.

Location: 909 N Landing Rd

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. No threatened or endangered species of plants or animals will be affected by this project.
2. The requirements of the State Environmental Quality Review Law have been complied with.
3. The project is supported by the immediate community.
4. 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

Mike Guyon, P.E.
Commissioner of Public Works

MEMO

Date: October 17, 2021
From: Michael E. Guyon
To: Planning Board
Copy: Ramsey Boehner, File
Re: 10P-04-21
Trinity Reform Church
Preliminary/Final Subdivision Approval to create two lots from one property at 909 North Landing Road

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. Upon filing all easements will have to be noted upon the resub map (with ownership, purpose and liber/page) prior to the site or subdivision plans being signed by the DPW.
2. The sanitary and storm sewer laterals serving the existing home and the church should be shown on the plans. Easements may be required for these connections.
3. It appears that the fire hydrant is located on private property. The MCWA should be consulted regarding the need for an easement.
4. Is the sidewalk along the south side of Stratton Road within the roadway Right of Way?