

A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
OCTOBER 6, 2022

Written comments may be submitted to Rick DiStefano, Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to rick.distefano@townofbrighton.org.

Applications subject to public hearings and the documents to be considered by the Board will be available for review on the town's website no later than twenty-four hours prior to the meeting to the extent practicable.

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approve the minutes of the August 3, 2022 meeting.
Approve the minutes of the September 7, 2022 meeting. **To be done at the November 2, 2022 meeting.**

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of September 29, 2022 will now be held.

8A-04-22 Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for a Use Variance from Section 203-44 to allow a gas station with convenience store to be located in a BE-1 Office and Office Park District where not allowed by code. All as described on application and plans on file. **TABLED AT THE SEPTEMBER 7, 2022 MEETING - PUBLIC HEARING REMAINS OPEN - POSTPONED TO THE NOVEMBER 2, 2022 MEETING AT APPLICANTS REQUEST**

8A-05-22 Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for an Area Variance from Section 207-6B to allow an accessory structure (gas canopy) to be located in a front yard in lieu of the rear yard as required by code. All as described on application and plans on file. **TABLED AT THE SEPTEMBER 7, 2022 MEETING - PUBLIC HEARING REMAINS OPEN - POSTPONED TO THE NOVEMBER 2, 2022 MEETING AT APPLICANTS REQUEST**

8A-06-22 Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for Area Variances from Section 205-18 to 1) allow parking of vehicles to within 2 ft. for a side lot line (north) where a 10 ft. setback is required by code, and 2) allow paved areas / aisles up to the front lot line where a 20 ft. setback is required by code. All as described on application and plans on file. **TABLED AT THE SEPTEMBER 7, 2022 MEETING - PUBLIC HEARING REMAINS OPEN - POSTPONED TO THE NOVEMBER 2, 2022 MEETING AT APPLICANTS REQUEST**

- 10A-01-22 Application of Sign and Lighting Services, contractor, and Daniele SPC, LLC, owner of property located at 2750 Monroe Avenue, Building 5, for Sign Variances from Section 207-32B to 1) allow for business identification signs on three (3) building sides in lieu of only one as allowed by code, and 2) allow for the signs to range in height from 21.5 ft to 23.5 ft above grade where a maximum of 20 ft. is allowed by code. All as described on application and plans on file.
- 10A-02-22 Application of Daniel Hackett, landscape architect, and Tyler Wolk, owner of properties located at 3161 and 3165 East Avenue (to be combined) for 1) an Area Variance from Section 207-11A to allow an in-ground swimming pool to be located in a side yard in lieu of the rear yard as required by code; and 2) an Area Variance from Section 203-2.1B(2) to allow a pool cabana to be located in a side yard in lieu of the rear yard as required by code. All as described on application and plans on file.
- 10A-03-22 Application of Unified Maintenance and Construction, Inc., contractor, and 2861 BHTL Rd, LLC, owner of property located at 2861 West Henrietta Road, for an Area Variance from Section 207-2A to allow a front yard fence to be 6 ft. in height in lieu of the maximum 3.5 ft. allowed by code. All as described on application and plans on file.
- 10A-04-22 Application of Melissa Fogle, owner of property located at 87 St Regis Drive, for an Area Variance from Section 207-2A to allow a front yard fence to be 5 ft. in height in lieu of the maximum 3.5 ft. allowed by code. All as described on application and plans on file.
- 10A-05-22 Application of Anne Esposito and Robert Ganey, Jr., owners of property located at 9 Laconia Parkway, for an Area Variance from Sections 203-2.1B(2) and 203-9A(4) to allow a shed to be located in a front yard (Elmore Road frontage) in lieu of the rear yard as required by code. All as described on application and plans on file.
- 10A-06-22 Application of Mark and Mary Oldham, owners of property located at 25 Clover Hills Drive, for an Area Variance from Section 203-2.1B(2) to allow a standby emergency generator to be located in a side yard in lieu of the rear yard behind the house as required by code. All as described on application and plans on file.
- 10A-08-22 Application of Larry and Stacy Turowski, owners of property located at 141 St. Regis Drive South, for 1) an Area Variance from Sections 203-2.1B(3) and 203-9A(4) to allow for construction of a detached garage 3.03 ft. from the rear lot line and 4.7 ft. from the side lot line where a minimum 5 ft. setback from all lot lines is required by code; and 2) an Area Variance from Section 207-6A(1) to allow said garage to be 19.5 ft. in height in lieu of the maximum 16 ft. allowed by code. All as described on application and plans on file.
- 10A-09-22 Application of American Tower Corporation, owner of property located at 1 Pinnacle Hill Road, for 1) a Variance from section 203-2.1B(6) to allow for the installation of a diesel powered standby emergency generator where only an LP gas or natural gas powered generator is allowed by code; and 2) Area Variances from Section 207-2 to allow a 7.5 ft high fence which includes one foot of barbed wire, where a maximum 6.5 ft. high fence and no barbed wire is allowed by code. All as described on application and plans on file.

10A-10-22 Application of David Wadarek, architect, and Thomas and Marianne Walsh, owners of property located at 1 Westland Avenue, for an Area Variance from Sections 203-2.1B(3) and 203-9A(4) to allow a garage addition to be 3.07 ft. from a rear lot line in lieu of the minimum 5 ft. required by code. All as described on application and plans on file.

10A-11-22 Application of Andrew Gallina, applicant, and the Country Club of Rochester, owner of property located at 2935 East Avenue, for a Temporary and Revocable Use Permit pursuant to Section 219-4 to allow for a fireworks display on the evening of October 22, 2022 in a RLA Residential District. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

5A-01-22 Application of Reza Hourmanesh, architect, and Guiyan Li, owner of property located at 2720 West Henrietta Road, for an Area Variance from Section 205-12 to allow for 45 parking spaces in conjunction with a new grocery store in lieu of the minimum 55 parking spaces required by code. All as described on application and plans on file.
TABLED AT THE MAY 4, 2022 MEETING

5A-02-22 Application of Reza Hourmanesh, architect, and Guiyan Li, owner of property located at 2720 West Henrietta Road, for an Area Variance from Section 205-7 to allow for impervious surface area to increase, after site modifications, from 83.2% to 84.9% in lieu of the maximum 65% allowed by code. All as described on application and plans on file. **TABLED AT THE MAY 4, 2022 MEETING**

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Dr. and Mrs. Lawrence Giangreco, dated September 7, 2022 in support of applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Mary Boyd, 1 Meadow Lane, dated September 8, 2022, regarding applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Betsy Brugg, Woods Oviatt Gilman LLP, dated September 16, 2022 requesting adjournment of applications 8A-04-22, 8A-05-22 and 8A-06-22 (3108 East Avenue) to the November 2, 2022 meeting.

Letter, with attachments, from Howie Jacobson, 10 Sandringham Road, dated September 28, 2022, in opposition to application 10A-01-22, 2750 Monroe Avenue.

Letter from William Masucci, 2980 East Avenue, dated October 3, 2022, in opposition to applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from William Clifford, 2900 Monroe Ave LLC, dated October 4, 2022, in opposition to application 10A-01-22, 2750 Monroe Avenue.

PETITIONS:

NONE

Follow up to ZBA Meeting 09-07-2022

1 message

Mary Boyd <mboyd4@rochester.rr.com>
To: rick.distefano@townofbrighton.org
Cc: Mary C Boyd <mboyd4@rochester.rr.com>

Thu, Sep 8, 2022 at 6:22 PM

Mr. Rick DiStefano
Secretary, Zoning Board of Appeals
Brighton Town Hall
2300 Elmwood Avenue
Rochester, NY 14618



Dear Mr. DiStefano:

Thank you for the opportunity last evening to present the petition from the Brookside Neighborhood, opposing the following applications:

- Town Planning Board Application, 5P-NB2-22, May 18, 2022
- Zoning Board of Appeals, 8A-04-22, 8A-05-22, and 8A-06-22, August 3, 2022

In my remarks, I mentioned two articles on the National Park Service website. I'm enclosing links to the articles with a request that they be shared with the members of the Zoning Board of Appeals and, when convenient, with the Brighton Planning Board and the Brighton Historic Preservation Commission.

The articles are:

- The National Park Service Preservation Brief 46 on Historic Gas Stations (<https://www.nps.gov/tps/how-to-preserve/briefs/46-gas-stations.htm>)
- Restoration of Phillips 66 Gas Stations (<https://www.nps.gov/articles/000/restorations-of-phillips-66-gas-stations.htm>)

Both articles contain numerous examples of successfully repurposed vintage gas stations, examples *other than* a Quicklee's, which introduces:

- 4 gas pumps, which is an *increase* of 2 pumps;
- A convenience store, which was *never* part of the original gas station;
- No service bays—there were originally 2;
- A lighted canopy, which was *never* part of the original gas station;
- Alcohol sales, which were *never* part of the original gas station;
- Tobacco sales, which were *never* part of the original gas station; and
- Extensive operating hours, which were *never* part of the original gas station.

Some successful conversions include: coffee shops, ice cream parlors, bakeries, floral shops, medical supply stores, antique shops, visitor centers, offices for non-profit groups. Service bays have been converted to art galleries, photo studios, seating areas for coffee shops, and open office space. Some stations have even been rehabilitated for residential use. There are other uses mentioned in the NPS articles. There are alternative uses for 3108 East Avenue other than a Quicklee's—uses that pay close attention to the historic preservation of the building and uses that have the potential to be much more attractive to the neighborhood and beneficial to the community at large.

Thank you again for the opportunity to speak at last evening's meeting and thank you for your consideration of my request.

Yours truly,

Mary C. Boyd

Mary C. Boyd

1 Meadow Lane

Rochester, NY 14618-3431

585.248.0657 Home

585.576.1694 Cell

mboyd4@rochester.rr.com



Rick DiStefano <rick.distefano@townofbrighton.org>

3018 East Ave

1 message

Christine Giangreco <chgia47@aol.com>

Wed, Sep 7, 2022 at 4:57 PM

Reply-To: Christine Giangreco <chgia47@aol.com>

To: "rick.distefano@townofbrighton.org" <rick.distefano@townofbrighton.org>

Cc: "bbrugg@woodsoviatt.com" <bbrugg@woodsoviatt.com>

Good afternoon,

I am writing in support of the use of the property at 3018 East Avenue as a small gas station. We have lived less than one mile from this property for over ten years. We drive by it at least twice a day. We feel strongly that the neighborhood benefits from a gas station in that location. We do not believe that there will be any impact on the traffic. We believe that the designed plan fits in with the architecture of the neighborhood and we are happy that the existing historic building is put to good use.

Sincerely,
Dr and Mrs. Lawrence Giangreco





Rick DiStefano <rick.distefano@townofbrighton.org>

3108 East Avenue- ZBA applications

1 message

Brugg, Betsy D. <bbrugg@woodsoviatt.com>

Fri, Sep 16, 2022 at 1:48 PM

To: DiStefano Rick <rick.distefano@townofbrighton.org>

Cc: Louis Terragnoli <l.terragnoli@quicklees.com>, "Goldman, Jerry A." <jgoldman@woodsoviatt.com>

Rick,

I am emailing to request that the variance applications be scheduled for the November ZBA meeting. We are in the process of making modifications to the plans and taking steps to address comments and concerns raised. We also intend to meet with the neighbors in advance of our next ZBA meeting. Please let me know when you would need to get our submission if we want to go in November. I will also be out for religious holidays and am unavailable for the October meeting.

Thank you.

Betsy

Sent from my iPhone

Betsy D. Brugg, Esq.
Partner

 Company Logo

Direct Dial: 585-987-2905
Direct Fax: 585-362-4623

bbrugg@woodsoviatt.com

Firm Phone: 585-987-2800
Firm Fax: 585-454-3968
woodsoviatt.com

1900 Bausch & Lomb Place, Rochester, New York 14604

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Rick DiStefano <rick.distefano@townofbrighton.org>

Opposition to Variance Request - #10A -01- 22 : 2750 Monroe Ave. Bldg #5

1 message

Howie Jacobson <redrock1886@gmail.com>
To: Rick DiStefano <rick.distefano@townofbrighton.org>
Cc: H Phone <redrock1886@gmail.com>

Wed, Sep 28, 2022 at 4:33 PM

September 28, 2022
Town of Brighton Zoning Board of Appeals
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

Re: Variance in Sign Regulations / application # 10A-01-22 RE: 2750 Monroe Avenue, Bldg #5. Daniele SPC, LLC Area Variance Application

Dear Mr. DeStefano,

I am a Brighton resident who opposes the application for a variance in sign regulations as you are reviewing for 2750 Monroe Avenue Bldg #5 in the Town of Brighton.

- 1) The variance application asks for 3 signs on the building when 1 is allowed.
** This is not necessary. One sign is sufficient for shoppers to find this store.

2) The business 'Chapter Aesthetic Studio' is not ordinarily defined as a healthcare facility. The public does not need to be able to find this business more easily than a shoe store, a financial institution, a dentist, a chiropractor, barber shop or a makeup store. This newly created definition for this business is not a true representation. Their website does not mention 'healthcare or providing special medical needs'. Note: this is not an urgent care or a medical services business that is open 24 hours to service 'healthcare needs'.

3) It is typical for Customers of this type of beauty service business to make appointments ahead of time. It is not typically a 'drop in business'.

4) The Town of Brighton on Monroe Avenue has many similar businesses providing these type of 'beauty' and medical spa services - all that have ONE SIGN. Even the Animal Hospital only has ONE SIGN. The application states 'other area businesses have more than one sign'. Which ones and why? What are the circumstances if they do?

5) The claim that 'heavy foot traffic and auto traffic' creates the need for 3 signs is a weak reason. It has not been established what level of foot traffic will be created inside the Plaza parking lot but there will be limited foot traffic coming from walkers on Monroe Avenue (based on past walkers it will be low foot traffic - mostly from the bus stop).

See exhibits provided:

1) Pictures of Town of BRIGHTON Monroe Avenue similar businesses :

- * Vitalize
- * Focused Health Chiropractic
- * Cinderella Nails & Spa
- * Maximum Tan
- * The Men's Room - Barber & Spa
- * Pittsford Animal Hospital

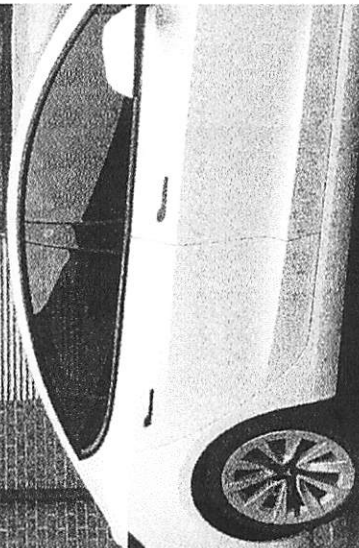
2) Pictures of the Chapter Aesthetic Studio website

I ask the Town of Brighton Zoning Board to deny this application for a variance.

Howie Jacobson
Town of Brighton resident
10 Sandringham Road

Note: Exhibits will be emailed separately
Redrock1886.com
Sent from my iPad

VITALIZE





A black and white photograph of a two-story building with horizontal siding. A dark, rectangular sign with decorative ends is mounted on the wall. The sign features the text 'FOCUSED HEALTH' in a bold, sans-serif font, followed by 'Chiropractic' in a script font. Above the sign is a small, double-hung window with dark shutters. Below the sign is a large, multi-paned window with vertical blinds. The building is flanked by two vertical pilasters. A small, dark, leafy plant hangs from the right side of the building. The foreground is a dark, textured surface, possibly a lawn or driveway.

FOCUSED HEALTH Chiropractic

CINDERELLA
NAILS & SPA

maximum tan



2799
ADDITIONAL
PARKING
& ENTRANCE
IN REAR
→





THE
MEN'S ROOM
BARBER LOUNGE & SPA

2430

GIFT CARDS & GROOMING PARTIES

MR

JCH-9110





**TOWN OF BRIGHTON
ZONING BOARD OF APPEALS APPLICATION**

APPLICATION FORM - VARIANCE IN SIGN REGULATIONS

NUMBER 10A-01-22

MEETING DATE 10/6/22

INSTRUCTIONS TO APPLICANT

It is the applicant's responsibility to submit sufficient information to the Board of Appeals. This application must be submitted typed or neatly printed together with the following:

1. A non-refundable fee of _____ shall accompany this application.
2. 10 copies of a site plan drawn to scale, tape location map or instrument survey map. (If applicable)
3. 10 copies of a sign rendering drawn to scale.
4. A sign giving notice of the appeal must be posted on the property seven (7) days prior to hearing.

1. Property Address 2750 Monroe Ave Bldg 5 Rochester NY 14618

2. Property Tax ID Number 150.07-2-8.111

3. Property Zoning NBn Shop ctr (452)

4. **OWNER(S) OF RECORD**

Name Danielle SPC LLC

Mailing Address 2851 Monroe Ave Rochester NY Zip 14618

Phone (H) _____ (W) 585-271-1111

5. **APPLICANT** (If different from above)

Name Sign & Lighting Services / Kirk Wright

Mailing Address PO Box 597 Ontario NY Zip 14819

Phone (H) 585-370-2700 (W) 585-265-4462

Interest in Property: Lessee _____ Other/Describe Contractor

6. **ATTORNEY** (If represented)

Name N/A

Mailing Address _____ Zip _____

Phone _____

7. **PARCEL INFORMATION**

Size of Parcel 1996 sq ft

Present Use of Property: ☐ Single Family Residence ☐ Multi-Family Residence ☐ Office ☒ Retail/Commercial

☐ Industrial ☐ Vacant Land ☐ Other _____

Describe, in detail, land uses surrounding and adjacent to the subject property.

Retail, Commercial, urban

Is the Property Located Within 500 feet of a Municipal Boundary? YES ☐ NO ☒

8. Describe SPECIFICALLY the proposed changes which lead you to this variance request.

Requesting (3) signs where only (1) is allowed

Not Necessary

9. Application for Variance of Code Section(s) _____

.....

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. You must clearly demonstrate to the Board of Appeals that:

- A) The requested variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.
- B) The benefit sought by the applicant can not be achieved by some method, feasible for the applicant to pursue, other than a sign variance.
- C) The requested sign variance is not substantial.
- D) The variance is the minimum necessary to grant relief from your difficulty.
- E) The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The applicant must explain how his/her application meets these criteria in order to secure the variance requested. In order to assist the applicant in presenting the needed proof, the following questions will address each factor individually. Make sure to answer all questions in detail.

- A. Explain how your variance request will not result in a substantial change in character to the neighborhood or detrimentally affect surrounding properties.

The variance will not have a detrimental effect because this is a business area and there are many signs in all directions of the property

- B. Explain why the difficulty necessitating your variance request can't be solved in another manner not requiring a variance.

Due to the fact this is a health care facility the public needs to be able to locate the business easily from all directions

- C. How substantial is your variance request in relation to the Code's requirements?

Code requires: one sign

Request: three signs

- D. Describe how your variance request is the minimum necessary to grant relief from your difficulty.

The building needs to be identified on all 4 sides

Note: If considered "Healthcare" then many businesses in Monroe are have some classification - they need 3 signs

NOT A "Healthcare" facility

- E. Explain how the proposed variance is consistent with surrounding properties so as not to have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

This is A BUSINESS AREA AND OTHER
BUSINESSES IN THE AREA HAVE MORE THAN
ONE SIGN

Although not an absolute bar to a sign variance request, if the situation which necessitated the request is self created, it is a factor which may be taken into consideration by the Board of Appeals against the granting of a sign variance.

- F. Describe how the difficulty which leads to this variance request was not self-created.

THE BUSINESS IS LOCATED IN AN AREA OF
HEAVY FOOT & AUTO TRAFFIC AND NEEDS
TO BE IDENTIFIED ON ALL SIDES

DISCLOSURE OF INTEREST - GENERAL MUNICIPAL LAW, SECTION 809, CHAPTER 646 OF THE LAWS OF 1969

Does any officer or employee of the State of New York, County of Monroe or Town of Brighton have any

interest in the subject property? YES _____ NO X

If yes, who?

Name _____

Address _____

Interest (explain) _____

CERTIFICATIONS

I(we) as applicant(s) or as representative of said owner(s) do hereby swear that all statements appearing in the application are true and accurate to the best of my(our) knowledge. I(we) do also hereby swear that the variance request sign that has been given to me(us) will be posted on the subject property in accordance to the Town of Brighton's posting rules.

Signature of applicant(s) _____ Date _____

_____ Date _____

OWNER(S) (If other than above)

I(we), as owner(s) of the above described parcel have read and familiarized myself with the contents of the is application and do hereby consent to its submission and processing. I(we) do also hereby designate the above signed applicant to act as my(our) representative during the processing of this application.

Signature of owner(s) See Landlord Auth _____ Date _____

_____ Date _____

Office Use Only

Application received on 8/25/22 Fee paid 150⁰⁰ Receipt No. 72563

M.C. Referral form: YES _____ NO _____ Date Rec'd _____ Referral No. _____

???
WHERE
+?
WHO?
No
Healthcare
facilities
DO!



SIGN AND LIGHTING SERVICES LLC

Property Owner's Letter of Authorization

To Whom It May Concern,

I/we of the property below hereby authorize Sign & Lighting Services LLC, installer/agent, **Kirk Wright**, to submit a building/sign permit application in my/our behalf for a permit and installation of signs on the property located at:

Business Name: Chapter Aesthetic Studio

Address: 2750 Monroe Ave Bldg 5 Rochester NY 14618

Tax Map ID# 150.07-2-8.111

Please Print Property Owner's Information

Company/Owner Name: DANIELE SPC, LLC

Address: 2851 MONROE AVENUE

City: ROCHESTER

State: NY

Zip Code: 14618

Phone: 585-271-1111

Email: DJD@DANIELEFAMILY.COM

Print Owners Name: DANNY J DANIELE

Owner's Signature:

A handwritten signature in black ink, appearing to read 'Danny J. Daniele', is written over the line for the owner's signature.

Date: 05.09.22

2:04 PM Wed Sep 28

CHAPTER Aesthetic Studio

65%

AA

mychapter.com



LOCATIONS

BOOK
ONLINE

SPECIALS &
EVENTS

WORK AT
CHAPTER

RESOURCES

GIFT
CARDS

chapter

AESTHETIC STUDIO

ABOUT

FACE & BODY

LASERS

INJECTABLES

SHOP

FREE CONSULTATION

Own your beauty story

Take our simple quiz to develop a personalized aesthetic plan that addresses your areas of concern.

TAKE THE QUIZ

Ready to try Botox®?

\$99 FOR YOUR FIRST TREATMENT

CONTACT US

ch.

ABOUT

FACE & BODY

LASERS

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SHOP

FREE CONSULTATION

Here to make your beautiful happen.

Chapter is a leading aesthetic studio providing evidence-based, non-surgical and cosmetic treatments for people who want to live in the "wow"

chapter

AEStHETIC StUdIo

CONTACT US

Own your story with MAP.

PEMM

1 message

William Masucci <williammasucci@gmail.com>

Mon, Oct 3, 2022 at 11:21 AM

To: "rick.distefano@townofbrighton.org" <rick.distefano@townofbrighton.org>

Hi Rick,

I live at 2980 East Avenue and am unable to attend the meeting on Thursday. I respectfully object to granting PEMM a variance to construct a gas station/convenience store. My primary objection is based on the fact that East Avenue is not Monroe Avenue and the street cannot handle the traffic. That said, I am already concerned as to what the impact of the rental apartments on Kilbourn and East will do to the traffic. There seems to be far more units than the land can accommodate and I believe it will be a major problem when winter comes and there will not be enough spots for the tenants.

A use such as professional would suit both the neighborhood and the traffic flow much better.

I am happy to send you a formal letter if needed. A gas station given the constant coming and going of cars at all hours of the day is unsuitable in a residential neighborhood where there are no other businesses and the homes can cost upwards of over 1 million dollars. It is simply not a fit.

Regards.

William Masucci

2900 Monroe Ave LLC
Cliffords of Pittsford LP
401 N. Carroll Ave Box 137
Southlake TX 76092



October 4, 2022

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

Re: Variance in Sign Regulations / application # 10A-01-22 RE: 2750
Monroe Avenue, Bldg. #5. Daniele SPC, LLC Area Variance Application

Dear Mr. DeStefano,

I am the managing member/partner of 2900 Monroe Ave LLC and Cliffords of Pittsford. As the owner of 2900 Monroe Ave (Clover Commons) and 2920 Monroe Ave (Clover View). We strongly oppose the application for a variance in sign regulations for 2750 Monroe Avenue Bldg. #5 in the Town of Brighton. I am asking the Town of Brighton Zoning Board to deny this application for a variance.

My family has owned these properties for over 50 years, and the zoning board has been stringent on signage. For example, businesses in this corridor have received letters of reprimand on easel signs to attract business. I am confused why this board would approve another special deal for this developer.

If the board approves this application, I will submit similar applications on behalf of my tenants, as what is approved for the Daniele Family should be approved for other owners and businesses in Brighton.

Sincerely,

A handwritten signature in blue ink, appearing to read "William N. Clifford".

William N. Clifford
2900 Monroe Ave LLC
Managing Member

Cliffords of Pittsford
Managing Partner

Project: 10A-01-22

Date: 10/06/2022

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

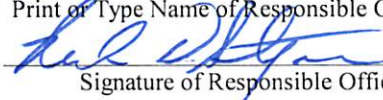
Project: 10A-01-22

Date: 10/02/2022

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Brighton Zoning Board of Appeals	10/6/2022
Name of Lead Agency	Date
Rick Distefano	Secretary / Environmental Review Liaison Officer
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Project: 10A-03-22

Date: 10/06/2022

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

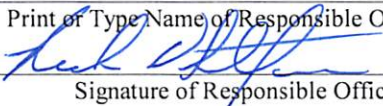
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]	
Project:	10A-03-22
Date:	10/02/2022

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Brighton Zoning Board of Appeals	
_____ Name of Lead Agency	_____ Date
Rick Distefano _____ Print or Type Name of Responsible Officer in Lead Agency	Secretary / Environmental Review Liaison Officer _____ Title of Responsible Officer
 _____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Project: 10A-09-22

Date: 10/06/2022

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: 10A-09-22

Date: 10/06/2022

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

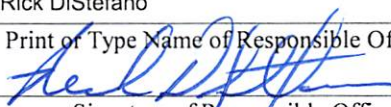
The proposed project is within a CEA but is located on a site with an existing communications tower, equipment shelter and an equipment compound and will not have a significant impact on the environmental characteristics of the CSA.

The small expansion of the compound allowing for the generator includes expansion of an existing 7.5 ft fence (with barbed wire) and falls within a steep slope Environmental Overlay District. The fence will be located near the top of slope but will have minimal impacts to the slope with a minimum number of post holes. The generator will be located further from the top of slope and will sit on a reinforced concrete pad limiting any significant potential for erosion.

The expansion of the compound and installation of a diesel generator will provide continuous cell service to the community during blackout situations.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Brighton Zoning Board of Appeals

Name of Lead Agency	Date
Rick DiStefano	Secretary / Environmental Review Liaison Officer
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)