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B R I G H T O N
P L A N N I N G
B O A R D

November 16th, 2022
At approximately 7:00 **p.m.**
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

JOHN J. OSOWSKI, CHAIRPERSON

JASON BABCOCK-STINER)	
JULIE FORD)	BOARD MEMBERS
DAVID FADER)	
PETER GRISEWOOD)	

KEN GORDON, ESQ.
Town Attorney

JEFF FRISCH
Town Planner

NOT PRESENT:
KAREN ALTMAN
WILLIAM PRICE

REPORTED BY: RHODA COLLINS, Court Reporter
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, New York 14020

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CHAIRPERSON OSOWSKI: Thank you all for coming
Can you call the roll please?

MR. FRISCH: Altman, Price isn't here.
Fader?

MR. FADER: Here.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Here.

MR. FRISCH: Osowski?

MR. OSOWSKI: Here.

MR. FRISCH: Ford?

MS. FORD: Here.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Here.

MR. FRISCH: Okay, thank you.

CHAIRPERSON OSOWSKI: I know the October
minutes were postponed to December, we were supposed to
approve the September minutes, but I did not receive them.
Did they not go out?

MR. FRISCH: I don't believe we have received
them yet.

CHAIRPERSON OSOWSKI: Okay. We will postpone
that to December. So, we can approve the August minutes.

Are there any corrections to the August

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minutes from anybody?

Okay. Someone make a motion to approve?

MR. BABCOCK-STINER: I move to approve the meeting minutes from August 17, 2022.

CHAIRPERSON OSOWSKI: Thank you, Jason.

Is there a second?

MS. FORD: I will second.

CHAIRPERSON OSOWSKI: Thank you, Julie.
Motion made and seconded, all in favor -- oh no, I'm sorry, we call the roll.

MR. FRISCH: Yes.

Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

MS. FORD: Aye.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Aye.

CHAIRPERSON OSOWSKI: Minutes approved.

So, have the Public Hearings, was it

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advertised for the Planning Board.

MR. FRISCH: Yes, the Public Hearing was advertised for Planning Board in the Daily Record of November 10, 2022.

CHAIRPERSON OSOWSKI: Thank you very much.

That meeting will now start with the first item for our review.

APPLICATION 11P-02-22

11P-02-22 Application of Carl Grasta, owner, for Preliminary/Final Site Plan Approval and EPOD (watercourse) Permit Approval to construct a 2,700 +/- sf single family house, with a 900 sf detached garage on property located at 1 Knollwod Drive. All as described on application and plans on file.

CHAIRPERSON OSOWSKI: Is there somebody here to address this project? If you can tell us your name.

DAVID MATT: Good evening. My name is Dave Matt with Schultz Associates and I'm here with Carl Grasta, the owner.

MR. GORDON: And so the record is correct, the spelling of your last name is G-R-A-S-T-A?

CARL GRASTA: That is correct.

DAVID MATT: Like I said, I'm here for Carl

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Grasta, the owner of property at 1 Knoll Wood Drive. Knoll Wood Drive is actually private for this portion, the portion within Brighton is a private roadway controlled by the Knoll Wood Drive Association, which now Mr. Grasta will be part of.

This parcel previously had a carriage house residence on it back in the 1960s, torn down sometime in the mid 90s. Mr. Grasta did find the existing water service from the original house and will be tapping into that and bring that into the house with a copper water service.

The property itself is located within the water course and floodplain EPOD district. We show the banks of the creek on the current plan, and after reviewing other comments that we saw today, we add that 100-foot line for that EPOD.

A couple quick numbers, the house itself is about 82 feet from the bank and the proposed grading is about 42 feet from the bank.

The house will connect to the existing sanitary sewer that runs along Knoll Wood Drive. That is part of the Irondequoit Bay South Central pure waters district and Pure Waters is currently reviewing the lateral connection.

As was mentioned earlier, there's a gazebo

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pergola that's on the northwest corner of the property down by the creek. It is a 50-square-foot wooden open frame structure that is set on top of two tier flat stone landscaping base, I would call it. There's some landscape bushes around it along with some natural boulders there.

As was also mentioned, the amount of disturbance, I have it counted out as 18,500 for the disturbance for the driveway, house, grading. That's not including the driveway that was previously removed, and currently has been seeded and there is grass growing there. So, it's on its way to being vegetated.

I made a quick call to Brendan Ryan this afternoon to double check and question that, whether we're going to include that in the disturbance. And he said he was going to get back to me. He's going to talk about it and get back to me. So, that pretty much is that 18,500 or 20,000 square foot threshold for this.

The 3225 East Avenue previously had three curb cuts, one of them being along our property and that one on our property has been removed and we're going to move about 30 feet down the road to put in the new driveway for Mr. Grasta's house, which as you can see on the plans, it comes up to the front door where the circle, then it accesses

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the side of the garage on the east side.

And there is a portion of the neighbor's driveway that remains. That's across the property line, there are multiple easements that are taking care of it before. And now that portion of that driveway has been removed, we can modify that easement to cover a portion of the driveway that's remaining.

And the site itself does require fill to come in to fill around the house once the house is put in. We're not going to have a stockpile really because everything needs to be grade out.

The way the lot sits with the floodplain limit on there, it's kind of like a boundary that we can't cross. We're going to have a silt fence back, the orange construction fence there, and that portion, that west side of the house is going to have a one on three slope from that floodplain line to the house. And we'll cover that with some jute mesh for the temporary stabilization times, and then Mr. Grasta plans on putting sod down to permanently establish the yard.

And Allens Creek does run along the north edge. As I mentioned before, with the EPOD line, with the numbers that are associated with it, part of the mitigation

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for the EPOD we're now planning on directing all of the storm -- or the roof laterals into, like, dry wells to mitigate the water quantity coming out and slow it down and get us below those numbers.

No fences or landscaping walls are proposed at this time. There are three trees in the middle of the lot which need to be removed. One is a red Maple tree by the north corner of the Bropoe's house. One is a dead cedar near where the garage is going to be, another one I think is a dogwood that is in the driveway area.

Mr. Grasta would like to put in Cleveland pear trees, which are in a variety of Bradford pears, which is on the town's list of acceptables. And, we will put those along the driveway and kind of ring the driveway. They're white, flowering trees, so it should look pretty nice out there. He does intend to have a whole house generator installed on the east side between the house and the garage. Kind of tucked into that area behind the garage there.

And we did notice there's some comments from the Town engineer and Town staff, ran through those earlier today and most of them are adding notes, labels, more descriptions to the plans. I will break the current plan out into three or four additional sheets and that will give me

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plenty of room to add labels and clarify all of those points. I didn't really see anything in those lists that were significant, other than the amount of them.

CHAIRPERSON OSOWSKI: Okay, thank you. You mentioned a new generator. Is there natural gas to the site so that will be a natural gas generator?

DAVID MATT: Yes.

MR. FRISCH: That's intended to be in the rear yard behind the garage, right?

DAVID MATT: Yes. So, it will be north of the garage tucked in the corner, five feet off the house.

MR. FRISCH: Thank you.

DAVID MATT: It's not visible from the road.

CHAIRPERSON OSOWSKI: So, when you excavate for the basement of the house, all of that material will stay on the site and then if you need to bring in more for the grating plan?

DAVID MATT: Correct.

CHAIRPERSON OSOWSKI: Thank you.

MR. BABCOCK-STINER: Did you say how the site is going to be restored?

DAVID MATT: He intends to use sod to permanently stabilize the yard.

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3 MR. FRISCH: Are you planning to have one
4 driveway entrance to the property then?

5 DAVID MATT: Correct.

6 MR. FRISCH: Okay. And, you were able to
7 remove the portion of the neighbor's driveway on the second
8 ingress pod?

9 DAVID MATT: Yes. That portion has already
10 been removed, so the revised plans will reflect it is not
11 there anymore.

12 MR. FRISCH: Great, thank you.

13 CHAIRPERSON OSOWSKI: When you mentioned dry
14 wells for some of the stone water. How is the subsurface
15 soil on that site for it?

16 DAVID MATT: Initial indications is, it is a
17 pretty good sand.

18 CHAIRPERSON OSOWSKI: Sandy?

19 DAVID MATT: All sandy soil. There's hardly
20 any topsoil existing from when the house was removed.

21 CHAIRPERSON OSOWSKI: Okay.

22 MR. FRISCH: Did you say the easement for the
23 neighbor's driveway, is that created yet or is that going to
24 be to come?

25 DAVID MATT: There's two existing easements

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3 already there that covered different portions of the existing
4 driveway, but it also covered the parts that were removed, so
5 we will modify that easement when we cover what's remaining.

6 MR. FRISCH: Okay.

7 MR. GORDON: Just a question about the
8 easements. We were struggling a little bit to identify
9 existing easements along a private road for access to that
10 property that will allow the time. I understand the easement
11 that you were just talking about is the easement on the
12 actual, if you will, private lot. I am talking about now an
13 easement that will allow you to connect into the private road
14 and access East Avenue, down Knoll Wood Drive and the private
15 road.

16 And also, you mentioned something about the
17 sanitary sewer connection, I may have missed exactly what you
18 said. But, we also were having trouble finding any sanitary
19 sewer easements along that road as well. I don't even know
20 where the sanitary sewer runs.

21 DAVID MATT: The sanitary sewer runs on the
22 opposite side of Knoll Wood Drive, and heads west a little
23 bit past the bend on the other side of the bridge and it cuts
24 north. And that's pure water sewer.

25 To your point about the easements over the

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private drive owned by Knoll Wood Drive Association, I'll look into that, but I think it's tied into the deeds for those houses.

MR. GORDON: We tracked back the deeds as far as we could go and we couldn't find the actual easement language for that. And then, back to the sanitary sewer, same thing, we were unable to find an easement. You are saying it is part of the pure waters and East Avenue is part of the pure waters, but I don't think pure waters comes out the private Knoll Wood Drive, does it?

DAVID MATT: I would have to research that further. But, I know that the sewer actually comes from the south between some houses to Knoll Wood Drive, then cuts along Knoll Wood Drive and goes west. It doesn't go back to East Avenue.

MR. GORDON: And our concern, and it's really your concern as well, is to make sure that you do have a legal right to tie in.

DAVID MATT: Right.

MR. GORDON: We just were unable to confirm that easement being --

CARL GRASTA: I talked to the Town of Brighton and they actually came out and camera'd it to see if there

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was a lateral there. They found there wasn't one. So, they were ready to pull the permit to get the lateral in there, with a licensed plumber.

MR. GORDON: Right. That's the lateral from the lot to whatever this trunk, I'm going to call a trunk sewer, into the main.

CARL GRASTA: From the main to the house.

MR. GORDON: The question is, what gives you the right to tie into that trunk sewer?

CARL GRASTA: I guess the Town of Brighton's approval.

MR. GORDON: It's not our sewer, it's on a private road.

DAVID MATT: We will look into how that easement works. I understand where you're coming from, no question.

MR. GORDON: We just came up empty handed. My guess is, is that it was established in the 1970s somewhere, at some point in time, because that's as far back as I could go in the records. And there are some references to the original corporation that purchased that lot and it looks like it started to develop it there.

Again, we're just coming up empty handed.

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3 DAVID MATT: I have the original plans for the
4 sewer, so it should be on there somewhere, or there should be
5 a lead on there of where to go.

6 MR. GORDON: I will just say, you want to get
7 that to our engineer department so they can take a look at
8 that.

9 DAVID MATT: Okay.

10 CHAIRPERSON OSOWSKI: It's not possible that
11 that could be Town of Pittsford sewer district or something?

12 MR. GORDON: We talked about that, but again,
13 didn't find any evidence of that.

14 DAVID MATT: Worse case scenario, I go talk to
15 Pure Waters, they should know how their sewers there, should.

16 MR. GORDON: If it's their sewer.

17 DAVID MATT: It is their sewer. Almost
18 certain of that because I was looking at the plans.

19 CHAIRPERSON OSOWSKI: Could you tell what the
20 sewer material was? Was it concrete?

21 DAVID MATT: Clay tile, I believe I have it
22 labelled on the plans too.

23 CARL GRASTA: Eight-inch clay.

24 CHAIRPERSON OSOWSKI: Okay. Is there any
25 other particular landscaping on the plan that we should know

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about? The existing trees that are going to stay, some other ones that may need to come down because their dead or diseased?

DAVID MATT: There are existing barberry bushes along the existing driveway as part of 33225 and those we're thinking about picking up and moving over, which will be within the easement for the driveway so they can maintain the landscaping. Right now they run the path of the old driveway, which has been removed.

CHAIRPERSON OSOWSKI: Okay. I don't have any additional questions.

Jason?

MR. BABCOCK-STINER: I'm all set.

CHAIRPERSON OSOWSKI: Okay. Peter?

MR. GRISEWOOD: So, the Cleveland pear trees, they may be on the town approved list, but most Bradford pear trees are being removed from many town's lists because they are supposed to be sterile, they cross pollinate then they become invasive. All Bradford pears do.

And so, my recommendation would be to consider something different, not a Cleveland pear?

DAVID MATT: All right. I was looking into that and it was saying that the Cleveland pear, for various

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reasons such as that were recommended over the Bradford, but we can look into it.

CARL GRASTA: I could put in a cherry tree, whatever.

MR. GRISEWOOD: That would be preferable. Anything, not a Callery pear tree.

I also have a quick question about the limits. It says you guys are 18,5 that's pretty close to that 20,000 threshold. I've seen a lot of projects where a guy on a dozer gets a little happy and gets over the mark.

Jeff, if they get over that 20,000 mark, is there an estimate for that, or is that not really that big of a deal, do you know?

MR. FRISCH: I would imagine they will. It would be the swift and they noted they're going to put a fence up at that line, so hopefully you guys can stay within that one.

DAVID MATT: In this instance, there is that set line that is a flood plain that we can't cross over, to accident, we go over that 18,000, it's already been constructed.

CARL GRASTA: The fence is up already and the silt fence is in place.

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DAVID MATT: It's a pretty solid line that says do not cross.

MR. GORDON: And to answer your question, yes they would be in violation of the town code. And essentially, if this Board approves sub plan, they would be in violation of the sub plan approvals as well, which will result in the Town Code violation which ultimately would find them in town court. So I'm sure that they understand all of that.

MR. GRISEWOOD: Sure, just making sure.

CHAIRPERSON OSOWSKI: Okay.

Ken, any additional questions?

MR. GORDON: All set.

CHAIRPERSON OSOWSKI: Jeff?

MR. FRISCH: I'm all set.

CHAIRPERSON OSOWSKI: Jason?

MR. GORDON: Was Jason introduced, by the way?

CHAIRPERSON OSOWSKI: I don't think so.

MR. GORDON: Maybe I can make an introduction. So, Jeff Frisch our executive secretary on the Planning Board doesn't like us anymore, or something. He is moving to Boston, I don't know, but he is leaving us. This will be his last meeting.

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And the new executive secretary of the Planning Board starting Monday, I believe, effective Monday, will be Jason Haremza who is on staff here at the Town of Brighton for some time. He comes to us from the City of Rochester where he has had a tremendous amount of planning experience.

So, just extend a welcome to Jason and that's why he is sitting here tonight.

CHAIRPERSON OSOWSKI: Thank you, Ken. Appreciate that.

Okay. Thank you, gentlemen.

DAVID MATT: Thank you very much.

CHAIRPERSON OSOWSKI: This is a Public Hearing, is there anybody in the audience who wishes to address agenda item Number 11P-02-22, the Application of Carl Grasta?

Okay. That being a no, we will move along to the next item. Thank you.

MR. GORDON: I don't know, John, if we had an opportunity to explain this at the beginning of the meeting. I don't think I heard it, but for the audience's benefit and the applicant's benefit, just to review what our procedures are.

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We will go through each one of these items, conduct the Public Hearing, hear from the applicants, hear from the public, and then after all of the Public Hearings are done, then the Board will deliberate in public about each one of the applications and decide on what action they're taking.

At that point in time when the Board is deliberating, the time for the public comments has ended and it is just the Board's deliberation as to what is going to transpire.

So, if you want to stick around after the application you're interested in is done with the Public Hearing, you are welcome to do that and hear them deliberate. If you don't want to stick around, that is absolutely fine as well. You can contact Jeff Frisch tomorrow and find out what happened.

CHAIRPERSON OSOWSKI: Thank you, Ken.

Also, if you do address us, you don't address the applicant and ask questions directly to them. You can make your comments to us on the Board, the Planning Board. Thank you.

Next item.

APPLICATION 9P-NB1-22

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3 Application of Kim Bailey, Stahl Properties,
4 owner, for Preliminary Site Plan Additional Info Approval and
5 Demolition Review and Approval to raze an existing single
6 family home and construct a 5,545 +/- sf single family home
7 with a 900 sf attached garage on property located at 12
8 Elmwood Hill Lane. All as described on application and plans
9 on file. TABLED AT THE SEPTEMBER 21, 2022 - PUBLIC HEARING
10 REMAINS OPEN.

11 KIM BAILEY: Hi, my name is Kim Baily, Stahl
12 Properties and we're the owners of the home and I have
13 employed Jeff Smith here with design work, as well as Larry
14 Heininger, who I have worked with a lot, and he is going to
15 start us off here with some of the site work that he has done
16 for us.

17 LARRY HEININGER: Good evening. Larry
18 Heininger from Marques and Associates.

19 John, are you the Chair tonight?

20 CHAIRPERSON OSOWSKI: Yes, I am acting Chair
21 tonight. Thank you for asking.

22 LARRY HEININGER: So we last saw you two
23 months ago and we've gotten a lot of input.

24 So, what's changed? This is what is currently
25 there. There's a 12-foot setback existing. We've now, this

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building is not 5,500 and change anymore, which is what's in the advertisement. It's 5,050, so it is 500 square feet less.

You've got big copies of this in your electronic copies. The one thing Chuck Smith didn't like, the architect, was the bird's mouth here. He is lowered the ridge of the garage and has dormers so the garage is subservient to the main house.

The pool has been moved back I believe 17 feet. It's also a smaller pool and it's basically more into the backyard. In fact, if you strike a line across the main body of the house it is behind the main body of the house.

We're about 33 feet away from the property line. This corner of the house, the closest corner, is I believe 54 feet from the line. Currently the house is 41 mso it's nine plus four, about 13 feet further away.

When you look at the site plan, this is 20 feet and as we said before in the RA zoning, 125-foot lot width when you have a standard lot, 15 percent is 18.75 feet, so we are greater than that.

You asked us to pick up the finished floor elevation of the Miller's house, which we did. Our finished floor here is exactly the same as the finished floor there.

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And I guess you could ask me any questions or ask Chuck any question you have. I don't -- I could read through all five pages of comments, but I think you are all capable of, you have all read those comments or responses.

CHAIRPERSON OSOWSKI: Thank you, Larry.

So do you -- can you tell us what variances you will still be required to get now after the changes that you made?

LARRY HEININGER: We submitted yesterday. I believe this side variance meets code. We will need one here because 15 percent of something like 221 feet is a pretty big number, so we need the side.

We are now 30 feet back, so we don't need front setback, we're 60 feet here, we don't need a rear. Front, rear is all good. This is 33 feet, this is 20 feet, and the pool is here.

So, you know, lots of ways of doing geometry. One time I was fooling around if I took this, you know, this skew and then went to the midpoint here, and did 90-degrees, you know, where is the front of the house? Where's the back of the house? Go see the Zoning Board and they can decide.

CHAIRPERSON OSOWSKI: Do you think you need some side setback variances or --

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3 LARRY HEININGER: We do need one on the east
4 side for sure.

5 MR. FRISCH: Right now what they applied for
6 is a side setback on the east, a livable floor area variance
7 because they're over, but it will be livable floor area of
8 the property, and for the pool that is located in the side
9 yard.

10 LARRY HEININGER: Right. And I guess if we --
11 if this appendage, if that appendage was cut off of the
12 house, then this would be in the backyard.

13 MR. FRISCH: Yes.

14 CHAIRPERSON OSOWSKI: The way things are
15 arranged on the lot, it's called a side lot but it's for all
16 intents and purposes, the backyard of the house, yeah.

17 LARRY HEININGER: Right. And Chuck can
18 explain more about -- we really liked this layout better. I
19 like it better from a civil site, but Chuck likes it much
20 better from an architectural standpoint of moving the pool
21 back and having the access to the pool.

22 This is still a walkout, so I won't take his
23 thunder away, but I think we made a lot of really good
24 improvements to the design.

25 The existing front property line, RLA minimum

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is 125, we are at 221. And the width at cross the width of the house here is 161, right there. So our front setback was 12.6, we are going to be 30. The side yard west was 36.7, we're proposing to be three feet less, 33.27.

And the side yard east was required to be 33.5 and we're 20.65, which as I indicated is greater than the standard for the RLA zoning. Rear yard is 60, and existing is 85. So we've moved back 25 feet from the street line compared to the old.

CHAIRPERSON OSOWSKI: Okay.

MR. FRISCH: Just to clarify, it looks like the northwest corner of the garage originally was at 36 feet 7 inches.

LARRY HEININGER: 36.7 feet.

MR. FRISCH: Now it's going to be 33.27 feet, so at least that portion of the garage is going to be closer to the lot line.

LARRY HEININGER: I don't know if you're in with the Planning Board, but the town engineer asked me to provide calculations of how we arrived at the water pressure, which I gave him the e-mail from Monroe County Water and went through the exercise of pressure and head and things like that.

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So we are going to be about 65 pounds at the meter, which is a nice spot. Our disturbance area is 15,000 square feet under the 20,000 threshold. And as I indicated square footage has been reduced, our open space is 70 percent of the lot area.

MR. FRISCH: Does the Board have any more questions for him?

MR. FADER: Does your landscaping plan meet the minimum requirements of what the Conservation asked for?

LARRY HEININGER: They didn't specifically, that I know of, ask for something. But, when we have a preliminary approval with conditions, then Kim Bailey will engage landscape architect to do this, but there's all of this existing wooded area here and I went around and I countered over 30 trees.

One tree, take note of, this a pretty big white pine. So you can see where that is in relation to the existing house. It is right here with the new house, so you can see how it's been moved back. But sitting right here is the neighbor Kemper Miller, and he'd really like to get that pine down because it's a pretty big tree and with the west winds when it falls, it's falling his way.

So the sequences will be when this house is

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demolished, this tree can be taken down and fell this way in a clear zone. And as you know, we gave you existing conditions, what it looks like with no house there and just the contours connected. What it looks like with utilities, what it looks like with grading, and then what it looks like with conceptual landscaping.

So rather than cluttering up with one or two drawings with all kinds of lines, we just separated it all.

CHAIRPERSON OSOWSKI: Have a question, the electric and utilities on this site, does it come to it under ground?

LARRY HEININGER: Yes.

CHAIRPERSON OSOWSKI: Okay.

LARRY HEININGER: Yes. There are all of the flagging is out there from the utilities and you can see the blue from the water, you can see the gas. We show the RG&E in the red is RG&E, we show that hand hole for the RG&E. Right next to it is the telephone, which is orange flagging.

And so, survey located that, but I also went out and I located and did basically a base line offset. So that's all shown on the utility drawing to where the curb stop is for the water. Everything comes in there.

Interesting thing, both this cul-de-sac and

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the one down the street have only a two-inch line. It's only serving domestic because the fire hydrant ends a little bit down the road, so the fire department can still pull their hose, but they didn't run 8 inch all the way up here just to serve two homes.

I did do the calculations if each home is pulling five gallons a minute, they still have plenty of water and there's no significant friction loss.

So all of the utilities are shown on that utility drawing, and then all the grading is shown on the grading drawing.

CHAIRPERSON OSOWSKI: Is the water service adequate to provide fire protection sprinklers in the new house?

LARRY HEININGER: I don't know, because it would be an R13 residential and depends on the zoning -- or not the zoning as in the Zoning Board of Appeals, zones as in how the sprinkler system is designed.

So, I don't know. You'd have to design your sprinkler system and figure out how many zones, because as you know the sprinkler heads only kick off in the area where there is a fire.

CHAIRPERSON OSOWSKI: Right.

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3 Jason, any questions?

4 MR. BABCOCK-STINER: I'm all set.

5 CHAIRPERSON OSOWSKI: Ken?

6 MR. GORDON: I thought Mr. Heininger wanted
7 the architect to make some comments as well?

8 LARRY HEININGER: Sure.

9 CHAIRPERSON OSOWSKI: Thank you.

10 MR. GORDON: It would be helpful if the Board
11 heard the whole application, the whole presentation.

12 CHUCK SMITH: Good evening. I'm chuck Smith
13 with Design Architecture. Thank you for helping us tonight.

14 I think everyone got these renderings, if not
15 I can hand them out. So, yeah, I think the interesting thing
16 about our design of this house is that it is tucked into the
17 south side of the hillside overlooking a very golf course,
18 which it was built in 1898, I believe is what the start of
19 that course was.

20 And trying to design a home that has sort of
21 an arts and crafts feel that would match the era of that
22 beginning of that club, and so arts and crafts art began in
23 Britain in 1880s. It arrived in the US a little bit later.
24 It arrived with a lot of speed, with the Roycroft movement in
25 East Aurora. And, so that was about in the early 1900s.

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So, we'd like to think that the architecture of this home, the steeple roofs and the dormers, and the actual massing of the building would compliment the course in being of the era of this course being founded.

The house does match, it does work with meets all height and zoning heights requirements. And there is a actually, as Larry mentioned, a wing that comes off towards the golf course that is a story and a half space, which is a great room. It really features the views of the golf course.

And below that is a little walkout area there. You can actually enter for emergency egress from the basement which is a code requirement for having that.

Then the front of the house on the golf course side has terracing that is, again, playing with the slope of the hillside.

We placed the pool behind the house, but over on the west side of the property and sheltered it with the pool house. Mainly because we've got a golf course green that is right south and a little bit west of the property. So we have the public standing right there. So placing the pool anywhere else would be very much in the view of the golf course and the golfers. So we felt that this location which was a half level below the main level of the house fit really

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nicely on the property.

We also listened to the neighbors and moved the pool away from the hillside, away from the house to the west.

And in our preliminary landscape plan we are showing a good amount of privacy hedge along that west edge of that golf course -- I'm sorry, the pool, to further give some privacy to the neighbors.

I will respond to any questions.

CHAIRPERSON OSOWSKI: All right, thank you.

So has the Architectural Review Board seen those elevation views?

CHUCK SMITH: No.

CHAIRPERSON OSOWSKI: All right. I guess the Board is done with questions.

Jeff, do you have any additional questions?

MR. FRISCH: I do not, no.

CHAIRPERSON OSOWSKI: Jason? No.

MR. GORDON: I don't know who to direct this to, but whoever is best to answer from the team, maybe Ms. Bailey. Could you just describe what efforts you have made in talking to neighbors about getting those sanitary sewer easements and which ones you've spoken to? What

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responses you've gotten?

I don't know who actually handled that, but it would be helpful to the town, our assistance in helping get those to know what you have already done, who you've spoken to, and how that has gone.

KIM BAILEY: Maybe you can address that?

LARRY HEININGER: Sure. Before I do that, I want to point out something I think is kind of cool. This is a 60-inch white oak and right on that line is a concrete moment with an iron rod. So, I have to believe that oak is about 120 years old and was planted when CCR was marking their boundaries.

Also, I put our site -- you can pass it one way or the other -- put our site on the County GIS so you can see the relationship of our neighbor's houses too. You can keep these I can make more.

All right. The sewer, I wrote a lot of stuff about the 1946 to 1948, and what my personal opinion is, that the 1948 Town Board did not --

MR. GORDON: Mr. Heininger, maybe you didn't hear my question. My question is, what neighbors have you spoken to and what reaction have you gotten --

LARRY HEININGER: I've spoke to --

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3 MR. GORDON: -- have you spoke to these folks
4 to try to get easement agreements? Because we've been told
5 that we made an effort to go out and get easement agreements,
6 and then neighbors had either concerns or refused to speak
7 with you. I'd like to know who it is you've spoken to, and
8 where things stand.

9 I don't need to hear a history again or go
10 over this issue again, the lack of an easement to process
11 that sanitary sewer district.

12 LARRY HEININGER: Okay. I spoke with Kemper
13 Miller who's here.

14 Would you mind coming up.

15 MR. GORDON: No. I want to hear it from the
16 applicant as to who he's spoken to, which neighbors were
17 spoken to, what effort has been made as you promised this
18 Board you would go talk to each neighbor in trying to get
19 those easement agreements signed, and what reaction you've
20 gotten from each of the neighbors you have spoken to. I
21 don't think I can be any clearer in the question that I'm
22 asking.

23 KIM BAILEY: I understand the question. We,
24 from the beginning, were concerned about this coming directly
25 from us due to the nature of what we were trying to get

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approved here.

I did speak to our neighbor Kemper Miller, as he was the only one that we actually knew. And, we had concerns over speaking to, directly to the neighbors, so we did not.

My husband did go in to bring up a couple of the issues to the town, I don't know remember who exactly he spoke to, but someone suggested he had a very good point and that they should send the letter out, if I am not misunderstanding.

PATRICK BAILEY: I never represented to anyone that we had gone and made an attempt to speak to them. I came in and asked questions about my concerns why, first of all, I don't feel I had the authority to speak to them or answer any questions, as to why it was happening or how it happened.

We prepared the engineering work, we prepared everything and presented it to the town and said, I think this explanation would come better from you. The department of public works, Mike, I don't know his last name, I'm sorry.

CHAIRPERSON OSOWSKI: Guyon.

Patrick BAILEY: Had a very nice conversation with me, said I made a very good point. He wanted to think

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it over and two days later sent us back an e-mail saying that the town would contact the neighbors.

MR. GORDON: Just for the record, because you had previously identified yourself, could you put your name on the record?

PATRICK BAILEY: I'm sorry, I'm Patrick Bailey, Kimberly's husband and coowner.

MR. GORDON: We just want to know where we're starting from.

KIM BAILEY: We felt there would have been --

PATRICK BAILEY: Understood. I would like to work with you guys to get this. I think it's in everyone's best interest to have an easement. I have no problem with that. Knocking on doors is not my cup of tea nor do I have answers to the questions I knew would come up.

MR. GORDON: And we wanted to know specific neighbors that had specific concerns that maybe you would be prepared to address those specific concerns.

PATRICK BAILEY: I have not heard any specific concerns.

MR. GORDON: Okay. And, yes, you are absolutely right. This idea of giving the town an easement across the sanitary sewer that runs across the property is

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not only for the benefit of the town, but really tremendously for the benefit of the homeowners, because that gives the town the right to inspect and maintain the sewers and that sewer line at no cost, no additional cost to the residents of Elmwood Hill Lane. So, that's the idea here.

PATRICK BAILEY: We have signed ours, we are a hundred percent on board.

KIM BAILEY: I can't imagine that there would be any of the neighbors that wouldn't, but if there was any suggested reasons that we couldn't address, we wanted -- we had Larry prepare the documents and we are willing to sign. I am not going to speak for Mr. Miller, but we did talk to him and he seemed good.

MR. GORDON: Do you have anyone else who would assist in providing what would be an acceptable easement to the town. We do have a form easement agreement that would be acceptable to the town.

I did speak with our engineering staff and they believe at this point in time they have not provided that to you or your --

PATRICK BAILEY: We have asked about it.

MR. GORDON: So, we can get that.

PATRICK BAILEY: That will be part of the

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package, of course. Again, getting someone to sign is not something that I felt I could do.

MR. GORDON: Understood.

PATRICK BAILEY: I could explain what I knew.

MR. GORDON: I just wanted to know where we were.

CHAIRPERSON OSOWSKI: Thank you, Ken.

LARRY HEININGER: Since I just finished a sewer in Pittsford for seven residents and it will have its 30-day test tomorrow. I have the easement document for Pittsford, I'd like to get a copy of the one for Brighton for my engineering files, so I can contact Mike Guyon directly?

MR. GORDON: Actually, if you contacted our town engineer Everett Garcia, he is -- that's fine.

LARRY HEININGER: So just for the public, nothing was going to happen unless we did something. I gave our Israel Marcus and Mike Marcus the green light to go out, locate the manholes, both storm and sanitary. You could probably see the maps. There are now meets and bounds, there's a legal description and they did the individual easement maps that would be standard in 2022. It follows the Lozier record drawing from 1948, but that didn't have a legal description, it did not have meets and bounds, it just had

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distances from manholes to manholes, which is the way they did it in 1948.

So all of the -- I was the one who greet lighted the work because otherwise it wasn't going to happen. And as I explained to Pat Bailey, I don't -- when I was town engineer of Amherst the supervisor thought I could do all kinds of great and wonderful things. And I could have in my past life, but I did not have the engineering horse power to go and design streets and write specifications. My secretarial staff, that's not what they did.

So I did go to bat for Mike and Everett saying that this is not something that's normally in your wheel house. And, you know, that's something that is in our wheel house. So we took care of it, we picked up the ball and ran with it. Right now Mike is worried about snow and leaves.

CHAIRPERSON OSOWSKI: All right. Thank you, Larry.

This is a Public Hearing. If there's anybody who would like to address the Board on this application, please come identify yourself and tell us where you live and speak ahead.

RICK HOLFITH: Thank you. My name is Rick Holfith, I'm the director of grounds and greens at the

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Country Club of Rochester, 2935 East Avenue.

I'm really here just to make two comments. I am just today kind of familiarized myself with the project. I certainly understand the house has moved closer to the golf course, but is within the 60-foot setback.

So really my two concerns are, and again, I don't know the code for this, the auxiliary structure at the pool, both its size and setback requirement, and as well as the consideration of additional plantings and buffering because of the home itself and the auxiliary structure has moved closer to the golf course.

I was really here to make those two points and to bring up the concerns in regards to the Country Club of Rochester. Thank you.

CHAIRPERSON OSOWSKI: Thank you, very much. Appreciate that.

KEMPER MILLER: I'm Kemper Miller, I live at 11 Elmwood Hill Lane. I'm the neighbor to the east.

I do have wanted to address the sewer issue. That was a 40-some odd page document, which I think anybody that received it, if they heard your summary of what it was, that makes a lot of sense to me. But it is pretty hard to work through the document and get a sense of what we should

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do with it.

I think maybe my other neighbors just put it aside is what I would guess. So I don't know how that's going to get resolved, to get approval, but I wish I recorded what you had said. That would have been easy.

Some other concerns, most of this I have just really seen a lot of that, just in the last couple of days, so it is pretty hard to digest that. I have concerns about the pool house, the size, location, that type of thing.

Right now when I look out my southwest window I don't see my neighbor. I see the green, I see trees, their backyard, beautiful. That's going to change and I have concern about that.

I do have some concerns about not only the white pine. I don't know how that can exist, moving the house close to my house. But also there's four locust trees on the southeast corner that are frankly not good trees. And maybe Rick will talk about that, but those roots of those trees do invade the golf course. Not only our lot, but the golf course as well. And they have done some other trees that have been taken down as damaged, so very close.

I guess I am still trying to learn this process, how it goes, I don't know. So I just say that we

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3 have concerns, we're not sure if this is the venue to address
4 some of the concerns more than what I have said, but I think
5 that's what I have for now, so, thank you.

6 MR. FRISCH: Just some information on the
7 process. You can either come to these meetings and give
8 public testimony or you can also write the town, and any
9 concerns you have you can e-mail the town or provide a letter
10 to the town and those will be disseminated to the Board for
11 review.

12 KEMPER MILLER: Thank you.

13 CHAIRPERSON OSOWSKI: Thank you, Mr. Miller.

14 DEBORAH RONNAN: Good evening, again. I'm
15 Deborah Ronnan, 15 Elmwood Hill Lane. Maybe I'll start with
16 the trees. Larry, these trees you refer to, I planted them.
17 That was with the Hick's approval.

18 MR. GORDON: Ms. Ronnan, if you could please
19 address your comments to the Board. Thank you.

20 DEBORAH RONNAN: I'm sorry. Okay. So one
21 question I have is, whether you have included the garage
22 space in what you consider living space, because the garage
23 is now much bigger.

24 MR. GORDON: Please --

25 DEBORAH RONNAN: Okay.

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3 MR. GORDON: I just didn't hear what you said.

4 DEBORAH RONNAN: I'm sorry. I think the best
5 approach would be for the neighbors who are generally opposed
6 to the project to have an opportunity to have their own
7 engineer look at this, because so much of what is being
8 described here, run off isn't the right term. I don't know
9 what the terminology is, but we would like to have our own
10 engineer and lawyer look at what is being proposed.

11 Talking about moving the pool to the back, the
12 pool is not in the back. And it doesn't matter, you know,
13 trying to make it look like it is in the back.

14 Can I ask Larry how much of the pool remains
15 on the side?

16 MR. GORDON: You have a concern about how much
17 of the pool remains on the side?

18 DEBORAH RONNAN: I think the pool is still on
19 the side. For me, the pool is still on the side and now
20 there's a cabana and there's a generator. And the many
21 little trees that have been put around this pool do not look
22 to be sufficient.

23 I'd like to put this any decision by the Board
24 to be postponed until we have had an opportunity to hire our
25 own professional advisors. I think that just, you know, to

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3 make it simple instead of going point by point and telling
4 you all of the things that concern us.

5 I know last time the Board pointed out that
6 the pool was on the side, it has to be in the back. So we
7 are going to constantly see these little jiggerings and, you
8 know, make up on the pig kind of thing and it's just not
9 going to be acceptable.

10 And like I said from the beginning, it would
11 be better if the people who were building this project and
12 are not going to live there and really don't have the
13 concerns of the neighborhood, but whose main concerns are
14 financial, if we would sit down and see if we couldn't work
15 out a way that they can building what they want to build and
16 the neighborhood could remain the way it is. Thank you.

17 CHAIRPERSON OSOWSKI: Thank you, Ms. Ronnan,
18 appreciate your comments.

19 Is there anybody else who wishes to address
20 this application?

21 Okay. Thank you very much.

22 MR. GORDON: So usually, John, I may, we don't
23 like to have a back and forth, and the applicant has made
24 their presentation, they made their presentation. The Board
25 has asked the questions, the Board has asked the question.

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We've heard the public comment, I think it's time we move on to the next matter. When we get into a back and forth, sometimes the public wanted to get that proper retort, I would recommend that we don't entertain further comments.

CHAIRPERSON OSOWSKI: Take it under advisement, Larry. Thank you.

LARRY HEININGER: No problem.

CHAIRPERSON OSOWSKI: Thank you, Ken, appreciate that.

Okay. We will move along to the next item on the agenda.

APPLICATION 11P-NB1-22

11P-NB1-22 Application of Jewish Senior Life, owner, for Preliminary Site Plan Approval to construct two (2) four-story buildings, each containing 35 Independent Living dwelling units, a 5,500+/- sf multi purpose room / theater addition, a 2,000 +/- sf fitness addition, and two (2) 1,400+/- sf maintenance buildings in two phases on property located at 2000 Summit Circle Drive. All as described on application and plans on file.

JERRY GOLDMAN: Good evening. My name is Jerry Goldman, I'm the attorney for Jewish Senior Life here

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on the preliminary site plan application. With us tonight on the application are Barry Inglesfi, who is from LeCesse Construction, he's a project coordinator, as well as Matt Tomlinson who is the project engineer and Erica Grohol, who is our landscape architect.

As was discussed at your workshop session, we are here again on this, on our second visit, because our first visit was part of the incentive zoning application for this particular site.

The reason for the incentive zoning application was because the original project was approved under incentive zoning and basically to adjust things it was necessary to go back and receive an amendment of the incentive zoning approval, which was granted by the Town Board earlier this year.

So we were now back for our site plan review of, as the Chairman pointed out, our site plan which includes two 35-unit buildings as well as some ancillary space for community and the like.

Mat Tomlinson is going to be doing the primary presentation, but let me point here to the fact that this is the overall campus of the Summit and Wolk. The tower for the Jewish Senior Life is located in this direction. And as we

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come here, the brown areas are the addition, of two 35-unit buildings, multipurpose room, addition and a fitness addition. There's also some storage buildings in the back.

And as was pointed out, we should address right away that what we are here for is primarily, we'll be seeking final approval for one of the buildings, 35 units, will be constructed and as it is absorbed, then they will move forward with the remainder.

So the phasing comment which was made is also very important because that deals with what improvements will be done as part of the initial phase and what will be done as part of the final phase.

With that introduction, I will turn it over to Matt and Erica. Thank you.

MATT TOMLINSON: Thanks, Jerry. Matt Tomlinson, Marathon Engineering. As Jerry mentioned, this will be a phased project so I'm going to step back to the map and point. So if you can't hear me, please let me know.

But, as Jerry mentioned we are looking at two villas, each will have 35 units in them. Phase one villa will be here closer to the tower, and the multipurpose room and fitness addition will all be included as part of phase one.

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So on the site plans that we submitted there's a phasing line, Phase 1, Phase 2, the modifications to the existing storm water management facility, which are driven by the location of villa two. The realignment of the loop road which today comes in roughly here at the base of the entry loop or drop off and visitor parking loop, would not be relocated or filled in until phase two is done.

I'll come back to the storm water in a little bit because there's some intricacies with that piece of it.

So Phase 1 will really leave the existing entry and loop drive to the main building alone and relocate the portion of the loop that circles through here in order to connect to the entry drive over to the larger JSL campus.

As part of the improvements, we're putting in several amenities which Erica will come up and talk about in a little bit. But we are relocating sanitary storm water, all the utilities are existing on site, and kind of wrap the existing buildings. So those will be relocated to avoid the new improvements.

There's a question that was raised on parking and I wanted to walk through the numbers with the Board so we can kind of talk about that and understand. Right now today there are 159 surface spaces on the site and 32 covered

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garage spaces. Those covered garage spaces are not within the building proper, they're located in the small garage buildings around the perimeter of the loop road around Summit Circle and around JSL.

So several of those garages we did an analysis as part of the original phases of the project where we inventoried how many spaces were being used for storage of lawn furniture and that kind of thing by the JSL and how many are actually being used by residents, and we found that percentage to be very low. There's only eight residents actually parking their vehicles within the garages.

So the isle villas are intended to be slightly younger population, meaning as the independent living portion of it. We do anticipate a higher percentage of residents with vehicles and that would have a more active lifestyle. Meaning that they would be coming and going quite a bit more.

So the desire was there to provide a full parking space within each building that's covered for those residents. And as Jerry mentioned, and I know the Board is aware, we went through that incentive zoning modification in order to get an extra story on the units -- or on the buildings in order to provide that parking.

One of the other things that I believe JSL

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heard as part of that discussion was that the parking that is in the garages as they exist on the outside of the loop road are quite far from the building entrance. So to park there, walk across the loop road through a parking area, then into the building to their units was not necessarily as conducive to their utilization as a parking space much closer to the front door, especially when carrying groceries or that kind of thing.

So we do anticipate that the provided spaces that you just get in the elevator, go up to your unit will be much more heavily utilized.

So under proposed conditions we are proposing to have a total of 287 parking spaces, 200 of which will be surface exterior, so that's an increase of 41 spaces. And then 87 in total covered, so that's the 70 proposed within the isle villa and then remaining and one new exterior garage outside. So some of those exterior garage, perimeter garages, will still be left.

So the comparison to the underlying zoning and the original ratios in the incentive zoning I will just talk through that a little bit. Full compliance with the underlying RHD zoning which is for normal apartment buildings. It's a residential high density. Is two per unit

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3 with one unit covered. So that would be a total of 472
4 parking spaces, which frankly, there's not enough room nor
5 enough demand in order to provide that. And the original
6 incentive zoning had a requirement of one parking space per
7 unit. With a quarter of those, or .25 percents being
8 covered.

9 So that would be a total requirement at full
10 build out of 236 spaces. JSL felt that was a little bit low
11 because they do anticipate visitors, they have events and
12 folks come to visit there.

13 And there will be a few residents in the isle
14 villas that have two parking spaces. So we are in excess of
15 the incentive zoning parking requirements of 236, of which 59
16 would be required to be covered. We have 287 in total and 87
17 of those are covered.

18 The mechanicals will all be roof mounted,
19 other than the generator, and the generators were
20 specifically included in our incentive zoning application as
21 far as location because they are technically in a side yard.

22 And I'm sure there will be other questions
23 relative to layout and circulation, although I know this
24 Board has seen it as part of the concept. But I wanted to
25 have Erica come up and talk a little bit about some of the

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outdoor amenities that are being provided for residents.

ERICA GROHOL: Thanks, Matt. My name is Erica Grohol, I work with Wendle Company landscape architectural group. I'll just quickly walk through some of the site amenities. Most of these are geared towards the new buildings. We kind of wanted a continuation of some of the programming indoor and outdoor. Some of the key things -- again, let me know if you can't hear me over here -- I'm going to kind of just go through the different areas and talk about first, that this is all part of Phase 1.

So what you are going to notice in the plans, there are a few community garden spaces that have raised planting beds. There are existing planting beds on the site, but they're located across the road, so a lot of these amenities we wanted to bring into the site so it is easier for residents to access these without having to cross the main ring road, and they're also getting eaten by deer on the outside.

So we created this sort of prototype for a community garden. So they want to have a few of those located near the multipurpose building and they are interested in continuing that potentially in the future, but we just have the two for now.

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Then there's circulation loops, so we want to make sure all of the sidewalks are connected around these new buildings, and then there's a couple of plaza spaces, smaller plaza space, but the spill out of the multipurpose building which has some seeding. And then, there's also a plaza space or a patio off the fitness addition and that is in part, it is a flexible space so it has the ability to have outdoor dining. And also, if there are fitness classes and, like a yoga class or something, there's a bit of an extension there to accommodate some fitness classes as well.

And the way the landscaping interacts with these features, we want to make sure and provide adequate screening from the adjacent residences. So, you will notice the planting beds, they usually hug the patio spaces and the vegetation kind of screens some of the key views from the adjacent buildings.

The trees that are being removed, so they would be the ones in the footprints of the existing space, or they're going to be the footprints of the proposed building. Most of these are not in great condition, and there really isn't a large quantity of trees being removed and we are proposing just as part of Phase 1 an additional 84 trees, I believe it is. And then, the second phase is 71. And so

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those trees are creating a pallet too for the site. Right now there's not really continuity in what trees are being used where, so we have made an effort to line the roads and frame the views. And you are going to see a continuation between Phase 1 and 2 of the species we are looking at for this site.

So I'm happy to talk about any of the amenity areas that you wanted to focus on or if you have questions about the trees, I am happy to answer any of those specifically.

MATT TOMLINSON: Thank you, Erica.

I did want to mention, kind of in closing for the presentation we have up here, the project architect has received Architectural Review Board approval already. And I know some projects I bring before this Board that comes after, but in this case we wanted to get out ahead of that because that had an impact on cost and budgeting, and also the approvals separation between.

There is an off site amenity. I think you will note there's a couple comments in there relative to sidewalks along Winton and a portion of Westfall. We are working on those plan now and we will have them into DPW staff. I believe there's potentially a condition relative to

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the timing of that that will be before the Board for consideration, so we fully plan to comply with that.

And the Conservation Board had a couple of comments or questions relative to using possibly some low grow or metal type plantings and we will anticipate utilizing some of that, especially down near the storm water management facility and trail area. So that's a comment we plan to incorporate.

So with that, we'd love to answer questions that the Board may have for us.

MR. FADER: I have one. I don't know if for you or Erica, it follows the comment you just made, the Conservation Board's comment on low mow and pollinating plants. Some of the landscaping, do you think moving closer to the buildings so people can enjoy it, will you consider putting plants in there, direct pollinators or butterflies or something like that?

ERICA GROHOL: Absolutely. I think there's kind of two-fold, the community garden space is already community members using those beds to exclusively plant for pollinators. So I think that depends on the residents and what they're going to be planting. But, so those are kind of up to the residents, but the plantings around the buildings,

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there's a balance, there's definitely plants for pollinators. But, we're also kind of balance it, because the area, the dining areas, we actually kind of want to taper it out so there's aren't as many bees right next to the dining area.

So we're focusing more on the theater area here, so that's where we're planting more of the species that would potentially attract pollenates.

We also have some flowering trees we focused on native plants, so things like red buds and surface berries for the flowering plants. But yes, we are looking at that. Like Matt said, we're really going to focus once we get into the storm water management areas too on how to really enhance those and create more like wetland shelves and things like that. So I think we're probably going to do more of the naturalized plantings as part of the Phase 2 work.

MR. FADER: Okay. So it won't just be all grass.

ERICA GROHOL: It will not be.

MR. FADER: Okay. My second question is sort of, I'm summarizing here. What you are doing here is, you are not really going outside the loop road you have now, you are expanding by going upwards and downwards. Is that kind of an accurate summary? They're adding underground storage

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and then replacing the parking lot in the buildings?

MATT TOMLINSON: So the parking underneath the building will be the majority of the first floor of the building. It won't be down below grade, so that floor will match the existing floors.

There are a couple of first floor units planned for the villas and the remainder will be the parking area, but at that same first floor level. But, yes, we are going up an extra story to accommodate that.

And then, the existing loop road comes right here so we're moving it a little bit, but primarily we're trying to stay within the --

MR. FADER: No --

MATT TOMLINSON: -- previously developed area.

MR. FADER: I already like an area like this with a residential home nearby, it goes up in steps and out. I think it's a good change.

CHAIRPERSON OSOWSKI: I did notice that it looks like you're eliminating a lot of parking around what's called residence number one of Phase 2? That second building that you are planning to build, there's a parking lot there being eliminated?

MATT TOMLINSON: No, it's not being

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eliminated. We're actually going to supplement it and reshape it so it orients to both buildings. So that will be basically a net zero for the number of parking spaces there, but we are maintaining it.

CHAIRPERSON OSOWSKI: Okay. And do you have an anticipated start of construction date?

MATT TOMLINSON: Larry wants to start tomorrow.

BARRY INGALSBE: Barry Ingalsbe of LeCessa Construction, we're the construction managers for the Jewish Home. And our time line really is anticipating that we finalize the Planning Board approval process by the end of the year and January we would be able to start utility relocations. As soon as, by the end of January, February 1st. And once we have our permits in hand, our first building construction would start in April, beginning of April.

CHAIRPERSON OSOWSKI: All right, thank you.

JERRY GOLDMAN: Subject to the regulatory confirmation and everything else. That's our target. Where it winds up, it's not necessarily finally in our hands.

CHAIRPERSON OSOWSKI: Do you anticipate sidewalk design that you're working on, do you anticipate

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those starting when constructions starts with the buildings?

MATT TOMLINSON: We would anticipate late summer, early fall doing that construction, kind of around the same time we do a lot of flat work on site just for coordination purposes and having those same crews there. So we will coordinate that with the overall construction schedule.

CHAIRPERSON OSOWSKI: All right, thank you.

MR. FRISCH: Matt, what is with the ancillary buildings on the site? There's some being removed and some being added, what's the timing for those?

MATT TOMLINSON: Yeah, great question, Jeff. So one of the replacement just the normal five bay parking garage that will be done as part of Phase 1, and then there's an accessory building for storage and ancillary items up on the north side. One of those will be built in Phase 1, the other one is slated for Phase 2.

MR. FRISCH: Thank you.

CHAIRPERSON OSOWSKI: Any other questions?

MR. GORDON: It's probably in the materials and I'm not finding it, in the multi-purpose room theater, how many seats?

MATT TOMLINSON: I don't know the answer to

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that, I'm sorry. Maybe Barry does.

BARRY INGALSBE: I believe there are 20 fixed seats and a capacity of 34. So it will accommodate wheelchairs and portable seating as well as the fixed.

MR. GORDON: I believe this was a topic of discussion during the incentive zoning interview by the Town Board about what is the intended purpose of the multi-purpose room slash theater? Is it for the community at large or is it for the internal use of the senior life campus residents?

BARRY INGALSBE: It's primarily going to be used internally for programs at the Summit and the Jewish Home. They may have speakers come in from time to time to hold possibly lectures and what not in the space. But primarily it's programming for existing Summit residents.

MR. GORDON: And a question for Jerry or Matt. I think it's a Jerry question. So in the 1996 incentive zoning resolution Matt talked about this a little bit. About the parking ratios, one spot per unit, but here we are talking about a site plan an overall development plan that includes more than just living units. We're also talking about the multi-purpose room slash theater. Wouldn't there be additional parking requirements for that?

JERRY GOLDMAN: As explained to me,

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multi-purpose room really is for the use of the residents. It's not really meant to attract outside people. It's termed that, but it's really a residential amenity, if you will. We aren't designing it as anything other than community space for the residential units.

But in any event, we're far in excess of code, so even if we wanted to attribute some number to that, we could accommodate it if we want to drill down on that number.

MR. GORDON: I'm interpreting your answer to say, you do not believe that that is required, but you believe that that extra parking is accommodated anyway?

JERRY GOLDMAN: Yes.

BARRY INGALSBE: If I could also speak to that comment. The programming in the multi-purpose room and theater, they have those existing programs today in their multi-purpose room which is part of the Commons. And one of the problems they have with the existing multi-purpose room is the height and geometry of the room doesn't lend itself very well for movies or any other events in there because it's a level floor surface, and they can't get a screen that is visible enough for the residents that are in the back of the room to be able to see.

And the other thing is, they have their some

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of their wellness programs and fitness programs, and activities in the existing multi-purpose room. One of the main reasons we're building the new multi-purpose room and theater is that the one of the main goals of the renovation of the commons building is to expand the dining experience for the residents.

And so, there will be a new kosher dining and kosher kitchen in the footprint of the existing multi-purpose room. So one of the first things we are going to do is build a new multi-purpose room, move that programming, so then we can start the renovations.

MR. GORDON: Sticking to parking, Matt, can you review for me one more time the existing number of spots that are uncovered, the existing number of spots that are covered. I guess I could add the total of that as well.

MATT TOMLINSON: Sure. Existing parking, 159 surface spaces with 32 in garages for a total of 191 on site currently.

MR. GORDON: And under the proposed plan, a total of 287 spaces, of which 87 would be covered?

MATT TOMLINSON: That is correct.

MR. GORDON: So how many covered spots in each building?

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3 MATT TOMLINSON: There are 35 in each of the
4 isle villas. So a total of 70 under the new buildings, and
5 then there are 17 in the remaining perimeter garages, either
6 existing or the one new. So there's a total of three.

7 These are two six-bay existing garages, and
8 there's going to be a new five-bay garage up here.

9 MR. GORDON: I'm confused, and it's probably
10 just me. I thought I heard you say currently 32 covered
11 spaces and you're building 70 more covered spaces. Wouldn't
12 that be 107?

13 MATT TOMLINSON: It would be if we weren't
14 removing any covered spaces.

15 MR. GORDON: Which covered spaces are you
16 removing?

17 MATT TOMLINSON: There are existing garages at
18 various spots around a portion of the perimeter road that we
19 are removing that are not utilized by residents.

20 JERRY GOLDMAN: They're too distant from the
21 building itself to be a help for residents.

22 MATT TOMLINSON: Four garages in total are
23 being removed total, whatever that is minus that is. I
24 believe it's 22 of the covered spaces.

25 MR. GORDON: You're leaving -- well, the net

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2
3 covered spaces outside of the two new residential units will
4 be 17?

5 MATT TOMLINSON: That is correct.

6 MR. GORDON: When you build in phases, so
7 phase one, you're only going to be building 35 covered spaces
8 and leaving 17?

9 MATT TOMLINSON: We will leaving --

10 BARRY INGALSBE: We'll be building the one
11 five-bay garage, so we're building 40 in the first phase.

12 MATT TOMLINSON: Building 40 and two of the
13 existing garages within the Phase 2 limits would remain at
14 that point.

15 MR. GORDON: All right. And I'm not doing my
16 math quick enough here, but my concern, my articulated
17 concern is, we have this ratio. One quarter of your total
18 parking needs to be covered, right? And you're saying, we're
19 going to comply with that, and you're exceeding that
20 ultimately. Are you going to also comply with that and
21 exceed that during Phase 1?

22 MATT TOMLINSON: We will, yes.

23 MR. GORDON: Can you tell me those numbers?

24 MATT TOMLINSON: Sure. I can, I think. Give
25 me one second.

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So we will have 40 new covered spaces, and we will have 18 more remaining on the Phase 2 side within the limits. So we will have 58 spaces with a total of 201 units.

JERRY GOLDMAN: In Phase 1.

MR. GORDON: Thanks for that.

CHAIRPERSON OSOWSKI: Thank you.

MR. GORDON: Yes, I am done.

CHAIRPERSON OSOWSKI: Jeff, did you have any additional?

MR. FRISCH: I'm all set.

CHAIRPERSON OSOWSKI: Jason?

MR. FRISCH: My only comment is that that whole math question would have been a lot easier with some visuals rather than orally, but.

MR. GORDON: So actually, they did provide an amended, if you will, floor plan of parking layout in the buildings. I just didn't get to look at it.

MR. FRISCH: I understand. I'm just a visual learner. I'm trying to do this math in my head. Beyond me, it's 9:00.

CHAIRPERSON OSOWSKI: Okay. This is a Public Hearing. Does anybody in the audience wish to address this application? Please step forward.

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2
3 Okay, no one.

4 Thank you very much.

5 That is the end of the Public Hearings for
6 this evening. However, we have another old business item to
7 discuss that we previously on our agenda a few months ago,
8 tabled and we did close the Public Hearing at that time.

9 MR. FRISCH: Can we come back around to that
10 at the end of the deliberations?

11 CHAIRPERSON OSOWSKI: At the end of the
12 deliberations we will come back.

13 MR. GORDON: We have a representative, the
14 applicant here waiting to hear deliberations on that.

15 CHAIRPERSON OSOWSKI: Okay.

16 APPLICATION 10P-02-22

17 10P-02-22 Application of American Tower
18 Corporation, owner, and Barclay Damon LLP, agent, for Site
19 Plan Modification and EPOD (steepslope) Permit Approval to
20 expand an existing cell tower equipment compound for the
21 installation of a standby emergency generator on property
22 located at 1 Pinnacle Hill Road. All as described on
23 application and plans on file. TABLED AT THE OCTOBER 19,
24 2022 MEETING - PUBLIC HEARING CLOSED.

25 CHAIRPERSON OSOWSKI: It was tabled in

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October, however the Public Hearing was closed. It was additional information requested, and step right up.

MR. GORDON: No. The Public Hearing is closed.

MR. FADER: I move the Public Hearing be closed and the Planning Board find that the proposed action will not have a significant impact on the environment and adopts the negative declaration prepared by the town staff and that the Planning Board approves the steep slope EPOD approval and it approves the Application 10P-02-22 based on plans submitted with the 16 conditions outlined in the Planning Board report.

1. A variance (10A-09-22) was granted at the October 6th Zoning Board meeting for fuel source and height of the fence and inclusion of barbed wire. All conditions of that approval shall be met.

2. All New York State Uniform Fire Prevention and Building Codes shall be satisfied.

3. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the

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appropriate authorities.

4. Meet all requirements of the Town of Brighton's Department of Public Works.

5. All Town codes shall be met that relate directly or indirectly to the applicant's request.

6. The project and its construction entrance shall meet the N.S. Guidelines for Urban Erosion and Sediment Control.

7. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.

8. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.

9. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance.

10. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.

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11. The generator shall comply with the most current Building & Fire Codes of New York State.

12. Documentation of the noise level of the generator per manufacturer's specifications at seven meters (23 feet) from the unit shall be provided.

13. The generator shall be used only during electrical power outages and as required by the manufacturer for maintenance purposes.

14. Maintenance operation of the generator shall take place only during daylight hours.

15. All comments and concerns of the Assistant Engineer as contained in the attached memo from Brendan Ryan to Jeff Frisch shall be addressed.

16. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

MR. BABCOCK-STINER: I will second.

CHAIRPERSON OSOWSKI: Motion made by David Fader, seconded by Jason.

MR. GORDON: Is there any discussion on that motion?

MR. FRISCH: The Public Hearing, it was already closed.

MR. FADER: You are right.

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MR. GORDON: You could strike that from your motion.

MR. FADER: I will strike that from my motion, since it's already closed.

MR. BABCOCK-STINER: I will second.

MR. GORDON: The Board has a motion before it. I don't know if the Board or any members want to comment on the motion?

CHAIRPERSON OSOWSKI: All right, everyone is good.

Jeff, call the roll.

MR. FRISCH: Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

MS. FORD: Aye.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Aye.

MR. FRISCH: Motion is approved with conditions.

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APPLICATION 11P-02-22

11P-02-22 Application of Carl Grasta, owner, for Preliminary/Final Site Plan Approval and EPOD (watercourse) Permit Approval to construct a 2,700 +/- sf single family house, with a 900 sf detached garage on property located at 1 Knollwod Drive. All as described on application and plans on file.

MR. FADER: I move the Planning Board finds that the proposed action will not have a significant impact on the environmental and adopt the negative declaration prepared by town staff for Application 11P-02-22.

CHAIRPERSON OSOWSKI: I will second that.

MR. BABCOCK-STINER: I am going to move that Application 11P-02-22 be tabled including the negative declaration, based on the testimony given, plans submitted. Additional information is requested in order to make that determination of significance, 21 outlined items in the Planning Board report are required to be submitted no later than two weeks prior to the next Planning Board meeting.

1. Staging and soil stockpile areas shall be shown on plans, with required erosion control.
2. Corner ground elevations for the proposed house shall be provided on the site/grading plan and on the architectural

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elevations.

3. All Monroe County Development Review Comments shall be addressed.

4. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.

5. The height of the proposed house shall be shown on plans. Elevation drawings showing the height of the structure in relationship to proposed grade shall be submitted.

6. Prior to any framing above the deck, an instrument survey showing setback and first floor elevation shall be submitted to and reviewed by the Building and Planning Department.

7. The applicant shall review the site plan, architectural elevations, and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Architectural elevations showing the height of the structure in relationship to proposed grade as shown on the approved site plan, and including ground elevations at the house corners, shall be submitted. Any changes to plans shall be reviewed by the Building and Planning Department and may

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require Planning Board approval.

8. Prior to the issuance of any permits, the Single Family Zoning Information form shall be submitted to and approved by the Building and Planning Department. The form shall be completed by the applicant's architect. All information shall be shown on both the site plan and architectural drawings.

9. All Town of Brighton codes that relate directly or indirectly to the proposed project shall be met.

10. All requirements of the Town of Brighton Department of Public Works shall be met.

11. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control. Erosion control measures shall be in place prior to site disturbance.

12. 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.

13. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction.

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Materials and equipment storage shall not be allowed in fenced areas.

14. Maintenance of landscape plantings shall be guaranteed for three (3) years.

15. 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.

16. Fire hydrants shall be fully operational prior to and during construction.

17. The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.

18. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.

19. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to demolition, landscaping, stormwater mitigation, infrastructure and erosion control.

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20. All comments and concerns of the Town Engineer as contained in the attached memo dated 11-10-2022 shall be addressed.

21. A written response to all Planning Board and Town Engineer comments and conditions shall be submitted

MR. FADER: I will second that.

CHAIRPERSON OSOWSKI: Okay. Jeff, call the roll.

MR. FRISCH: Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

MS. FORD: Aye.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Aye.

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APPLICATION 9P-NB1-22

9P-NB1-22 Application of Kim Bailey, Stahl Properties, owner, for Preliminary Site Plan Additional Info Approval and Demolition Review and Approval to raze an existing single family home and construct a 5,545 +/- sf single family home with a 900 sf attached garage on property located at 12 Elmwood Hill Lane. All as described on application and plans on file. TABLED AT THE SEPTEMBER 21, 2022 - PUBLIC HEARING REMAINS OPEN.

MR. FADER: I move that Application 9P-NB1-22 be tabled based on testimony given and plans submitted. Additional information requested in order to make a determination on significance and have a complete application. The 32 items outlined in the Planning Board report are required to be submitted no later than two weeks prior to the next Planning Board meeting.

1. A parkland fee in lieu of recreation land shall be paid prior to the issuance of a building. Permit for construction of the dwelling unit.

2. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall

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have been completed to a degree satisfactory to the appropriate authorities.

3. The architectural design and building materials of the proposed building(s) shall be reviewed and approved by the Town of Brighton Architectural Review Board prior to final approval.

4. Meet all requirements of the Town of Brighton's Department of Public Works.

5. All Town codes shall be met that relate directly or indirectly to the applicant's request.

6. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.

7. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.

8. Maintenance of landscape plantings shall be guaranteed for three (3) years.

9. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the

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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.

10. All outstanding Site Plan comments and concerns of the Assistant Engineer regarding soil erosion, storm water control, water system, and sanitary sewer design shall be addressed.

11. All County Development Review Comments shall be addressed.

12. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.

13. The height of the proposed house and garage shall be shown on plans. Elevation drawings showing the height of the structures in relationship to proposed grade shown on the site plan shall be submitted.

14. Erosion control measures shall be in place prior to site disturbance.

15. The applicant shall review the site plan, elevations, and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Elevation drawings showing the height of the structure in relationship

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to proposed grade as shown on the approved site plan shall be submitted.

16. Prior to the issuance of any permits, the Single-Family Zoning Information form shall be submitted to and approved by the Building and Planning Department. The form shall be completed by the applicant's architect. All information shall be shown on both the site plan and architectural drawings.

17. The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.

18. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

19. The demolition and restoration plan should depict the grading associated with the restoration of the site should construction of the new house not commence immediately following demolition.

20. Specifications for backfill requirements of the building footprints shall be included on the plans. No existing construction materials (concrete or other) from the existing homes shall remain on-site.

21. The Town of Brighton Department of Public Works (DPW)

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requires that the existing laterals be televised and the conditions assessed. Replacement laterals will need to be installed if the DPW determines they are required.

22. Show the storm sewers on the site and their connections to the house.

23. The project will need to obtain the following required variances

24. The plans shall clearly show all trees proposed to be removed.

25. A landscape plan shall be submitted that show all proposed plantings.

26. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: Demolition, restoration, sanitary sewer, water main, stormwater water management facilities, landscaping, and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.

27. A schedule of all easements (existing/proposed, public/private) associated with this project shall be provided. All texts, maps and descriptions of proposed easements shall be prepared and submitted to this office for

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review. 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.

28. This property is currently served by a sanitary sewer main which serves multiple residences on Elmwood Hill Lane and does not appear to have been dedicated to the Town. The information provided does not make it clear that the Town of Brighton has sewer easements in place to access and maintain the sanitary sewer main on these properties. Provide documentation which indicates that the subdivision map provides a legal basis for completed dedication to the Town, and the existence of the necessary sewer easements to the Town. If not, easements to the Town will need to be obtained from each of the property owners served by this main to complete the dedication and legalize this sewer connection.

29. Basement excavation may yield large amounts of spoil. Location of spoil piles and plans for their removal or distribution shall be provided.

30. The contractor shall obtain all necessary Highway Access, Sewer Construction, Demolition, or other permits from the Town or other agencies prior to starting work.

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31. All comments and concerns of the Assistant Engineer as contained in the attached memo dated November 13, 2022 from Brendan Ryan, Assistant Engineer, to Jeffrey Frisch, shall be addressed.

32. The requested information is required to be submitted no later than two weeks prior to the next Planning Board meeting.

MS. FORD: I second.

CHAIRPERSON OSOWSKI: Seconded by Julie.

Jeff, call the roll.

MR. FRISCH: Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

MS. FORD: Aye.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Aye.

MR. FRISCH: Motion is tabled.

CHAIRPERSON OSOWSKI: Thank you.

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APPLICATION 11P-NB1-22

11P-NB1-22 Application of Jewish Senior Life, owner, for Preliminary Site Plan Approval to construct two (2) four-story buildings, each containing 35 Independent Living dwelling units, a 5,500+/- sf multi purpose room / theater addition, a 2,000 +/- sf fitness addition, and two (2) 1,400+/- sf maintenance buildings in two phases on property located at 2000 Summit Circle Drive. All as described on application and plans on file.

MR. BABCOCK-STINER: I move we close the Public Hearing.

MR. FADER: I second that.

CHAIRPERSON OSOWSKI: Moved and seconded.

Jeff, call the roll on that.

MR. FRISCH: Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

MS. FORD: Aye.

MR. FRISCH: Grisewood?

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3 MR. GRISEWOOD: Aye.

4 CHAIRPERSON OSOWSKI: Public Hearing is
5 closed.

6 MR. BABCOCK-STINER: I move that the Planning
7 Board finds the proposed action will not have a significant
8 impact on the environment and that the Planning Board adopts
9 the negative declaration prepared as part of the
10 environmental review that was conducted by the Town Board as
11 part of the incentive zoning amendment. I also move that the
12 Planning Board approves the Application 11P-NB1-22 based on
13 testimony given, plans submitted, and the 21 conditions
14 outlined in the Planning Board report.

15 1. The entire building shall comply with the most current
16 New York State Uniform Fire Prevention and Building Code.

17 2. Prior to issuance of any building permits, all plans for
18 utility and storm water control systems must be reviewed and
19 have been given approval by appropriate authorities. Prior
20 to any occupancy, work proposed on the approved plans shall
21 have been completed to a degree satisfactory to the
22 appropriate authorities.

23 3. All Town of Brighton codes that relate directly or
24 indirectly to the proposed project shall be met.

25 4. All requirements of the Town of Brighton Department of

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Public Works shall be met.

5. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control. Erosion control measures shall be in place prior to site disturbance.

6. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.

7. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.

8. Maintenance of landscape plantings shall be guaranteed for three (3) years.

9. 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.

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10. Fire hydrants shall be fully operational prior to and during construction.

11. If a dumpster is to be utilized, the dumpster shall be enclosed with building materials that are compatible with the existing building and located in the rear yard. The enclosure shall equal the height of the dumpster. Revised plans shall be submitted to and approved by the Building and Planning Department.

12. The parking lot shall be striped as per the requirements of the Town of Brighton Comprehensive Development Regulations.

13. All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed.

14. If the proposed additional parking spaces are to be lit, a lighting plan which shows the type, location and lighting contours shall be submitted to and approved by the Building and Planning Department.

15. All outstanding Site Plan comments and concerns of the Town Engineer regarding soil erosion, storm water control, water system and sanitary sewer design shall be addressed.

16. All County Development Review Comments shall be addressed prior to final approval.

17. All other reviewing agencies must issue their approval

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prior to the Department of Public Works issuing its final approval.

18. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to demolition, landscaping, stormwater mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.

19. The location of any proposed ground mounted mechanical equipment (including but not limited to generators) shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.

20. All comments and concerns of the Town Engineer as contained in the attached memo from Evert Garcia to Jeffrey Frisch dated 11-12-2022, shall be addressed.

21. All comments and concerns of the Town Sewer Department as noted in this document shall be addressed.

MR. FADER: I will second that.

MR. GORDON: For clarity sake, this is for preliminary site plan approval only, yes?

MR. BABCOCK-STINER: Yes, correct.

CHAIRPERSON OSOWSKI: Thank you.

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Moved and seconded.

MR. FRISCH: Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

MS. FORD: Aye.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Aye.

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SIGNS:

1671 Elegant Brows Threading & Spa, for a building face at
2180 Monroe Avenue.

1672 Umai Sushi, for a building face at 2835 Monroe Avenue.

1673 Napa Auto Parts for a building face at 1780 Monroe
Avenue.

MR. BABCOCK-STINER: I move we table as
recommended 1671.

CHAIRPERSON OSOWSKI: Second?

MR. FADER: I will second.

MR. FRISCH: Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

MS. FORD: Aye.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Aye.

MR. FRISCH: The next one is sign 1672, it was
approved as presented by ARB.

MR. BABCOCK-STINER: I will move as approved

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as recommended.

MS. FORD: I will second.

MR. FRISCH: Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

MS. FORD: Aye.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Aye.

MR. FRISCH: The next one is 1673 for Napa
Auto Parts. It was approved as presented.

MS. FORD: I move to approve.

MR. BABCOCK-STINER: I will second.

MR. FRISCH: Fader?

MR. FADER: Aye.

MR. FRISCH: Babcock-Stiner?

MR. BABCOCK-STINER: Aye.

MR. FRISCH: Osowski?

MR. OSOWSKI: Aye.

MR. FRISCH: Ford?

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MS. FORD: Aye.

MR. FRISCH: Grisewood?

MR. GRISEWOOD: Aye.

MR. FRISCH: Approved as recommended.

* * * *

REPORTER CERTIFICATE

I, Rhoda Collins, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

Further, that the foregoing transcript is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth.

Dated this 30th day of January, 2023.

At Rochester, New York

Rhoda Collins
Rhoda Collins