

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

B R I G H T O N
Z O N I N G B O A R D
O F
A P P E A L S

MARCH 1st, 2023
at approximately 7:00 **p.m.**
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

DENNIS MIETZ, Chairperson

MATTHEW D'AUGUSTINE)
HEATHER McKay-DRURY)
KATHLEEN SCHMITT) BOARD MEMBERS
JUDY SCHWARTZ)

KEN GORDON, ESQ.
Town Attorney

RICK DiSTEFANO
Senior Planner

NOT PRESENT:
EDWARD F. PREMO, II
ANDREA TOMPKINS WRIGHT

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

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

CHAIRPERSON MIETZ: Good evening. I'd like to call to order the March session of the Zoning Board of Appeals.

Rick, was the meeting properly advertised?

MR. DiSTEFANO: Yes, Mr. Chairman, it was advertised in the Daily Record of February 23, 2023.

CHAIRPERSON MIETZ: Will you please call the roll?

MR. DiSTEFANO: Please let the record show Mr. Premo and Ms. Tomkins Wright are not present.

CHAIRPERSON MIETZ: Okay. You are about ready to roll?

MS. SCHWARTZ: I am.

CHAIRPERSON MIETZ: Okay. We are doing the December minutes. On Page 22, Line 7, the second word is W-R-I-G-H-T.

On Page 62, Line 22, in the middle, it should be garage.

On Page 64, the last word in Line 22 is avid.
On Page 87, Line 16, after the word from, put in 20 feet.

And on Page 99, Line 23, delete the word know.
I think that's all I have.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

CHAIRPERSON MIETZ: Does anyone have anything else? How about a motion?

MR. D'AUGUSTINE: Motion to approve the December minutes.

(Second by Ms. Schwartz.)

(Ms. Schwartz, yes; Mr. D'Augustine, yes; Mr. Mietz, yes; Ms. McKay-Drury, yes; Ms. Schmitt, yes.)

(Upon roll call, motion to approve with corrections carries.)

CHAIRPERSON MIETZ: Whenever you are ready.

MS. SCHWARTZ: Page 7, Line 24, the second worded is rear, on January minutes.

On Page 21, Line 19, the last word should be lawn, and Line 21, the word guard should be guarded.

On Page 27, Line 1, after the word variances it should be than.

That's all I have.

CHAIRPERSON MIETZ: Motion to approve January minutes?

(Second by Ms. Schwartz.)

(Ms. Schmitt, yes; Mr. D'Augustine, yes; Ms. McKay-Drury, yes; Ms. Schwartz, yes; Mr. Mietz, yes.)

(Upon roll call, motion to approve with

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

corrections carries.)

CHAIRPERSON MIETZ: Okay.

APPLICATION 3A-01-23

3A-01-23 Application of the Country Club of Rochester, owner of property located at 2935 East Avenue, for a Temporary and Revocable Use Permit pursuant to Section 219-4 to erect a tent and hold up to six (6) outdoor weddings/club special events for the year 2023. All as described on application and plans on file.

TYLER PICKENS: Good evening. Tyler Pickens, general manager at the Country Club of Rochester, 2935 East Avenue, as we've done before when we've come before this Board, as a requirement for normal course of business in setting up tents. The summer of last year we were asking this Board, requesting your approval to set up the tent for up to six member weddings and club events.

This is a standard practice of ours as well and we will, of course, go through all of the necessary permit processes for each of them, submit renderings as needed, and continue to work with the fire marshal and Chris Roth on all safety inspections, fire inspections for each of them.

We also work with, really, one company in the

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

tent set up. We have standard locations for them in our lawn outside for these events. So we are requesting this approval as we have done in the past and this is for the year 2023.

CHAIRPERSON MIETZ: Would you say then, generally, nothing is any different, nothing is planning to be changed, no hours, no nothing?

TYLER PICKENS: Nothing. Yeah, standard practices, yes.

CHAIRPERSON MIETZ: Other questions?

MR. D'AUGUSTINE: Last year the fire marshal expressed some concerns and we attached a discussion with the fire marshal before the first tent went up. You were good with that condition? That worked out?

TYLER PICKENS: Yes. We actually worked through that with Chris Roth as well.

MR. D'AUGUSTINE: When is your first event scheduled for?

TYLER PICKENS: Actually, I am not positive on that, but I know a couple of them are similar to last year. We don't have dates for some of them, and similarly we applied for up to an amount and that's what we are asking for this year as well.

MR. D'AUGUSTINE: Okay.

1 BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

2
3 CHAIRPERSON MIETZ: Rick?

4 MR. DiSTEFANO: Tyler, you realize this
5 approval does not include fireworks displays, correct?

6 TYLER PICKENS: That is correct. That's a
7 separate one that we have to come forward with.

8 MR. DiSTEFANO: From the PGA coming to town,
9 are you expecting anything in regards to that? That's going
10 to be different than what their normal type of event would
11 be?

12 TYLER PICKENS: No, not really different. I
13 mean, we're certainly going to use CCR for our members, but
14 we do on a day to day basis, certainly, have events starting
15 around that but given the time frame we have to be prepared
16 to also be inside for some of that too.

17 So nothing out of the ordinary, but certainly
18 as we do with anything, we plan certain things accordingly
19 and appropriately for our members.

20 MS. McKAY-DRURY: Did you have any complaints
21 or issues in 2022 with the events that you had?

22 TYLER PICKENS: We did not. I am not aware of
23 any.

24 CHAIRPERSON MIETZ: Are you aware of any?

25 MR. DiSTEFANO: I am not aware of any.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

CHAIRPERSON MIETZ: You have a question?

MR. GORDON: I do. Last year one of the findings that I see was contained in the resolution states the special events will last no more than a day and conclude by 11:00 p.m.

In this application I see under, well, call it paragraph "B" on the second page of the application: Is the requested time duration for the permit the minimum relief necessary for reasonable use of the land. The answer is: Tents installed for weddings and special events, parenthesis, up to three days max, end parenthesis.

Can you explain that to me? What does that mean?

TYLER PICKENS: Yes. So certainly there's quite a set up process. Some of them have to be prepared for and that means that we certainly, outside, we don't go outside that three-day window in setting up. We have that requirement. Most of them are set up more immediate towards the event, but we could have a rare occasion we have to set up three days prior.

MR. GORDON: So the event itself will not last more than a day and conclude at 11:00 p.m.?

TYLER PICKENS: That is the same. That is the

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

condition that we definitely dictate to any of our events,
yes.

CHAIRPERSON MIETZ: Just to clarify, the day
before the event you may set up, then there's the event, then
the tear down on the third day?

TYLER PICKENS: Yeah. And certainly, again,
you can -- there's a wide variety of some of the set up
process in these tents, as you are well aware of. So some
are relatively easier, some are a little, take a little bit
more time. There's certainly a post-breakdown, but the event
itself is held on the day.

CHAIRPERSON MIETZ: Okay. And the max is
going to, by the end of the third day, it's all done?

TYLER PICKENS: That is correct, yes.

CHAIRPERSON MIETZ: Okay. Anything else from
anybody?

MS. SCHWARTZ: How long is your season where
you would be using tents? Because the condition last time
was no gas portable open flames heaters. So that's not an
issue, you don't think?

TYLER PICKENS: The open flame are not an
issue, no.

MS. SCHWARTZ: This is generally warm?

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

TYLER PICKENS: Those that -- because we do have some in the fall and they specifically use heaters that are made for the tents that they get from the tent company as well. So they are blowing in a direct vent.

MS. SCHWARTZ: Thank you.

CHAIRPERSON MIETZ: Questions, any other questions?

Okay, thank you.

Is there anyone in the audience that would like to speak regarding this application? There being none, then the Public Hearing is closed.

APPLICATION 3A-02-23

3A-02-23 Application of John and Monique Marchioni, owners of property located at 102 Southern Parkway, for Area Variances from Sections 207-6, 203-2.1B(2) and 203-9A(4) to 1) allow a detached garage to be 728 +/- sf in size after construction of a 317 +/- sf addition, in lieu of the maximum 600 sf allowed by code, and 2) allow said addition to be 4.7 ft. (3.7 ft from overhang) from a lot line where a minimum 5 ft. Setback is required by code. All as described on application and plans on file.

MONIQUE MARCHIONI: Good evening. My name is Monique Marchioni and I reside at 102 Southern Parkway,

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

Rochester, 14618.

We have, my husband John and I, have submitted this application to construct an extension on the rear of an existing garage. The purposed addition is 20.32 feet by 15 feet and this is actually more of a request for a renewal.

You granted us a variance previously on December 7, 2016, which has expired and so before today we are asking for an extension of that.

I do apologize to the Board that it didn't get constructed within the time frame that we had hoped to, and we are seeking the same extension.

I have communicated with our neighbors on either side of the property at 102 Southern Parkway and 108 Southern Parkway. And 108 Southern Parkway is the lot line that involves the side setback and he has indicated he has no objections to our request for the variance. I did not hear back from the neighbor at 102 Southern Parkway.

I also reached out to the neighbors that sit behind me, the one directly behind the garage is the Mertha family at 115, reached out to them and they have no objection to the proposed expansion.

I reached out to Miss Wolfe who I understand is here this evening, and she resides at 109 Eastland and

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3 she -- I don't want to put words in your mouth, but basically
4 what we have agreed to is, she, not without objection, but
5 she has concerns on an unrelated matter involving noise that
6 is emitted from our pool filter and has agreed that she would
7 be willing to put those concerns she has with respect to our
8 garage expansion aside, with our understanding that we work
9 with her to, in good faith, to come to a solution on the pool
10 filter matter, which we've agreed to work with her and
11 resolve that.

12 And the other neighbors behind us at
13 130 Eastland, that's the Mezner family. They also do not
14 have an objection.

15 And our application A through F goes through
16 all of the factors that need to be approved so I will defer
17 to that and what I submitted in writing. Thank you.

18 CHAIRPERSON MIETZ: So would you summarize at
19 least by saying that the design, and all of that, nothing has
20 changed since 2016?

21 MONIQUE MARCHIONI: Correct.

22 CHAIRPERSON MIETZ: Meets your requirements at
23 a minimum?

24 MONIQUE MARCHIONI: Yeah.

25 CHAIRPERSON MIETZ: Questions from the Board.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

MS. MCKAY-DRURY: Just a rough time to be doing construction. Was it pandemic related?

MONIQUE MARCHIONI: Yes. Many things, but yeah, pandemic related and just didn't get to the top of the priority list in that time frame and when we realized we wanted to build it, we're like, oh, we're beyond the expiration period.

CHAIRPERSON MIETZ: And you are aware of what the new expiration period would be?

MONIQUE MARCHIONI: An additional year, correct?

CHAIRPERSON MIETZ: Yes, okay.

No other questions?

Thank you very much.

MONIQUE MARCHIONI: Thank you.

CHAIRPERSON MIETZ: Is there anyone in the audience that would like to speak regarding this application? There being none, then the Public Hearing is closed.

APPLICATION 3A-03-23

3A-03-23 Application of Paul Morabito, architect, and Peter and Kim Eichenlaub, owners of property located at 337 Avalon Drive, for an Area Variance from Section 205-2 to allow a building addition to extend 3.2 ft.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

into the 18.47 ft. side setback required by code. All as described on application and plans on file.

PAUL MORABITO: This is Paul Morabito. This project is at 337 Avalon Drive. We initially went for our design approval from the Architectural Review Board and we had a two-story solution to minimize the footprint, which was not liked.

So we reworked it, got it on one floor and because of that, we just kept creeping over to try to get spaces to work, and creeping into the side setback.

So as stated, we are looking for a setback variance for just over three feet in order to make the layout work properly. Pete, the owner, he was talking to the neighbors and they're completely fine with this. There's no push back from any sides regarding the setback.

CHAIRPERSON MIETZ: Did you look at any alternatives of how to do this? Whether they made concessions or just look into it?

PAUL MORABITO: We probably did nine versions of this and it was kind of endless to get this as compact, but functional, and roof lines, and try to make it look good in the end. And this is the best we have thus far.

We do have ARB approval for this design at

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

this point we're looking for the various for the setback.

MS. SCHMITT: Maybe I sound curious, but I didn't see anything to explain the second kitchen and that's not to rent out as a private airbnb?

PETER EICHENLAUB: No, ma'am.

CHAIRPERSON MIETZ: Sir, can you just do name and address?

PETER EICHENLAUB: Sure. My name is Peter Eichenlaub, 337 Avalon here in Brighton. The reason for the kitchen and the living facility for our daughter, is she is disabled. She has a severe leg issue and she is losing her eye sight, okay? So she needs -- one of the reasons we wanted to keep this relatively tight as far as the living area goes, is because she can't be far away from walls or something to hang on to. If she has dizziness and is falling. Does that answer your question?

MS. SCHMITT: Yes.

MR. DISTEFANO: I will just kind of expand on that a little bit. Unfortunately, we are in a situation that as currently drawn interior wise it does meet the definition of a two-family home. So those are things that still have to be worked out by the design standpoint, the architect, or possibly a variance, an additional use variance from the

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

owners which I think might be a difficult variance to obtain.

So hopefully through the design process we can make sure this does not become a second dwelling unit, and it meets code requirements of a single-family home.

CHAIRPERSON MIETZ: Okay. So is that on going then?

MR. DiSTEFANO: It is on going, correct?

PETER EICHENLAUB: Yes.

MR. DiSTEFANO: Right now, if the variance is granted and they walk in tomorrow for the building permit, this design will not be approved for a building permit. If they are able to meet our requirements as a single-family dwelling, even though it has a second kitchen, even though it is a separated living area, we would certainly move forward with the building code.

CHAIRPERSON MIETZ: This is another chicken and egg thing?

MR. DiSTEFANO: Yeah. I think right now they want to make sure they have their approvals to get the building as is, in the envelope and then we have to work backwards and say, okay, how can make the use work.

PAUL MORABITO: Yeah. We are completely aware. We're working with Rick and Jason in how to check all

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

the boxes. But certainty we do need that, which does spill us over into the site setback. So if we can get, like he said, the envelope, that approval, then we will move on and work with you guys and try to get this, everybody happy.

CHAIRPERSON MIETZ: We won't get into the details of that. That's really not this Board's issue, but you feel confident that you can meet the requirements?

PAUL MORABITO: For sure. We are working with Rick and he's easy to work with.

CHAIRPERSON MIETZ: All right. Did you have something, sir?

PETER EICHENLAUB: It's probably, it may be more of a Rick than your purview, but my daughter has chemo treatments twice a year and afterwards for about six weeks she is basically in isolation and has to take care of herself during this time.

My wife and I wear masks all the time around her, so this is really the reason for the separate kitchen, so she can take care of herself.

CHAIRPERSON MIETZ: Okay, appreciate it.

Did you have anything else you wanted to add today?

PAUL MORABITO: No.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

CHAIRPERSON MIETZ: Questions?

Thank you, gentlemen.

Is there anyone in the audience that would like to speak regarding this application? There being none, then the Public Hearing is closed.

APPLICATION 3A-04-23

3A-04-23 Application of Christopher Costanza, architect, and Roberta and Steven Pheterson, owners of property located at 175 Glen Ellyn Way, for an Area Variance from Section 205-2 to allow a roofed over entry-way to extend 5.6 ft. into the 40 ft. front setback required by code. All as described on application and plans on file.

CHRISTOPHER COSTANZA: My name is Chris Costanza, I am an architect and I'm here to tell you about the variance for --

CHAIRPERSON MIETZ: An address for you?

CHRISTOPHER COSTANZA: The address, 175 Glen Allen.

MR. GORDON: Chris, if you need to go deal with your police issue at your office, we have two other matters we can --

CHRISTOPHER COSTANZA: I have someone taking care of it right now that's there.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRPERSON MIETZ: Okay. If you are sure?

CHRISTOPHER COSTANZA: Yes. I am an architect, not police or an investigator or anything else.

CHAIRPERSON MIETZ: Again, your address is what?

CHRISTOPHER COSTANZA: 175 Glen Allen.

CHAIRPERSON MIETZ: That's where you live?

CHRISTOPHER COSTANZA: No, my address is 314 Hollywood Avenue.

CHAIRPERSON MIETZ: Thank you.

CHRISTOPHER COSTANZA: So the variance that we are seeking is for adding a front entry porch for this house. It is a 1950 house, it does not have a front entry, guests are rained on when you are at the door. I was delivering the variance sign, I was getting rained on while waiting for the owner to open the door, so I understand the need for it.

The other need is on the inside corner of where the bump out is for the house. We are adding a small addition there to get a little bit more extra space on the interior entry. When you walk in now there is very little room and basically if two people walk in at the same time, one person has to come back up into the hallway space.

So by gaining this extra space, this small

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

addition has two feet by three feet, we are able to have some extra floor space on the inside entry there that will be used for boots and shoes, coats, that stuff.

MR. DiSTEFANO: For the record, that little addition does not need any variances. That little addition is well within the footprint of the house and doesn't increase the nonconformity.

CHRISTOPHER COSTANZA: So the variance portion is where we wanted, right now there is a paper stone entry stoop right outside of the doors. We want to put a roof covering over that and two columns that will be going down to the ground. So the footprint of the variance with the two columns, no walls or anything, or rails, just two columns and the roof overhang above it.

CHAIRPERSON MIETZ: Okay.

Questions?

MR. DiSTEFANO: Just ask a question, have you gone to Architectural Review Board yet?

CHRISTOPHER COSTANZA: Yes.

MR. DiSTEFANO: And they approved it?

CHRISTOPHER COSTANZA: I didn't check today, but they seemed --

MR. DiSTEFANO: Seemed receptive yesterday?

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

CHRISTOPHER COSTANZA: Yes.

CHAIRPERSON MIETZ: Okay, very good. Thank you very much.

Is there anyone in the audience that would like to speak regarding this application? There being none, then the Public Hearing is closed.

APPLICATION 3A-05-23

3A-05-23 Application of Alan Ryon, owner of property located at 111 Bastian Road, for 1) an Area Variance from Sections 203-2.1B(2) and 203-9A(4) to allow a detached garage to be 985 sf in size, after construction of a 485 sf addition, in lieu of the maximum 600 sf allowed by code; and 2) an Area Variance from Section 207-6A(1) to allow said garage addition to be 16.5 ft. in height in lieu of the maximum 16 ft. allowed by code. All as described in application and plans on file.

ALAN RYON: Good evening. Alan Ryon, 111 Bastian Road, Rochester, New York.

So we are going to put on one additional bay onto our existing garage. As it currently stands that would go right up to the boundary line of our lot, but we own the side lot next to us. So as part of this we would merge that side lot into our main lot.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3 So after it's built we would still have a side
4 setback of 41 feet. We have a sizeable lot. It is about
5 1.15 acres total and is about the wood, and all sorts of
6 stuff, so we have plenty of room to do it.

7 I have asked the neighbors as well on all
8 sides of us, they have all given written approval, which I
9 attached to the application. Even went another kind of ring
10 outside of that and still had no issues.

11 Kind of the primary reason that we want to do
12 that is our current two bay garage, you can't park a vehicle
13 into one bay because the previous owners of our house they
14 did an addition onto our house that made it, kind of made the
15 house closer to the garage. And you can't even get a car
16 into the one bay.

17 So I guess kind of the end goal is to have a
18 usable two bay garage with a bay of storage, I guess, would
19 be kind of the way to explain that.

20 And so right now we park usually our vehicles
21 kind of in the driveway. We'd like to get them kind of
22 inside and covered. Also, a combination of my work, I travel
23 a lot and my wife does too. Often times we'd like to keep
24 our cars in a locked garage. We have had some issues in the
25 past with thefts and whatnot.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

Yeah, I think that's most of it.

CHAIRPERSON MIETZ: Can you describe this lot situation? Looking at the map here, this lot next to you.

ALAN RYON: So the one on the map is labeled lot 75. So we own both of those. That one is actually in my wife's name and our primary lot 76 here on the map is the primary lot that I own.

So what we would do is, before we did any build, we would combine the lots, so we would get surveyed and just bring them together. Which would actually be quite upsetting to the character of the neighbor because I don't know if folks are familiar with Bastian Road, but it is kind of all old growth trees, very, very wooded. And this lot is real skinny, that side lot. I think if, and still build the lot, so we would be kind of taking it off the map keep more inmate neighborhood.

And we would also be built on the design of the garage which mimic the existing structure, so they will look fairly similar.

MS. SCHWARTZ: Just a question, how long have you lived there?

ALAN RYON: I moved in at the end of 2015, my wife grew up in the house, her dad grew up in the house. Her

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

grandpa built the house, so I'm forever going to be the guest.

CHAIRPERSON MIETZ: Okay.

MS. SCHMITT: Did I read correctly that you did not think you were taking down any of the large trees?

ALAN RYON: Correct. No, we wouldn't. There's only one small tree, a seven or eight inch diameter, and I'm going to try to move it instead. It's a lilac, which is nice.

CHAIRPERSON MIETZ: Questions?

MR. DiSTEFANO: One question Alan, are there other structures in the surrounding area that are that size or larger?

ALAN RYON: Yeah, good question. I don't know. I haven't been too much to those neighboring streets. I know there's been at least one neighbor, two houses from me, built a second garage. Probably the total of their original attached garage and detached is this, but I don't know if they are all the same exact size.

One thing kind of to address that, is that the one bay is kind of almost tucked back behind the house now. So visible, like standing in the driveway and looking at the house, you still only see two bays. Of course, you went down

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

the road, you'd still see three from an angle. So that might address concerns. But that's a good question.

CHAIRPERSON MIETZ: Anything else, Board members?

Okay, thank you.

Is there anyone in the audience that would like to speak regarding this application? There being none, then the Public Hearing is closed.

APPLICATION 3A-06-23

3A-06-23 Application of Larry and Stacy Turowski, owners of property located at 141 St. Regis Drive South, requesting modification of an approved setback variance for a detached garage (10A-08-22) to be reduced from the approved 4.7 ft to 2.7 ft where a 5 ft minimum setback is required by code. All as described on application and plans on file.

STACY TUROWSKI: Stacy Turowski, 141 St. Regis Drive South. The modification is requested because the variance application submitted in October and approved, was based on armature drawings. As soon as we had an approval, we hired the architect who drew what we proposed, but found based on his professional measurements that if we did the enlargement that we area seeking, we would not be able to

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3 stay within the three-foot setback on our front left corner
4 and it was going to one-foot, he found. Our property line is
5 sharply slanted and we were unaware of this until he did
6 those measures.

7 So we worked with him to come up with another
8 way to try to get the additional square footage or the
9 additional depth and proposed to put the additional two feet
10 in the back of our garage instead of in the front, which is
11 what we had on our original application in October.

12 And so, that would place us an additional two
13 feet closer to our back property line. So that's where in
14 the original setback was 4.7 feet, based on the existing
15 garage we were originally planning to keep the back wall the
16 same, and put the depth towards the front road. We thought
17 that wouldn't impact either of our neighbors, but because of
18 the slant to the property line we found out that wasn't true.
19 So we are requesting to gain that space in the back.

20 MS. MCKAY-DRURY: I just want to be clear.
21 The way you had gotten it approved previously, what was the
22 one foot issue that you mentioned?

23 STACY TUROWSKI: I found out after the we got
24 the approval that the proposal that we submitted to draw to
25 expand to the front towards St. Regis Drive South because the

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

property line is so sharply slanted that the front left corner of the new garage would come within one foot of our neighbors' property line. So that's why we had to scrap that.

MS. MCKAY-DRURY: So instead you're pushing it backwards so it's not so --

STACY TUROWSKI: So it's keeping the front left corner about three foot 3.03 setback on that corner and then the proposal is to reduce the back setback to 2.7.

MS. MCKAY-DRURY: Okay. Thank you.

MR. DiSTEFANO: So just to be clear, for the Board the 3.03 which is staying the same as what we approved in October is the lot line shared with 153 South Regis. And then the 4.7 reduced to 2.7 is the lot line shared with the 95 Antlers, not labelled on the map. So it's not the back of their house, that's the side because it's a corner lot.

MS. SCHWARTZ: And 95 is on what street again?

MR. DiSTEFANO: Antlers.

Did you talk to your neighbor at 95 Antlers?

STACY TUROWSKI: Yes. We spoke yesterday. I think she wants to voice some reservations about that.

CHAIRPERSON MIETZ: Okay, that's fine.

Anything else you want to add?

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STACY TUROWSKI: Nope.

MR. DiSTEFANO: The height it staying the same as what was approved?

STACY TUROWSKI: Yeah. It would be under the approved, yeah.

MR. DiSTEFANO: It wouldn't exceed the 19.5 that you were approved at?

STACY TUROWSKI: No. We might not end up, if we are -- if we proceed with the whole project, we might not end up being able to do the second floor. So we probably would just do the standard 16 in that case.

The current drawings do show a second floor, because that was what we wanted to do, but our -- we did have a conversation yesterday and that was one of the main concerns of our neighbor at 95 Antlers expressed was, she wasn't keen on the idea of having the second floor. That's one thing that we were kind of on the fence about, the second floor, to begin with. It does add significant cost and it's -- so we might just go with the one story at this point.

MS. McKAY-DRURY: And if you push it back the way you are proposing, but you did not go back further into the, like, the back of that, if you didn't infringe on that back setback, would you be able to accomplish your purposes?

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3 Could you fit a car, for example, in there if you didn't push
4 it back all the way, the way you are proposing?

5 STACY TUROWSKI: We are able to get our
6 minivan in there, but it bumps up against every time. So
7 that's why we want to expand the depth is to, you know, be
8 able to go in without that.

9 Our other car fits, you know, so it is,
10 technically it's functional. It is 20 feet deep currently,
11 so it's 20 by 20 essentially.

12 MR. DiSTEFANO: So depth is more important
13 than height?

14 STACY TUROWSKI: Right. The height is not a
15 make or break deal with us. We wanted the extra space, but
16 as we started investigating costs, we were thinking maybe
17 that upper floor space is something we could live without and
18 again, perhaps, you know.

19 So, yeah, the main issue is to be able to get
20 our cars in and out more easily is what our main objective
21 is.

22 CHAIRPERSON MIETZ: Okay. Other questions?

23 Okay, thank you.

24 Come right up.

25 LAURA MARES: Hello, everybody. My name is

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

Laura Mares, I live at 95 Antlers Drive. We have been adjacent neighbors with Stacy and Larry for 20 years.

I missed the variance hearing that was in October because it didn't involve a setback to us. It involved -- and I didn't realize it was a height variance and I said, oh, I won't come to the hearing because it was Stacy and Larry's plan A, which was to go forward, not to go back.

I was surprised to see Stacy's note on my doorway on Thursday in the ice storm and the town notice on Friday to come to this hearing shortly on Wednesday, which seems like a quick turnaround.

I met with Stacy yesterday to see and kind of visualize what she is talking about. And at first I thought, hmmm, just a look around. And I was wondering if I had enough time for information to make a decision. And it's not my decision unilaterally, my husband Felix, he has input. And he had an input and had a chance to put input in today right before this. But he said, you can do whatever you want. I'm like, oh, okay.

But I have concerns about coming back. Going from, its not even the full five feet, I guess it is 4.7, to knocking two more feet off it. And especially with the height of the garage, too. So it seems like it's not only

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3 closer but higher. So to me, is just the perception doesn't
4 seem right.

5 So I just have -- I don't think it works for
6 me at this point. I didn't ask for a delay and I didn't know
7 if this happened. I sent an e-mail to Rick -- hello, Rick --
8 and he said just an e-mail alone would be enough that I
9 wouldn't need to come and try to explain.

10 So I just -- I think it's too close. And
11 again, I missed the variance hearing about the height, so I
12 have to deal with that because I didn't realize the height is
13 something that's controlled, which is coming back. Then I
14 guess I have to say, no, if it can't be delayed.

15 CHAIRPERSON MIETZ: Do you have concerns about
16 the height?

17 LAURA MARES: Yeah, I do. Especially when
18 Stacy and Larry first said it was, I think, 17 feet? Or
19 whatever the variance was. I totally missed that. I think
20 that is really high, and a little bit out of line for the
21 neighborhood. But I don't have time to walk around and go
22 look and measure, but to me that height seems high.
23 Especially if you have it in the height, I can't do anything
24 about it now because it's already been passed.

25 But the height, plus coming forward, the

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

diagonal property line, it just makes it -- I was visualizing it again today outside and it just seemed like it would be more looming with the height coming closer in, so.

MS. MCKAY-DRURY: Can you tell us anything about the layout on your property? What is this next to?

LAURA MARES: My property?

MS. MCKAY-DRURY: Yeah.

LAURA MARES: Well, the side, the side is Stacy and Larry's property. We have a long diagonal property line that goes from Amherst Drive all the way to the back corner of our lots. The neighbor at 153 are guests, what we call backyard neighbors, and my next door neighbor is 85 Amherst Drive.

MS. MCKAY-DRURY: And in terms of the structures of your -- on your property, can you explain what is near that shared lot line with 141?

LAURA MARES: The back corner of the house, it is not, like, immediately close but it's enough that there's stuff we do in the yard, you know. Just seems like it is just jamming it a little close. I was surprised to find out when Stacy said the measurement was 4.7 anyway. It wasn't even the five feet required. So somewhere along the line they lost the few inches.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

But I just, it felt like going to 4.7, that losing another two feet just seemed too much.

And at first, I was like, okay, maybe I can delay it. That's what I said to Rick, maybe I can submit this stuff and ask for a delay. Because I needed a chance to get more information.

But the more I think about that, I think I say no.

CHAIRPERSON MIETZ: So you don't think at this point you'd be needing more information?

LAURA MARES: Well, I still would if, you know -- I haven't looked at the plans or anything that has been submitted. I haven't had a chance because of work and illness. So I don't know if that would help me, it might. I'm kind of an information person and I like to make decisions based on the information I receive.

CHAIRPERSON MIETZ: Okay, thank you very much. Is there anyone else that would like to speak regarding this application?

MR. GORDON: I know this is a little out of order, Mr. Mietz, but I was wondering if you can have, Ms. Turowski come back up? I have a couple questions. Is that okay?

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

CHAIRPERSON MIETZ: That's fine.

STACY TUROWSKI: Sure.

MR. GORDON: This is only because I think I have bad eyesight. I am having trouble seeing the dimensions of the new garage. Can you help me understand what the dimensions of the new garage ought to be?

STACY TUROWSKI: So, well, this includes a jut out here, that's not going to be part of the final design because that doesn't leave us a full space over here, so this is presumably going straight across. The width is 25 and then and the new depth is 24 -- I'm sorry, 22.

MR. DiSTEFANO: With that bump out, works out to be about 582 square feet. Without the bump out it would probably reduce it by about 40 square feet.

CHAIRPERSON MIETZ: Still under the 600 square foot.

STACY TUROWSKI: I think the bump out is four by eight. We didn't have time for another round of drawings from the architect, but we learned by just going out there ourselves that that bump out won't work because of our -- that sharp property line.

Does that answer your question?

MR. GORDON: Part of it does. So the interior

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3 dimensions of the new garage will be how deep? That is, how
4 far from where you enter the garage to the back wall?

5 STACY TUROWSKI: That's 22. It's currently
6 20, proposing to do 22.

7 MR. GORDON: Okay.

8 STACY TUROWSKI: So this front left is staying
9 where the current one is, and then going back 22 instead of
10 20.

11 MR. GORDON: Did I understand you to say the
12 reason you need this 22 feet instead of your existing 20 feet
13 is because of the vehicle that you own and drive?

14 STACY TUROWSKI: Yeah. Just that it's our
15 minivan is long.

16 MR. GORDON: What minivan is that?

17 STACY TUROWSKI: Honda Odyssey.

18 MR. GORDON: So a Honda Odyssey is
19 approximately 17 to 18 feet long?

20 MR. DiSTEFANO: 20 foot is probably --

21 MR. GORDON: So you need -- right.

22 So if your Honda Odyssey, and I think
23 Mr. DiStefano is correct, I did just look it up and I think
24 the measurement of the length of a Honda Odyssey is about
25 205 inches, if I did the full math on this.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Want to help me, Heather?

MS. MCKAY-DRURY: 17.1 feet.

MR. GORDON: So 17 feet. Can you explain to the Board please, why you need a 22-foot interior of the garage for a vehicle that is 17 feet long, particularly if you are addressing the issue of why that is the minimum necessary that you need?

STACY TUROWSKI: Well, that our existing space we have stuff stored in the back. And so there's like a shelf and some tools, and so getting in there -- because we don't have any place for, you know, the tools. It's just a small space, so.

MR. GORDON: Right. And you said your current garage is approximately 20 by 20; is that correct?

STACY TUROWSKI: Yes.

MR. GORDON: So, even I can do that math, and so the new garage at 22 by 25.

STACY TUROWSKI: Uh-uh.

MR. GORDON: Will be about just under 550-square feet?

CHAIRPERSON MIETZ: Yes, right.

MR. GORDON: So you gain 150-square feet. If you reduced it to even 21 feet in depth, you cut another foot

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

off that property and you still have --

STACY TUROWSKI: Could move the tools from the back.

MR. GORDON: I'm sorry, the Stenographer cannot take us both talking over each other, so if you can let me finish and then you can answer.

So even if you reduced it to 21 feet deep, you would still have an extra 125 foot of storage space in the garage. Why doesn't that do the trick for you?

STACY TUROWSKI: That could presumably work.

MS. SCHMITT: Ms. Turowski, when you have your minivan, the Honda Odyssey, and you have opened the back, does it open -- how does it open? Do you need extra space for that?

STACY TUROWSKI: What do you mean? Oh.

CHAIRPERSON MIETZ: Are you talking about the hatch?

MS. SCHMITT: Yeah. I own a Honda minivan and I will tell you, you have to -- and it's a very tight Brighton garage -- when you open it, when I open mine, I need to have extra feet in the back when I open the hatch because of the way that it comes out when you open it.

STACY TUROWSKI: Yeah. It opens into the

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

driveway. I don't think there would be a way to open it within the garage, even expanded to 22 feet. I will always open it into the driveway.

MR. GORDON: I just wanted to make sure the Board has all of the information.

CHAIRPERSON MIETZ: Thank you.

LAURA MARES: Can I come back up?

CHAIRPERSON MIETZ: Yes.

LAURA MARES: I was listening, and I'm just curious, Stacy and Larry's proposal for the garage, if there's any way it could, like, go forward, like, they thought, or go more sideways instead of just coming and cutting that small area?

I think there's a property variance that had been a lot bigger I probably not worry about two feet. But if it's the 4.7 feet and it seem very close. That's all.

Thank you, all.

CHAIRPERSON MIETZ: Thank you.

Is there anyone else or are we good?

Okay, thank you.

The Public Hearing is closed.

* * *

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

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 26th day of April, 2023.

At Rochester, New York

R h o d a C o l l i n s
Rhoda Collins.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

BRIGHTON

ZONING BOARD OF APPEALS MEETING

DELIBERATIONS

MARCH 1st, 2023
at approximately 7:15 p.m.
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

DENNIS MIETZ, Chairperson

MATTHEW D'AUGUSTINE.)	
HEATHER McKAY-DRURY)	
KATHLEEN SCHMITT)	BOARD MEMBERS
JUDY SCHWARTZ)	

KEN GORDON, ESQ.
Town Attorney

RICK DiSTEFANO
Senior Planner

NOT PRESENT:
EDWARD F. PREMO, II
ANDREA TOMPKINS WRIGHT

(The Board having considered the information presented by the Applicant in each of the following cases and having completed the required review pursuant to SEQRA, the following decisions were made:)

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

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

APPLICATION 3A-01-23

3A-01-23 Application of the Country Club of Rochester, owner of property located at 2935 East Avenue, for a Temporary and Revocable Use Permit pursuant to Section 219-4 to erect a tent and hold up to six (6) outdoor weddings/club special events for the year 2023. All as described on application and plans on file.

Motion made by Mr. D'Augustine to approve Application 3A-01-23 based on the following findings and facts.

FINDINGS AND FACTS:

1. The applicant is requesting a variance to allow an erection of a tent and hold up to six outdoor wedding and club special events for the remainder of the year, 2023.

2. Granting of the permit will not negatively impact the health, safety, or general welfare of the community. The tent will be installed by a professional tent company and will only be for weddings and special events.

3. The special events will last no more than a day and conclude by 11:00 p.m.

4. There's ample parking to accommodate the event goers.

5. Granting of the request will not result in a change in the character of the neighborhood or be detrimental to

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

surrounding properties since the location of the proposed tent is within the confines of the County Club grounds behind the club are not clearly visible from the road.

CONDITIONS:

1. The temporary revokable use permit is granted per the application submitted and testimony given for the remainder of 2023 for up to six events for the year.

2. All necessary permits shall be obtained from the fire marshal.

3. If temporary heating is requested, only approved portable forced air eating units shall be provided. Portable LP gas fire pedestal style heaters or propane appliances used under a temporary structure are strictly prohibited by the 2020 fire code of New York State and the manufacturer product listing.

(Second by Ms. McKay-Drury.)

(Ms. Schwartz, yes; Mr. Mietz, yes; Ms. Schmitt, yes; Ms. McKay-Drury, yes; Mr. D'Augustine, yes.)

(Upon roll call, motion to approve with conditions carries.)

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

APPLICATION 3A-02-23

Application of John and Monique Marchioni, owners of property located at 102 Southern Parkway, for Area Variances from Sections 207-6, 203-2.1B(2) and 203-9A(4) to 1) allow a detached garage to be 728 +/- sf in size after construction of a 317 +/- sf addition, in lieu of the maximum 600 sf allowed by code, and 2) allow said addition to be 4.7 ft. (3.7 ft from overhang) from a lot line where a minimum 5 ft. Setback is required by code. All as described on application and plans on file.

Motion made by Mr. Mietz to approve Application 3A-02-23 based on the following findings and facts.

FINDINGS AND FACTS:

1. The requested variances are the minimum variances possible to meet the applicant's desire.
2. No other alternative can alleviate the difficulty and produce the desired result, and a structure large enough to accommodate storage of the applicant's gardening equipment and recreational vehicles.
3. No unacceptable change in the character of the neighborhood nor substantial detriment to nearby properties is expected to result from the approval of these variances as

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

the proposed garage addition will be in character with the existing home and other homes in the neighborhood. In particular, with the expansion of this garage the applicant will have no need to build any separate outbuildings for equipment storage.

4. The hardship is not self-created as the garage is currently three feet from the side setback rather than the minimum five feet required.

5. The health, safety, and welfare of the community will not be adversely affected by the approval of these variances.

CONDITIONS:

1. The variances will only apply to the particular structure described in the application submitted and testimony given.

2. The garage addition shall be used for storage purposes as described in the testimony given.

3. And the exterior of the addition shall be completed with harmonious materials to the existing garage.

4. All necessary building permits shall be obtained.

(Second by Mr. D'Augustine.)

(Ms. Schmitt, yes; Ms. McKay-Drury, yes; Ms. Schwartz, yes; Mr. D'Augustine, yes; Mr. Mietz, yes.)

(Upon roll call, motion to approve with conditions carries.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

APPLICATION 3A-03-23

3A-03-23 Application of Paul Morabito, architect, and Peter and Kim Eichenlaub, owners of property located at 337 Avalon Drive, for an Area Variance from Section 205-2 to allow a building addition to extend 3.2 ft. into the 18.47 ft. side setback required by code. All as described on application and plans on file.

Motion made by Ms. McKay-Drury to approve Application 3A-03-23 based on the following findings and facts.

FINDINGS AND FACTS:

1. The variance will not result in a substantial change in the character of the neighborhood because most of the surrounding homes are the size that this house will be with the addition. And this variance is only for a 3.19-foot side setback encroachment along a diagonal property line.

2. The difficulty in necessitating the variance cannot be solved in another manner because these are the necessary dimensions for the addition to suit the homeowner's need for providing a separate living space for their adult disabled daughter. If it is to be one story and the ARB has worked with the homeowner on altering what was originally a two-story addition.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

3. The variance is the minimum necessary to grant the relief from the difficulty because the daughter's modestly sized bedroom and sitting room must be this size for adequate traffic patterns and furniture. Meanwhile the bathroom and kitchen are necessary so that the daughter can be isolated following chemotherapy infusions.

4. The variance is consistent with surrounding properties so as to not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because it fits with the existing house.

5. The difficulty is not self-created because of the original plan for a second story and the ARB rejecting that design plan which would not have encroached on the setback.

CONDITIONS:

1. This variance is granted limited to the application filed and testimony given.

2. All necessary ARB approvals and building permits will be obtained.

(Second by Ms. Schwartz.)

(Mr. D'Augustine, yes; Mr. Mietz, yes;
Ms. Schmitt, yes; Ms. Schwartz, yes; Ms. McKay-Drury, yes.)

(Upon roll call, motion to approve with
conditions carries.)

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

APPLICATION 3A-04-23

3A-04-23 Application of Christopher Costanza, architect, and Roberta and Steven Pheterson, owners of property located at 175 Glen Ellyn Way, for an Area Variance from Section 205-2 to allow a roofed over entry-way to extend 5.6 ft. Into the 40 ft. Front setback required by code. All as described on application and plans on file.

Motion made by Ms. McKay-Drury to approve Application 3A-04-23 based on the following findings and facts.

FINDINGS AND FACTS:

1. The variance will not result in a substantial change in the character of the neighborhood or detrimentally effect surrounding properties because the open unenclosed structure will maintain horizontal views under the roof line for neighboring homes and pedestrians and the structure is over 34 feet away from the sidewalk.

2. The difficulty necessitating the variance request cannot be solved in another manner not requiring a variance because there's currently no sheltered area at the main exterior entry and this will provide a needed protection from rain for guests and delivered packages, as well as assisting keeping the landing safer in winter from snow and ice.

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

3. The variance requested is not substantial, in that there will still be over 34 feet from the sidewalk to the open unenclosed structure.

4. The variance is the minimum necessary to grant relief from the difficulty because the exterior porch roof is only five feet in depth which will serve as reasonable rain and snow shelter. The depth of the porch is the minimum that the homeowner felt was practical for protecting the entry landing for the majority of inclement weather.

5. The proposed variance is consistent with surrounding properties, so as not to have an adverse effect or impact on the physical or environmental conditions of the neighborhood. And the existing entry stoop already has a handrail with vertical styles that extend further than the new proposed railing.

CONDITIONS:

1. The variance is granted based on the application filed and the testimony provided.

2. All necessary building permits and ARB approvals will be obtained.

3. The structure will remain open and unenclosed.

(Second by Ms. Schwartz.)

(Mr. Mietz, yes; Ms. Schmitt, yes;

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

Mr. D'Augustine, yes; Ms. Schwartz, yes; Ms. McKay-Drury,
yes.)

(Upon roll call, motion to approve with
conditions carries.)

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

APPLICATION 3A-05-23

3A-05-23 Application of Alan Ryon, owner of property located at 111 Bastian Road, for 1) an Area Variance from Sections 203-2.1B(2) and 203-9A(4) to allow a detached garage to be 985 sf in size, after construction of a 485 sf addition, in lieu of the maximum 600 sf allowed by code; and 2) an Area Variance from Section 207-6A(1) to allow said garage addition to be 16.5 ft in height in lieu of the maximum 16 ft allowed by code. All as described in application and plans on file.

Motion made by Ms. Schmitt to approve Application 3A-05-23 based on the following findings and facts.

FINDINGS AND FACTS:

1. The homeowners wish to build a new bay onto their garage that will allow both their vehicles to be parked inside. They also desire to have extensive storage to place the family's outdoor equipment. To accomplish this, they are seeking two variances. The first variance request is to allow for a detached garage to be 985 square feet in size in lieu of the maximum 600 square feet allowed by code. The second variance request is to allow the new garage to be 16.5 feet in height in lieu of the maximum 16 feet allowed by

code.

3. If the variances are approved, the homeowners intend to combine the side lot to the left of their home with their existing lot, which will allow most of the space in the side lot to remain as green space.

4. The granting of these variances will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. The property is on a large lot and the expanded garage is set back from the road. The homeowners stated that no large trees will be removed because of the addition and garage expansion and multiple neighborhoods have sent letters of support.

5. The requested variances are not substantial and are the least required to fit the modern storage and automobile needs of this family.

6. There's no evidence that there will be a negative impact on the health, safety, and welfare of the neighborhood.

CONDITIONS:

1. The variances apply only to the garage addition as described in the application and testimony provided and will not apply to future projects.

2. All necessary building permits shall be obtained.

3. Prior to the issuance of a building permit, proof of a

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

subdivision plat shall be submitted to the Town of Brighton building planning department for review and approval and filed with Monroe County.

(Second by Ms. McKay-Drury.)

(Ms. Schwartz, yes; Mr. D'Augustine, yes; Mr. Mietz, yes; Ms. McKay-Drury, yes; Ms. Schmitt, yes.)

(Upon roll call, motion to approve with conditions carries.)

BRIGHTON ZONING BOARD OF APPEALS 03/01/2023

APPLICATION 3A-06-23

3A-06-23 Application of Larry and Stacy Turowski, owners of property located at 141 St. Regis Drive South, requesting modification of an approved setback variance for a detached garage (10A-08-22) to be reduced from the approved 4.7 ft to 2.7 ft where a 5 ft minimum setback is required by code. All as described on application and plans on file.

Motion made by Ms. Schwartz to table Application 3A-06-23 for more definite building architectural plans and reopen the Public Hearing.

(Second by Ms. Schmitt.)

(Mr. Mietz, yes; Mr. D'Augustine, yes; Ms. McKay-Drury, yes; Ms. Schmitt, yes; Ms. Schwartz, yes.)

(Upon roll call, motion to table and leave the Public Hearing open carries.)

* * *

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 26th day of April, 2023.

At Rochester, New York

Rhoda Collins
Rhoda Collins