

A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
AUGUST 3, 2022

Due to the public gathering restrictions because of COVID-19 and the adoption of Chapter 417 of the laws of 2022, this Zoning Board meeting will be conducted remotely beginning at 7:00 pm or as soon thereafter as possible. Members of the public will be able to view the meeting via Zoom.

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

Applications subject to public hearings are available for review on the town's website no later than twenty-four hours prior to the meeting.

The public may join the Zoom meeting and share comments with the Board. For Zoom meeting information, please reference the town's website at <https://www.townofbrighton.org> prior to the meeting.

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approve the minutes of the July 6, 2022 meeting. **To be done at the September 7, 2022 meeting.**

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of July 28, 2022 will now be held.

[8A-01-22](#) Application of John Inzinna and Jacylyn Whitney, owners of property located at 325 Antlers Drive, for an Area Variance from Section 207-2A to allow a 6.5 ft. high fence in a front yard area where a maximum 3.5 ft high fence is allowed by code. All as described on application and plans on file.

[8A-02-22](#) Application of Michael Jachles, owner of property located at 135 Edgemoor Road, for an Area Variance from Section 205-2 to allow a deck to extend 6 +/- ft into the 40 ft. rear setback required by code. All as described on application and plans on file.

[8A-03-22](#) Application of Meaghan Fee Spencer, owner of property located at 111 Hampshire Drive, for an Area Variance from Section 203-2.1B(7) and 203-9A(4) to allow an air conditioning unit to be 4 ft. from a lot line in lieu of the minimum 5 ft. required by code. All as described on application and plans on file.

[8A-04-22](#) Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for a Use Variance from Section 203-44 to allow a gas station with convenience store to be located in a BE-1 Office

and Office Park District where not allowed by code. All as described on application and plans on file.

[8A-05-22](#) Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for an Area Variance from Section 207-6B to allow an accessory structure (gas canopy) to be located in a front yard in lieu of the rear yard as required by code. All as described on application and plans on file.

[8A-06-22](#) Application of PEMM, LLC, contract vendee, and Bristol Valley Homes, LLC, owner of property located at 3108 East Avenue, for Area Variances from Section 205-18 to 1) allow parking of vehicles to within 2 ft. for a side lot line (north) where a 10 ft. setback is required by code, and 2) allow paved areas / aisles up to the front lot line where a 20 ft. setback is required by code. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

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

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

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Pamela and Scott Stewart, 474 Allens Creek Road, dated July 17, 2022, in opposition to applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Julie Jackson-Ray, 3861 Elmwood Avenue, dated July 18, 2022, in opposition to applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Nancy Williams and Carl Sardegna, 999 Allens Creek Road, dated July 19, 2022, in opposition to applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Bruce and Pam Baker, 500 Allens Creek Road, dated July 19, 2022, in opposition to applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Jean Daimath, East Avenue, dated July 28, 2022, with comments and concerns regarding applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter, with attachments, from Bridget Stone, 110 Allens Creek Road, with comments and concerns regarding applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Megan Henry, 980 Allens Creek Road, dated August 1, 2022, in opposition to applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Linda Stevenson, 12 Creekdale Lane, with questions and objections regarding applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Tyler Wolk, 3161 East Avenue, in opposition to applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

Letter from Peter J. Weishaar, Partner, McConville, Considine, Cooman & Morin PC, dated August 2, 2022, representing Robert and Karen Bentley, owners of property at 3939 Elmwood Avenue, in opposition to applications 8A-04-22, 8A-05-22 and 8A-06-22, 3108 East Avenue.

PETITIONS:

NONE