

A G E N D A  
BOARD OF APPEALS - TOWN OF BRIGHTON  
OCTOBER 4, 2023

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](mailto:rick.distefano@townofbrighton.org).

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

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approve the minutes of the September 6, 2023 meeting.

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of September 28, 2023 will now be held.

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[10A-01-23](#) Application of Andrew Sheppard, agent, and David Kolczyski, owner of property located at 1501 Monroe Avenue, for a Sign Variance from Section 207-26D to allow a business identification sign to incorporate a pictorial sign that exceeds the maximum allowable 25% of total sign area. All as described on application and plans on file.

[10A-02-23](#) Application of Erik Bjorneby, agent, and Larry Chen, owner of property located at 2852 West Henrietta Road for an Area Variance from Section 205-12 to allow for 47 on-site parking spaces in lieu of the minimum 60 parking spaces required by code for the establishment of a Papa John's take-out pizza restaurant. All as described in application and plans on file.

[10A-03-23](#) Application of Exceptional Exteriors and Interiors, contractor, and Matt DeRosa, owner of property located at 148 Dale Road, for an Area Variance from Section 205-2 to allow a covered porch to extend 8 ft. into the existing 30 ft. front setback where a 40 ft. front setback is required by code. All as described in application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

NONE

PETITIONS:

NONE

Project: 10A-01-23

Date: 10-4-2023

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

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

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

Agency Use Only [If applicable]	
Project:	10A-01-23
Date:	10-04-2023

### ***Short Environmental Assessment Form*** ***Part 3 Determination of Significance***

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

The proposed project deals only with a business identification sign that will be mounted to the building face, having no short-term, long-term or cumulative environmental impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Brighton Zoning Board of Appeals <hr/> Name of Lead Agency	October 4, 2023 <hr/> Date
Rick DiStefano <hr/> Print or Type Name of Responsible Officer in Lead Agency	Secretary - Zoning Board of Appeals <hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

Project: 10A-02-23

Date: 10-4-2023

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

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

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

Agency Use Only [If applicable]	
Project:	10A-02-23
Date:	10-04-2023

### ***Short Environmental Assessment Form*** ***Part 3 Determination of Significance***

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

The proposed project deals only with a reduction in required number of parking spaces, having no short-term, long-term or cumulative environmental impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Brighton Zoning Board of Appeals <hr/> Name of Lead Agency	October 4, 2023 <hr/> Date
Rick DiStefano <hr/> Print or Type Name of Responsible Officer in Lead Agency	Secretary - Zoning Board of Appeals <hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

# PARKING SURVEY - 10A-02-23

**PAPA JOHNS**

**2852 West Henrietta Road, Rochester NY**

**PARKING VACANCY**

DATE	9/26/23 Tuesday									
LUNCH	12:00 PM	12:15 PM	12:30 PM	12:45 PM	1:00 PM	1:15 PM	1:30 PM	1:45 PM	2:00 PM	
# VACANT SPOTS	35	34	30	32	34	35	35	34	35	

DATE	9/26/23 Tuesday									
DINNER	5:00 PM	5:15 PM	5:30 PM	5:45 PM	6:00 PM	6:15 PM	6:30 PM	6:45 PM	7:00 PM	
# VACANT SPOTS	32	34	33	32	32	33	31	32	30	

DINNER	7:30 PM	7:45 PM	8:00 PM
# VACANT SPOTS	35	35	35

**PAPA JOHNS****2852 West Henrietta Road, Rochester NY****PARKING VACANCY**

DATE 9/27/23 WEDNESDAY										
LUNCH	12:00 PM	12:15 PM	12:30 PM	12:45 PM	1:00 PM	1:15 PM	1:30 PM	1:45 PM	2:00 PM	
# VACANT SPOTS	35	36	36	37	34	38	37	36	36	

DATE 9/27/23 WEDNESDAY										
DINNER	5:00 PM	5:15 PM	5:30 PM	5:45 PM	6:00 PM	6:15 PM	6:30 PM	6:45 PM	7:00 PM	
# VACANT SPOTS	32	35	36	36	38	35	36	34	35	

DINNER	7:30 PM	7:45 PM	8:00 PM
# VACANT SPOTS	33	32	33



PAPA JOHNS

2852 West Henrietta Road, Rochester NY

PARKING VACANCY

DATE 9/24/23 Sunday									
LUNCH	12:00 PM	12:15 PM	12:30 PM	12:45 PM	1:00 PM	1:15 PM	1:30 PM	1:45 PM	2:00 PM
# VACANT SPOTS	33	31	29	32	33	33	30	31	33

DATE 9/23/23 Saturday									
DINNER	5:00 PM	5:15 PM	5:30 PM	5:45 PM	6:00 PM	6:15 PM	6:30 PM	6:45 PM	7:00 PM
# VACANT SPOTS	32	31	32	30	32	30	31	32	30

DINNER	7:30 PM	7:45 PM	8:00 PM
# VACANT SPOTS	33	34	34