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BRIGHTON
PLANNING
BOARD

August 16, 2023
At approximately 7 p.m.
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

JASON HAREMZA, EXECUTIVE SECRETARY
WILLIAM PRICE, CHAIRPERSON
JOHN OSOWSKI) BOARD MEMBERS
KAREN ALTMAN)
DAVID FADER)
PETER GRISEWOOD)
JASON BABCOCK-STINER)
JULIE FORD)

ABSENT:

KENNETH GORDON, ESQ.
Town Attorney

REPORTED BY: HOLLY E. CASTLEMAN, Court Reporter,
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, NY 14020

1 CHAIRPERSON PRICE: This is kind of unusual,
2 but welcome everybody to the August 16th meeting of
3 the Town of Brighton Planning Board. I would say that
4 if there is an emergency of any kind, we've got an
5 exit over here and an exit behind you.

6 So we'll start out with calling the roll.
7 Jason.

8 (Whereupon the roll was called.)

9 CHAIRPERSON PRICE: Okay. So we have a few
10 applications tonight. We're going to go into a review
11 session with staff and ourselves.

12 Jason, want to just walk through these
13 fairly quickly and let us know where we stand with
14 them?

15 MR. HAREMZA: Just a couple housekeeping
16 things before we get going. You may have noticed in
17 your packets the format of the Planning Board
18 application has changed for some of them. That
19 reflects our new online submittal system.

20 It's not as pretty as it was once maybe, but
21 we're working on the formatting. So bear with us as
22 we learn this new system. It's been a pretty steep
23 learning curve for all of us here at Town Hall. But
24 it's going well.

25 I've heard good feedback from applicants.

1 So applicants, if you have any feedback on the online
2 system, please let me know.

3 Okay. I think that's it on housekeeping.
4 We talked about the minutes. We'll do that in
5 September.

6 The first item is 55 Stonybrook. That was a
7 watercourse EPOD permit. As you recall that's been
8 postponed several times. The applicant is in the
9 process of applying for a LOMA, a letter of map
10 amendment, from the Federal Emergency Management
11 Agency.

12 We all know the federal government takes its
13 own time for these things. However, staff feels that
14 things cannot linger on agendas forever. So if the
15 Board agrees, then the recommendation tonight was to
16 deny without prejudice.

17 The other reason and probably the more
18 important reason for that is if the LOMA is obtained,
19 then the application will change fairly substantially.
20 Either it goes away entirely and the Planning Board
21 doesn't need to see it at all or it eliminates the
22 need to do the compensatory storage for the
23 floodwater. So that's the first item. Any questions
24 on any of that?

25 The second item is 1 Knollwood Drive. That

1 was for a in-ground swimming pool in conjunction with
2 the new house. That has been postponed at the
3 applicant's request. They have not been able to --
4 their engineer is still working on the calculations
5 for the steep slope. So they have requested a
6 postponement until September.

7 The third item, 8P-01-23, is 1880-1882 South
8 Winton Road. That is for a watercourse EPOD permit to
9 allow for the installation of a fence in association
10 with the Montessori School of Rochester, which we saw
11 last month for a conditional use permit. Pretty
12 straightforward I think.

13 MR. OSOWSKI: Am I right that they asked for
14 a 6-foot fence?

15 MR. HAREMZA: I believe so. 6-foot chain
16 link.

17 MR. OSOWSKI: Are we okay with that?

18 MR. HAREMZA: This lot is so far from any
19 public street. It's really internal to the site.

20 MR. OSOWSKI: Okay.

21 MR. HAREMZA: New business. 4P-NB1-23 is 57
22 Eldridge Avenue. That is a new single-family home.
23 There was new material submitted. However, the town
24 engineer still feels they need additional information
25 on a number of items, particularly the -- some of the

1 somewhat complicated sewer issues with this. Running
2 a sewer through a park on an easement over to -- I
3 think, it's Midland on the street to the west.

4 So there was some -- you'll see the memo in
5 your packet. The engineer had several issues with
6 this. So we're recommending tabling. And if
7 everything can be resolved, then perhaps next month we
8 could do -- we could combine preliminary and final and
9 finish it up.

10 CHAIRPERSON PRICE: So engineer's not
11 necessarily saying anything about the layout or the
12 building configuration, where it is on the site. But
13 it's more of the force main going through the park.

14 MR. HAREMZA: Yeah. One of the issues is
15 the force main going through the park, impact to
16 federally designated wetlands. There needs to be
17 wetland delineation.

18 The feeling was without that information, we
19 couldn't do SEQRA. So without being able to do SEQRA,
20 this Board can't make a decision.

21 CHAIRPERSON PRICE: Okay. Is this -- okay.
22 All right.

23 MR. HAREMZA: Any other questions on
24 Eldridge?

25 I skipped over 2720 West Henrietta Road.

1 You may be familiar with this. I believe this project
2 came before this Board about a year ago. And it's
3 just when I started with the Town. So I don't recall
4 whether it was withdrawn or denied without prejudice.

5 This is reusing an existing building. There
6 were some complicated parking issues related to shared
7 parking with the neighboring property. That was all
8 reviewed and resolved by the Zoning Board, which had
9 to issue variances for a deficiency of parking even
10 with the shared parking.

11 So that's -- they resolved it. But, of
12 course, if you wish to ask questions about parking,
13 you can certainly do so. Otherwise the site changes
14 are very minor. There's some small elimination of
15 pavement, a small increase in green space. But mostly
16 it's reusing the existing building with a new facade.

17 And this did go to the Architectural Review
18 Board last year. ARB approvals don't expire. So that
19 approval is still good.

20 CHAIRPERSON PRICE: So variances and ARB are
21 in place.

22 MR. HAREMZA: Correct.

23 And then finally, 125 Old Mill. The
24 cultural resources survey has finally begun. So hope
25 to have that completed very soon. But nothing for

1 tonight.

2 CHAIRPERSON PRICE: Okay. Signs, we got
3 half a dozen or so.

4 MR. HAREMZA: Yes.

5 CHAIRPERSON PRICE: Okay. Questions?

6 MR. OSOWSKI: Do you have another set of the
7 report -- staff report? Another printout? Because I
8 didn't get one.

9 MR. HAREMZA: I'm sorry.

10 MR. OSOWSKI: Thank you very much.

11 CHAIRPERSON PRICE: We're going to push the
12 July -- approval of the July meeting minutes off until
13 the September meeting.

14 That leaves us -- let's get started on our
15 public hearings. Jason, were tonight's public hearing
16 properly advertised?

17 MR. HAREMZA: The public hearings were
18 advertised in the Daily Record of August 10th, 2023.

19 CHAIRPERSON PRICE: Okay. I guess the first
20 application -- I will call it, even though I don't
21 know we have any representatives here -- is 4P-03-23.

22 **Application 4P-03-23**

23 **POSTPONED AT APPLICANT'S REQUEST.**

24 Application of Stephen Artim and Tricia Shalka,
25 owners, and Jerry Serafine, agent, for EPOD

1 (watercourse) Permit Approval to allow for the
2 construction of a building addition within zone AE of
3 the 100 year floodplain on property located at 55
4 Stonybrook Drive. All as described on application and
5 plans on file. **TABLED AT THE APRIL 19, 2023 MEETING -**
6 **PUBLIC HEARING REMAINS OPEN**

7 CHAIRPERSON PRICE: Out of random curiosity,
8 is anybody here to speak about this application?
9 Thought not. Okay. Thank you.

10 **Application 6P-03-23**

11 **POSTPONED AT APPLICANT'S REQUEST.**

12 Application of Carl Grasta, owner, for Site Plan
13 Modification and EPOD (watercourse) Permit approval to
14 construct an in-ground swimming pool in conjunction
15 with a new home (11P-01-22) on property located at 1
16 Knollwood Drive. All as described on application and
17 plans on file. **TABLED AT THE JUNE 21, 2023 MEETING -**
18 **PUBLIC HEARING REMAINS OPEN**

19 CHAIRPERSON PRICE: Next application is
20 postponed. And that is tabled until -- or postponed
21 until September meeting.

22 **Application 8P-01-23**

23 Application of Gallina Cambridge, LLC,
24 owner, and the Montessori School of Rochester, lessee,
25 for an Environmental Protection Overlay District

1 (watercourse) Permit to allow for the installation of
2 a chain link fence on property located at 1880-1882
3 Winton Road South. All as described on application
4 and plans on file.

5 MR. CROWE: Good evening, Mr. Chairman and
6 Board members. My name is Dave Crowe. I'm with DJCA
7 Architecture. We're helping out the Montessori School
8 with a few items here including tonight's presentation
9 and application for a permit to install a fence in the
10 west yard of 1880 Winton Road building.

11 So I do have the attestation or the
12 certification that the signage was posted. I don't
13 know if you take that or not.

14 CHAIRPERSON PRICE: You take it, don't you?

15 MR. CROWE: So I can give it to you after.

16 CHAIRPERSON PRICE: Thank you.

17 MR. CROWE: So just to talk about the scope
18 simply, as you know, they're leasing that building to
19 run the school. And so to the west is a very
20 beautiful lawn, which, of course, to the far west is
21 bounded by Allens Creek.

22 So what is proposed is a chain link fence, 6
23 feet tall. And one small addition to that, it will be
24 a black vinyl fence. We're not going to do the
25 galvanized because they're concerned about the

1 appearance and they think it'll be less obvious if
2 it's black vinyl. So if you need -- that doesn't
3 currently state that in the application. We'd be
4 happy to amend that or make that modification. But it
5 will be black vinyl.

6 And so it's -- it starts at the northwest
7 corner of the building, 81 feet towards the creek, 244
8 feet parallel with the creek and then returns back 149
9 feet.

10 There are three gates. One is at the north
11 corner. That's a 3-foot gate. One is at the
12 southeast corner. That's going to be a 10-foot gate
13 for access for maintenance and equipment and that sort
14 of thing. And then it's really just for maintenance,
15 but we're also going to put a gate on the western edge
16 facing the creek in case for some reason someone needs
17 to get in there to do maintenance and that sort of
18 thing.

19 So otherwise it's an enclosure closed by the
20 building. And I got Tom Fromberger here with MRB too
21 if there's questions. I've got Tom handling the EPOD.
22 I'm not a civil engineer. Tom is much better at that.
23 He did provide a letter. Based on the application, if
24 you have questions that deal with a civil nature, I'm
25 just going to defer those to Tom.

1 CHAIRPERSON PRICE: Just for the record,
2 when you say the gate openings, that's the horizontal
3 width?

4 MR. CROWE: Exactly. Well, it will be 6
5 feet tall and it will be 3 feet wide, yes.

6 CHAIRPERSON PRICE: Yeah. Just wanted to --
7 when you said 10 foot --

8 MR. CROWE: Yeah. Well, the one at the
9 northwest -- east corner, it will be two 5-foot gates
10 with a 10-foot opening just to be practical and get
11 equipment in.

12 CHAIRPERSON PRICE: So you did save me the
13 question of the black vinyl. So that's the post and
14 chain link fence itself.

15 MR. CROWE: Yes.

16 CHAIRPERSON PRICE: Okay. And is there
17 anything at the bottom or is this just going to be the
18 grass?

19 MR. CROWE: It's the grass. There's a
20 tension wire that's put in just so that kids can't
21 sneak underneath it. Between the posts, it gets a
22 little wonky. So that's actually got a wire that
23 we're paying a little bit extra for to get just to
24 make sure that it's secure. Nothing can get
25 underneath it.

1 CHAIRPERSON PRICE: Okay. Any other
2 questions? Everybody have a chance to see where this
3 is going?

4 Tom, you're standing there. You've done
5 some work. Why don't you tell us?

6 MR. FROMBERGER: Good evening. Thanks for
7 having us. I don't really have anything more to add
8 here. We're not cutting any vegetation. We're
9 staying out of the buffer area. Our goal is really to
10 keep it at a minimum.

11 MR. CROWE: Those are good comments. I
12 forgot to say that.

13 CHAIRPERSON PRICE: All right. John?

14 MR. OSOWSKI: Well, the Conservation Board
15 asked if they were going to consider planting any
16 shade trees.

17 MR. CROWE: After this is done, they are
18 going to consider putting some gardens out there for
19 the kids. It's not a playground, not a traditional
20 playground at all.

21 That will be back in front of you guys
22 probably to talk about that. At the moment with this
23 application, there is no request for planting.
24 They're just trying to get that school in and open and
25 provide a place for the kids to play.

1 CHAIRPERSON PRICE: What does -- if you did
2 do a playground, is that -- does that come under our
3 jurisdiction if you were to add that?

4 MR. CROWE: Well, it's -- what I can say, it
5 won't be a traditional playground. It's definitely
6 going to be more on par with the way Montessori School
7 likes to do it.

8 It's really more gardens. I would call it
9 the Montessori gardens. And that -- we're going to
10 take the fall and put that together. We'll probably
11 be in front of you late, late fall, early winter for
12 the approvals on that.

13 So I wish I could tell you what it will be,
14 but we're not there yet. But it isn't going to be a
15 traditional playground. It's not going to be
16 pressure-treated posts or any of the other steel or
17 pipe slides, none of that. It's sort of integrated
18 with the landscape.

19 And we have a very delicate site here. So
20 we want to make sure we're staying in sync with that.
21 And that's why we got Tom guiding us.

22 MR. FROMBERGER: I'll keep you in line.

23 MR. CROWE: Yes, he will.

24 MR. HAREMZA: Bill, we're going to take a
25 look at the playground when it comes in, but our

1 thoughts were that it doesn't rise to the level of a
2 site plan modification. Especially --

3 CHAIRPERSON PRICE: A building permit?

4 MR. HAREMZA: -- what they described, it's
5 more akin to landscaping.

6 CHAIRPERSON PRICE: That's what I would
7 think.

8 MR. CROWE: Yeah. Gardens is how I would
9 describe what they have now. There's some hills and
10 some rocks, you know, that sort of thing.

11 MR. HAREMZA: We do not regulate nor issue
12 building permits for tree houses, which has come up in
13 our office.

14 MR. CROWE: If we had a tree, maybe we would
15 build it.

16 We'll work all that out and make sure we're
17 following the rules here.

18 CHAIRPERSON PRICE: Okay. Thank you.

19 Is there anybody that cares to address this
20 application? Okay. Thank you.

21 Let's move on to 8P-02-23.

22 **Application 8P-02-23**

23 Application of Guiyan Li, owner, for
24 Conditional Use Permit Approval and Site Plan
25 Modification Approval to allow for an Asian

1 supermarket with minor site improvements on property
2 located at 2720 West Henrietta Road. All as
3 described on application and plans on file.

4 MR. HOURMANESH: Good evening. My name is
5 Reza Hourmanesh. I'm with GRH Architects. I'm the
6 architect for this project. We've been working on
7 this for about a year-plus, maybe more.

8 Basically, the building is located at 2720
9 West Henrietta Road. It's on the east side of the
10 road. It used to be a Japanese restaurant, which the
11 building has been vacant for -- to the best of my
12 knowledge it was four, five years. As you've seen I'm
13 sure, the exterior is pretty bad shape. It's rusting.
14 And the roof is the same.

15 The site is located in a BF-2 zone. The
16 site itself is about 0.52 acres or 22,303 square foot.
17 The building is a pre-engineered building, steel
18 pre-engineered building. And the structure is pretty
19 good shape.

20 I had a couple engineer friends of mine come
21 and take a look. And they gave us the blessing. But
22 exterior is pretty bad. Some of the slab has cracked,
23 but we're going over it with 3-inch concrete, make
24 sure we have a smooth surface.

25 We went to the architectural board for the

1 signage and for the, basically, material and what
2 we're using. Basically, what we're doing --
3 approximately 3 foot high. I put 2 foot -- 2 foot, 4
4 inches, but that's the 7-inch exposure of the hardy
5 planks. That's what we're doing with the exposure.
6 Actually the whole width is 8 and a quarter, but the
7 exposure portion is only 7 inch. So 7 times 428 -- I
8 mean, 2 foot 8. And then, of course, we're going to
9 have a hardy trim, which is about 3 and a half inches.
10 There's one at the bottom, one at the top. The top
11 one will start and then the EIFS from there all the
12 way to the top.

13 As you see, I broke it -- I broke -- it's a
14 long building, like almost 180-some feet, 181 foot
15 long by 60 foot wide. And so I broke it down so you
16 could -- don't see a big surface as far as the
17 modulation is concerned.

18 The green area, as Jason mentioned, is
19 increased approximately 3 percent from what we had
20 before. The site itself, we -- going to remove any
21 damaged asphalt area, saw cut it and make sure that we
22 put the binder, gravel binder, and then the top coarse
23 on top of it. So we will address that.

24 We have added some trees, some shrubs as
25 well to make it a little bit more pleasant. Before at

1 the front, as you see on the existing site plan, we
2 didn't have 20-foot green. But we increased it to 20
3 foot to meet the zoning code issues, requirements.

4 Also we added 10-foot green on the east side
5 of the site, which it was just -- actually, if you
6 look at it, it's all asphalt on the property to the
7 east.

8 The building is approximately 14 foot high.
9 It's about 1 percent slope. Really shallow.

10 We're going to put metal roofing. The owner
11 wanted to do half lap, but architectural board
12 rejected that. They wanted something more pleasant,
13 which I agree with them. So they're going to be --
14 it's going to be a metal roof on the roof.

15 On the site is a single-letter sign, which
16 is going to be illuminated. I believe we have
17 included it in the package that we submitted. I don't
18 know if you have seen the sign that was approved by
19 the architectural board.

20 As far as the parking is concerned, that was
21 the hang-up that we had. We had to resolve the issue
22 with respect to the easement with, of course, the
23 property owner to the north.

24 Finally, we reached an agreement about two
25 months ago. And we went back to the Zoning Board and

1 they approved our application.

2 Right now -- we also had a traffic engineer
3 do some study. The busiest time of the shopping for
4 most places is Saturday around 11 to 2. And that's
5 when they indicated on the report. A study -- there's
6 another Asian mini-mart, grocery, in Henrietta on
7 Brighton Townline Road.

8 So they studied that. And based on their
9 study -- I gave them another one that I had worked on,
10 a supermarket in Henrietta as well. But they chose
11 the one that was closest to this site.

12 Based on their report, the busiest time is
13 Saturday between 11 to 2, 11 to 1, 1:30, 2 o'clock.
14 And that's where we needed 20 parking spaces. During
15 the week, the busiest time is about 14 parking spaces.

16 Now, on the site, considering the easements
17 and everything, we have about 28 parking spaces. And,
18 of course, based on the easement agreement, there is
19 nine parking to the south of the Fastenal, the 2710
20 property, that can be shared.

21 The front of Fastenal and to the north of
22 the site of 2710, there is 17 parking spaces that can
23 be used after they're closed, which is -- usually
24 Fastenal closes at 5 p.m.

25 But Fastenal -- keep in mind please,

1 Fastenal is not a place that people go in and buy
2 stuff. They're delivery. Usually if you go --
3 anytime you have to go there, usually you got to go
4 between 7 to 9, 7 to 10. And mostly delivery for
5 major projects. So they're not open like that.

6 But regardless, you don't know, maybe they
7 change. Fastenal moves and somebody else comes in.
8 So those 17 parking only can be used after they close,
9 depending on the use of the space.

10 There's one overhead door that they have on
11 the north of the building at 2720, which if there's a
12 truck comes with delivery, they deliver in the back.

13 Basically -- we basically -- we have
14 about -- the building is 10,955 square foot. Of that,
15 about 3,000-plus square footage of it is storage. The
16 rest is front. Of course, there's a small office for
17 the accessible toilet room. There's two toilet rooms,
18 accessible for men and women at the front.

19 Also, we have a mechanical space, which
20 is -- right now, 6-inch water line comes in that is
21 divvied up between 2-inch domestic and 4-inch for the
22 sprinkler system.

23 Like I said, the siding is pretty bad shape
24 there. The exterior roof is pretty bad shape. You
25 can see holes, lights coming through. So we're going

1 to go over it with 3-quarter-inch plywood and then put
2 the felt barrier. And then for the bottom, we're
3 going to have strips that stands off so the wall can
4 breathe.

5 The siding, hardy planks or -- then on the
6 top we're going to have inch -- one-inch rigid
7 insulation, the EIFS on top of it. And the banding
8 will stick out about 1 inch.

9 Everywhere I have 1-inch insulation under
10 the EIFS, except for the banding and the pilasters I
11 call them. They're not real pilasters. They're fake.
12 But they're 2 inches. So they kind of blend a little
13 bit with the depth of the building itself.

14 The building is about 14 foot high at the
15 eave. At the center we did some modification. So
16 it's a little bit more pleasant than just going with
17 the low slope gabled roof.

18 So that's pretty much in a nutshell. If you
19 have any other questions, comments --

20 CHAIRPERSON PRICE: This is a conditional
21 use. So I guess can you speak to like hours of
22 operation? When's it --

23 MR. HOURMANESH: Yes. Basically most -- she
24 has another store near U of R actually right now.
25 Over there they open up at 8; they close at 8. Now,

1 that's, what -- basically 8 to 12 hours.

2 Sometimes -- I've gone over there to the one
3 that they have near -- it's still on West Henrietta
4 Road, but there's near -- there's a plaza there. I
5 can't remember the name of the plaza. There's clothes
6 washing. I can't remember the name. But that one,
7 sometimes at 9.

8 But generally -- they go in at 8, but they
9 do some stuff inside. So by the time they open up,
10 it's actually 9. But I'm thinking 8 to 8 p.m. unless
11 there's a holiday. Maybe during the holiday season,
12 maybe they open up to -- they stay up 'til 10. But I
13 don't think they're going to do well after 8 p.m.

14 CHAIRPERSON PRICE: You mentioned an
15 overhead door. See that's for the deliveries. I take
16 it you're not getting tractor-trailers. Are you
17 getting just small step vans or --

18 MR. HOURMANESH: Well, it's just medium --
19 medium size -- it's not a tractor-trailer, no. Those
20 are too big. It's difficult in that area. They can
21 still turn around, but it's difficult.

22 So most likely it's the medium size, not the
23 larger size. Like we have a 10-foot-high,
24 20-foot-wide overhead. So it's not going to be a huge
25 tractor-trailer-type delivery.

1 CHAIRPERSON PRICE: Do you have garbage
2 disposal, refuse in the building?

3 MR. HOURMANESH: Yes. The totes -- well,
4 no. No. I take it back.

5 There's an area on the east of the building,
6 to the south side of the property. We provided a
7 fenced-in area, which it says refuse area on the site
8 plan. I can hand this --

9 CHAIRPERSON PRICE: Thank you. Okay. So
10 it's behind the building.

11 MR. HOURMANESH: It's a 6-foot wood stockade
12 fence with the gate. And then the dumpsters are
13 located in there. So that's where the refuse area
14 will be.

15 CHAIRPERSON PRICE: And is that a new
16 stockade fence or is that existing?

17 MR. HOURMANESH: No. There is nothing
18 there.

19 CHAIRPERSON PRICE: There's nothing there
20 now.

21 MR. HOURMANESH: It's pretty much -- it's
22 weeds and some trees, grownup trees. So they got to
23 trim some of that. They got to clean the site.

24 Even at the front of the site, lot of weeds
25 are growing. Some bushes are growing. So that's all

1 the --

2 CHAIRPERSON PRICE: And the foundation.

3 MR. HOURMANESH: Right.

4 Any green area will be seeded. And then, as
5 we suggested, there's shrubs and there's also trees
6 that we propose to make it a little bit more pleasant,
7 especially at the front.

8 CHAIRPERSON PRICE: Are you proposing any
9 lighting?

10 MR. HOURMANESH: Yes. Every pilaster -- if
11 you go to the elevation sheet, every pilaster at the
12 front, on the back. So six at the front, six at back
13 and then nine on each side.

14 Those will be solid cast brass. They're 7
15 inch. I'm using the same thing as Park Avenue, which
16 is a historic area. And then we have the seven
17 4-inch. And then they just shoot up and down.
18 They're 5 foot. So they're not going to spill a lot
19 of lights out. They just shoot up and down.

20 CHAIRPERSON PRICE: On the building?

21 MR. HOURMANESH: On the building. There are
22 sconces. I just didn't want these -- owner wanted
23 these lights. I didn't agree with it.

24 So finally they agreed with my proposal. I
25 said that those are kind of intrusive. They spill

1 lights on the adjacent properties.

2 This one will accent our building very
3 nicely. And it's not spilling any light to the
4 adjacent properties. There's no glare, let's say.

5 CHAIRPERSON PRICE: Others?

6 MS. ALTMAN: Are you going to be preparing
7 any fresh food on the site or is it only the sale of
8 groceries?

9 MR. HOURMANESH: It's only grocery. We
10 had -- originally when we went to the Zoning Board,
11 they had a bakery and they had the take-out. They had
12 to take those out.

13 The fact was that it would be more intense,
14 the kind of use. And the parking wasn't available.
15 It wasn't that they wouldn't let us do it, but the
16 parking was not available for that kind of use. So we
17 eliminate the take-out bakery, the take-out food. And
18 then it's just basic grocery.

19 If they're going to have food, it's going to
20 be packaged, ready and then put on the outside for the
21 grocery. Like if you go to Wegmans, sometimes you get
22 the salad and some stuff, the packages that are \$7,
23 \$8.

24 So that's what they're going to do if
25 they're going to sell food. But it has to be packaged

1 and properly approved by Monroe County Health
2 Department before they can sell it to the public.

3 MR. OSOWSKI: The hours of operation you
4 mentioned, approximately 8 a.m. to 8 p.m., is that
5 seven days a week?

6 MR. HOURMANESH: Yes, sir.

7 Now that said, on Sundays, they're closing
8 at 6 p.m. by U of R, the one that they have on West
9 Henrietta. The first plaza as you come south on this
10 side of West Henrietta Road. It's on that side once
11 you pass the college town.

12 MS. ALTMAN: So the Sultan's restaurant is
13 in that plaza?

14 MR. HOURMANESH: Yes. So you go to the
15 first one -- let's see. One, two, three, fourth one,
16 another -- I can't pronounce it. H-I-K something. I
17 can't pronounce it, but it's an Asian grocery store.

18 MS. ALTMAN: And that's the same owner?

19 MR. HOURMANESH: Yes, ma'am. She's been
20 there for -- I knew the people that they were there
21 before. They sold it. She's been there almost six,
22 seven, eight years now.

23 But that area -- the main reason that she's
24 pursuing this place -- it's very small. It's very
25 narrow. And really, space is tight.

1 She's going to keep that, but she -- this
2 other one is going to be the main space because it's
3 much -- like almost 6,000 square foot of grocery area,
4 which is substantially more. They can provide more
5 products. So that's the main reason.

6 MR. OSOWSKI: You mentioned a new standing
7 seam metal roof to replace the poor condition existing
8 roof?

9 MR. HOURMANESH: Yes. Basically we're going
10 to remove the existing. It's pretty bad. Some places
11 they cut it. Rain just comes down. Some places you
12 look up it's like a strainer.

13 So they're going to remove the deck
14 completely, put a steel deck, 2-and-a-half steel deck,
15 20 gauge, type B. And then on top of it, they're
16 going to put the standing seam roof, either inch and a
17 half or 2 inch.

18 Myself I like 2 inch. Inch and a half, a
19 little more delicate. But 2 inch is nicer in this
20 area because of the snow and all that. There's a
21 chance of snow sitting, icing up.

22 But we're going to provide heat tape
23 around -- at the eaves to make sure -- and some --
24 also, besides the heat tape, we're going to have
25 these -- like an angle-type thing that they put on the

1 standing seam roof preventing snow or ice slide down.

2 MR. OSOWSKI: What will the material of the
3 new roof be? Stainless steel? Painted metal?

4 MR. HOURMANESH: Steel, painted steel.

5 I like to -- to be honest, I like to get
6 aluminum, but the budget just doesn't permit it. It's
7 about 30 percent more, 33 percent more.

8 I did some -- for the treatment plant,
9 they're stainless steel. When I talked to the owner,
10 he said, how much? When I gave them the price, he
11 said, oh, forget it.

12 But they last. It's been 25 years. I used
13 to work at MRB. I go and look at it, it's just like
14 new.

15 MR. OSOWSKI: Will they paint it a light
16 color to reflect solar energy and reflect heat?

17 MR. HOURMANESH: Basically the color that we
18 presented to the architectural board was more darker
19 color so it doesn't jump at you. Because the color
20 that we proposed for the EIFS, it's like dark, except
21 some area is light. And that issue came up too. And
22 then it's kind of a maroon color, dark and maroon
23 color.

24 We're going to insulate the -- between
25 the -- there's 8-inch Z-joists between the huge

1 girders. So we're going to put fiberglass insulation
2 with vapor barrier with some wiring so I can insulate
3 the building. I got to pass the energy code now.

4 And then the walls, they're putting 6-inch
5 studs. Basically I'm staying with that wood. I'm
6 going with middle studs, 20 gauge. And then they're
7 going to provide 6 inch of fiberglass on the walls
8 too.

9 There's not much I can do below the slab
10 because then I got to dig all around. It's not
11 doable. It's not practical.

12 MR. OSOWSKI: Okay. Thank you.

13 MR. HOURMANESH: My pleasure.

14 CHAIRPERSON PRICE: I have a question for
15 Jason. This is a state road. My guess is nobody's
16 got any jurisdiction over the width of the curb cuts.

17 MR. HAREMZA: No. Staff discussed that.
18 And there's no work proposed in the right-of-way. So
19 NYSDOT has no comments on this.

20 Yeah. It's a very -- existing very wide
21 curb opening.

22 MR. HOURMANESH: They're extremely wide.
23 There are two of them. Right in between there's only
24 maybe 3 foot curb, which is deteriorated.

25 And then there's a catch basin right in

1 there. So most of the water -- because this land
2 slopes toward the front. A very light slope. But --
3 so that's where -- I haven't seen -- even across 2710,
4 no catch basins or no kind of --

5 CHAIRPERSON PRICE: You think there's a
6 sheet drainage problem?

7 MR. HOURMANESH: Yeah. Basically -- and
8 I've gone there in the springtime. It just -- snow
9 melts and comes to the front.

10 So here and there, there's a little bird
11 bath, a little puddle, but we cannot touch the
12 adjacent.

13 But what we can do with the portion at the
14 front, a portion at the back, we make sure I show --
15 we showed that -- on the backside and the east side,
16 it slopes towards this ravine that gathers all the
17 water and goes all the way to West Henrietta Road.
18 There's a big culvert that attaches. That's connected
19 to the storm line that's under West Henrietta Road.

20 CHAIRPERSON PRICE: All the questions I've
21 got.

22 MR. OSOWSKI: How is -- the stormwater from
23 the roof, how is that captured?

24 MR. HOURMANESH: Okay. I have downspouts.
25 I show it on the -- I have downspouts. Those

1 downspouts are going to be connected to the actual
2 cast iron. And then it will be brought in and then
3 connected.

4 It's not going to spill on the -- right
5 adjacent to the building on the north side, I have 5
6 foot of green area. So that -- but no matter what, I
7 like to manage the water. I don't like to let it run.

8 So what we're going to do, we're going to
9 connect it. I show two downspouts on each side
10 because it's such a long building. It's really
11 difficult to slope it all the way. So we're doing two
12 downspouts and then connect it.

13 On the south side, it's all green. It goes
14 to the ravine, the gully, that takes all the water.
15 Of course, the donut shop to the south -- Dunkin.
16 Dunkin Donuts. Also their -- any storm they have in
17 the green area, it goes into that gully and then
18 slopes to the West Henrietta Road.

19 MR. OSOWSKI: All right. Thank you.

20 MR. HOURMANESH: Pleasure.

21 CHAIRPERSON PRICE: Everybody good? Okay.

22 Reza, thank you.

23 Anybody care to address this application?

24 Okay. Moving on.

25 **Application 4P-NB1-23**

1 Application of Westmarsh Properties, LLC,
2 owner, for Preliminary Site Plan Approval and
3 Preliminary EPOD (woodlot) Permit Approval to
4 construct a 2,562 square foot two-story single-family
5 home with a 634 square foot attached garage on
6 property located at 57 Eldridge Avenue. All as
7 described on application and plans on file. **TABLED AT**
8 **THE APRIL 19, 2023 - PUBLIC HEARING REMAINS OPEN**

9 MR. McMAHON: Good evening. Greg McMahon
10 from McMahon-LaRue. Also is Monique Marchioni. This
11 is Westmarsh.

12 We were before you I believe in April. This
13 was more of a concept plan. We subsequently went to
14 the Zoning Board. If you remember, this is a
15 pre-existing nonconforming lot. We did get the
16 variances we needed from the Zoning Board. And we
17 have now -- we also received the demolition permit
18 approval. And I believe that's going to be happening
19 shortly. A letter of credit was posted with the Town
20 last week.

21 So now we're in the process of seeking site
22 plan approval. There have not been any significant
23 changes to the layout from what you've seen before.
24 It's a two-story single-family home with a two-car
25 garage. Unfortunately I don't -- I have plans --

1 CHAIRPERSON PRICE: It's a little awkward
2 here. We don't have the board.

3 MR. McMAHON: Yeah. But hopefully you've
4 seen the plans. I just -- I hadn't had a chance until
5 I got here to look at the comments from the Town
6 engineer. They relate -- I think a majority of them
7 relate to the sanitary sewer connection.

8 I don't know, again, if you remember, there
9 is no sanitary sewer on Eldridge. But we have an
10 easement that extends to the south and then another
11 easement that extends to the west. And we come back
12 and tie into a force main with a low-pressure sewer
13 Environment One unit attached to that. The proposal
14 for this is to utilize an Environment One unit and
15 direct it to the west and tie into that existing --

16 CHAIRPERSON PRICE: Where does that sit, the
17 unit? Below grade? Outside the house?

18 MR. McMAHON: Below grade. They typically
19 have -- they have a small dome on the top. They're
20 unobtrusive. Usually if they're -- like this one it
21 would be on the east face of the house, which is the
22 side of the house. You know, you can plant shrubs
23 around it or you can -- they're not -- they don't sit
24 up above ground.

25 And then the controllers for that are

1 typically in the garage or in the basement. There's
2 an alarm, similar to if you have a septic system with
3 a pump. They're very similar to that.

4 But there's some issue that the town
5 engineer has we will address. There's nothing that's
6 a deal killer there. There's a -- a sewer district
7 needs to form. And I'll have to contact Jason to
8 proceed with that. That's a Town Board action.

9 We will be applying to the Army Corps of
10 Engineers with a joint permit because this will be
11 directionally bored, but there will be a 90-degree
12 turn. And in order to make that turn, we have to do a
13 small excavation. And that is in the federal
14 wetlands. So we'll get a --

15 CHAIRPERSON PRICE: Kind of intermittent. I
16 mean, is it just occasionally wet or is it --

17 MR. McMAHON: It's a -- it shows up -- it's
18 an intermittent wetland. I'm sure right now it's very
19 wet.

20 But, you know -- but it's -- we've done a
21 bunch of these with Corps before. Since there is
22 no -- it's just a minor disturbance for a short period
23 of time. It's restored to its natural condition. And
24 with any luck, it never has to be disturbed again.

25 So we'll go through the process of obtaining

1 that permit.

2 CHAIRPERSON PRICE: Is that nationwide or an
3 individual?

4 MR. McMAHON: It will probably be one of the
5 nationwide permits. But once we fill out the joint
6 application and submit it with plans, we'll find out
7 if they'll approve this under a nationwide.

8 So again, you know, there were comments from
9 the town engineer. Again, majority of those have to
10 do with the sanitary sewer connection.

11 He also wanted some runoff calculations,
12 which we can certainly provide. So from the
13 standpoint of the town engineer's comments, again,
14 we'll address all of those. I really haven't had a
15 chance to go over them in any great detail.

16 I also -- the architect is scheduled to go
17 before the Architectural Review Board next week on the
18 22nd. So we -- I haven't seen them myself, but he'll
19 be going before the ARB.

20 CHAIRPERSON PRICE: Who's the architect?

21 MR. McMAHON: Design Works out of Fairport.
22 Serge. So he will be presenting that to the
23 Architectural Review Board.

24 CHAIRPERSON PRICE: Is it timber frame at
25 all?

1 MR. McMAHON: No. It's stick frame,
2 conventional single-family residential-type structure.

3 CHAIRPERSON PRICE: We do a lot of timber
4 frame.

5 MR. McMAHON: Yeah. No. We are -- as part
6 of this there is an EPOD permit application. You
7 addressed -- the EPOD permit application was part of
8 our demolition plan application. And you chose at
9 that time to defer any decision on that until a site
10 plan was presented.

11 But there are -- I believe it's nine trees
12 we're requesting to be removed on the project.
13 Several of those are well within the footprint of the
14 house. And then there is a group of cottonwoods out
15 in front that some -- they are away from the
16 foundation of the house, but they're just -- the
17 developer does not feel they're a desirable tree.
18 They'd rather plant other trees.

19 So we did include a landscape plan with our
20 packet that included a number of the evergreens and a
21 row of arborvitae at the end of the driveway to
22 prevent the lights from intruding on the property
23 owners to the west. I think that's --

24 MS. MARCHIONI: Monique Marchioni, counsel
25 for Westmarsh. Good evening.

1 The only other comments we received from you
2 back in April that we did incorporate into our plans
3 was to reduce the size of the driveway. You guys had
4 expressed some concern about taking up too much green
5 space. So you'll see that that has been reduced.

6 CHAIRPERSON PRICE: Thank you. How far does
7 this force main need to go? Do you know a length?

8 MR. McMAHON: It's about 260 feet. It's a
9 good distance. I mean, much further -- it's not an
10 issue. But it does have to kind of go around the
11 block to get behind us.

12 You know, we don't have an easement through
13 the rear neighbor's property, but there are filed
14 easements for sanitary sewer, which we're utilizing.

15 CHAIRPERSON PRICE: Okay. And what's the
16 diameter of this pipe?

17 MR. McMAHON: It's -- I believe I've got --
18 I've sized it at an inch and a half.

19 CHAIRPERSON PRICE: And how deep does it go?

20 MR. McMAHON: Like with the directional
21 bore, we like to keep it 4 feet deep.

22 CHAIRPERSON PRICE: Okay. It's a small
23 pipe.

24 MR. McMAHON: It's a small pipe, which
25 really lends itself -- they can probably directionally

1 bore this in a day or day and a half. It's not a big
2 project.

3 And they're welded joints. So it's
4 basically a seamless pipe.

5 CHAIRPERSON PRICE: Others?

6 MR. OSOWSKI: Yeah. How big is the
7 footprint of that boring pit that you have to dig to
8 accommodate the --

9 MR. McMAHON: It should only be -- I've
10 estimated it about 4 by 4. I mean, they could go to 6
11 by 6. We're only talking 4 feet deep. So it doesn't
12 need to be sheeted.

13 It's just -- what they'll do is they'll bore
14 from the house to that pit. And then they'll bore
15 from the north -- or from the west, which is not in
16 the buffer. And they'll bore to that pit. So you'll
17 get two lines that come into that pit. And they just
18 have to make a union in those -- in that pit and then
19 backfill it and seed it.

20 MR. FADER: How do they keep the water out?

21 MR. McMAHON: How do they keep the water
22 out?

23 MR. FADER: Yeah.

24 MR. McMAHON: Well, if it were -- it depends
25 on the time of year that they --

1 MR. FADER: If you tried it now, how would
2 they do it?

3 MR. McMAHON: If they tried it now, if they
4 had significant water, they'd just throw a gasoline --
5 what they call a mud sucker down there and pump it.
6 And then if they do have to pump, then they have to
7 put up a containment.

8 But hopefully when this is installed, if we
9 don't have -- you know, it's so quick. If there's no
10 water, it can be done quickly.

11 CHAIRPERSON PRICE: Anybody else?

12 Are the trees that are on the plan, are
13 they -- was there a recommendation from the
14 Conservation Board that resulted in those?

15 MR. McMAHON: I haven't seen a
16 recommendation from conservation. Our intent with
17 those was to replace the ones that we're taking out.

18 CHAIRPERSON PRICE: Okay.

19 MR. McMAHON: So we have -- I think we have
20 three red oak, one pin oak.

21 CHAIRPERSON PRICE: Can I recommend against
22 the pin oak?

23 MR. McMAHON: Yes.

24 CHAIRPERSON PRICE: Use a bur oak or
25 something else. Pin oak, I don't even know if you can

1 find them.

2 Peter, can you find pin oaks anymore? Not
3 grown in a nursery I don't think.

4 MR. FADER: I can give you a couple.

5 MR. GRISEWOOD: You can find them, but --

6 MR. McMAHON: We can tweak that. I think --
7 I mean, if the recommendation is, what Jason said, to
8 table this until the September meeting, we can revisit
9 that. Because we'll do a re-submittal two weeks
10 before the September meeting with a letter addressing
11 the comments.

12 MR. FADER: Pin oak would like it there.
13 Bur oak would like it there too.

14 MR. McMAHON: Okay. Well, we'll -- I'm not
15 a landscaper. So I will have to defer that to
16 someone.

17 CHAIRPERSON PRICE: Anybody else? Okay.
18 Thank you very much.

19 Either of you guys care to address this
20 application? Okay.

21 Application 5P-NB1-23 is postponed until we
22 have a cultural resource survey back and something
23 that both staff and, I guess, us can review.

24 MR. HAREMZA: Let me remember.

25 CHAIRPERSON PRICE: Or does it go to the

1 preservation board?

2 MR. HAREMZA: It goes to preservation. The
3 cultural resource survey will go to the Preservation
4 Commission. And then they will -- based on that
5 information, they will decide whether or not to
6 schedule a hearing to designate that property as a
7 landmark.

8 CHAIRPERSON PRICE: Can I ask what
9 application your --

10 UNIDENTIFIED SPEAKER: I'm here on the 2710.
11 I represent the neighbor on the easement. I've just
12 been kind of coming to the meetings.

13 CHAIRPERSON PRICE: Okay. Did you want to
14 comment on anything?

15 UNIDENTIFIED SPEAKER: We support the
16 application.

17 CHAIRPERSON PRICE: Appreciate you coming
18 out.

19 (Public hearings concluded.)

20 (Deliberations and decisions begin.)

21 **Application 4P-03-23**

22 Application of Stephen Artim and Tricia
23 Shalka, owners, and Jerry Serafine, agent, for EPOD
24 (watercourse) Permit Approval to allow for the
25 construction of a building addition within zone

1 AE of the 100 year floodplain on property located at
2 55 Stonybrook Drive. All as described on application
3 and plans on file.

4 CHAIRPERSON PRICE: So let's review
5 4P-03-23. Recommendation from staff was to deny
6 without prejudice, which means they can come back with
7 a new application. There's no 6- or 12-month delay
8 before they can come back with a new application. So
9 let's start with the public hearing.

10 MR. BABCOCK-STIENER: I move the public
11 hearing be closed.

12 MR. FADER: I'll second.

13 CHAIRPERSON PRICE: Moved and seconded to
14 close the public hearing. Is there any discussion?
15 Jason, want to call the roll?

16 (Ms. Altman, yes; Mr. Babcock-Stiner, yes;
17 Mr. Fader, yes; Ms. Ford, yes;
18 Mr. Grisewood, yes; Mr. Osowski, yes;
19 Mr. Price, yes.)

20 (Upon roll motion to close the public
21 hearing carries.)

22 MR. BABCOCK-STIENER: I also move that the
23 Planning Board denies without prejudice application
24 4P-03-23. In regard to the outcome of the letter of
25 map amendment, a different application would need to

1 be made.

2 CHAIRPERSON PRICE: Second.

3 Any further discussion? Please call the
4 roll.

5 (Ms. Altman, yes; Mr. Babcock-Stiner, yes;
6 Mr. Fader, yes; Ms. Ford, yes;
7 Mr. Grisewood, yes; Mr. Osowski, yes;
8 Mr. Price, yes.)

9 (Upon roll motion to deny without prejudice
10 carries.)

11 **Application 6P-03-23**

12 Application of Carl Grasta, owner, for Site
13 Plan Modification and EPOD (watercourse) Permit
14 approval to construct an in-ground swimming pool in
15 conjunction with a new home (11P-01-22) on property
16 located at 1 Knollwood Drive. All as described on
17 application and plans on file.

18 CHAIRPERSON PRICE: Application 6P-03-23 has
19 been postponed. Do you anticipate -- this is Carl
20 Grasta, folks. I'm sorry.

21 Are you anticipating or do you have any
22 indication you're going to get material?

23 MR. HAREMZA: I've been in communication
24 with the engineer for the applicant.

25 MR. HAREMZA: Who's that?

1 MR. HAREMZA: David Matt at Schultz.

2 CHAIRPERSON PRICE: And at this point, we're
3 fairly confident no work is going on there?

4 MR. HAREMZA: Did not come up in our staff
5 meeting.

6 CHAIRPERSON PRICE: Okay. I drove by and I
7 couldn't tell. There was equipment. So there is
8 stuff going on for the house. But could not tell --

9 MR. HAREMZA: Is the house out of the
10 ground?

11 CHAIRPERSON PRICE: Yeah. It's done.

12 MR. HAREMZA: Okay.

13 CHAIRPERSON PRICE: I don't know if they're
14 living in it, but it's done. It's a nice house.

15 MR. HAREMZA: Yeah. I mean, this is another
16 one -- you know, it's I guess up to the Board to
17 decide does, you know -- does having these things
18 linger on the agenda, is that something you feel is
19 not desirable? I think some of my colleagues feel
20 there should be time limits on how long things can
21 linger.

22 CHAIRPERSON PRICE: I'd say let it go 'til
23 September, but if you're not -- if you're not seeing
24 active participation or engagement on this, I mean, at
25 some point the backyard, something's got to happen to

1 it whether it's restored lawn or, you know, a new pool
2 or something.

3 MR. HAREMZA: Yeah. As it stands now, they
4 need to follow the plan that was submitted for the
5 house, which includes a graded lawn.

6 CHAIRPERSON PRICE: Okay. Well, I guess we
7 can have this conversation again if you're not seeing
8 any action from the owner's rep.

9 **Application 8P-01-23**

10 Application of Gallina Cambridge, LLC,
11 owner, and the Montessori School of Rochester, lessee,
12 for an Environmental Protection Overlay District
13 (watercourse) Permit to allow for the installation of
14 a chain link fence on property located at 1880-1882
15 Winton Road South. All as described on application
16 and plans on file.

17 MR. FADER: I move we close the public
18 hearing.

19 MS. ALTMAN: Second.

20 CHAIRPERSON PRICE: Moved and seconded,
21 Fader and Altman. Is there any conversation? Any
22 discussion? Please call the roll.

23 (Ms. Altman, yes; Mr. Babcock-Stiner, yes;

24 Mr. Fader, yes; Ms. Ford, yes;

25 Mr. Grisewood, yes; Mr. Osowski, yes;

1 Mr. Price, yes.)

2 (Upon roll motion to close the public
3 hearing carries.)

4 CHAIRPERSON PRICE: Is there a motion to
5 approve the EPOD permit?

6 MS. ALTMAN: I move the Board finds that the
7 proposed action will not have a significant impact on
8 the environment and the Board adopts the negative
9 declaration prepared by town staff.

10 I move that the Planning Board approve
11 application 8P-01-23 based on the testimony given,
12 plans submitted and the four conditions outlined in
13 the Planning Board report.

14 MR. BABCOCK-STIENER: I'll second.

15 CHAIRPERSON PRICE: Moved and seconded. Any
16 other discussion?

17 Just one question for Jason. Maintenance
18 around people's fences, is this, you know --

19 MR. HAREMZA: In my experience, it gets
20 Roundup every couple of years.

21 CHAIRPERSON PRICE: In Brighton? Okay.

22 MR. HAREMZA: Maybe only in my neighborhood.

23 CHAIRPERSON PRICE: Okay. We have a motion.
24 We have a second. No further discussion. Please call
25 the roll.

1 **Conditions:**

2 1. Meet all requirements of the Town of Brighton's
3 Department of Public Works.

4 A. Applicant shall respond to Planning
5 Board and Town Engineer comments in writing.

6 2. All Monroe County comments, if any, shall be
7 addressed.

8 3. The entire project shall comply with the most
9 current New York State Uniform Fire Prevention and
10 Building Code.

11 4. All Town of Brighton codes that relate directly or
12 indirectly to the proposed project shall be met,
13 including but not limited to the Floodplain
14 Development Permit process.

15 (Ms. Altman, yes; Mr. Babcock-Stiner, yes;
16 Mr. Fader, yes; Ms. Ford, yes;
17 Mr. Grisewood, yes; Mr. Osowski, yes;
18 Mr. Price, yes.)

19 (Upon roll motion to approve with conditions
20 carries.)

21 **Application 8P-02-23**

22 Application of Guiyan Li, owner, for
23 Conditional Use Permit Approval and Site Plan
24 Modification Approval to allow for an Asian
25 supermarket with minor site improvements on property

1 located at 2720 West Henrietta Road. All as
2 described on application and plans on file.

3 MR. FADER: I move we close the public
4 hearing.

5 CHAIRPERSON PRICE: Second.

6 Moved and seconded. Any further discussion
7 on closing the public hearing? Please call the roll.

8 (Ms. Altman, yes; Mr. Babcock-Stiner, yes;
9 Mr. Fader, yes; Ms. Ford, yes;
10 Mr. Grisewood, yes; Mr. Osowski, yes;
11 Mr. Price, yes.)

12 (Upon roll motion to close the public
13 hearing carries.)

14 CHAIRPERSON PRICE: Is there a motion to
15 approve the conditional use permit and the site plan
16 modification?

17 MR. FADER: I move the Planning Board finds
18 the proposed action will not have a significant impact
19 on the environment and adopts the negative declaration
20 prepared by town staff and that the Planning Board
21 grants conditional use approval and adopts the eight
22 conditional use findings outlined in the Planning
23 Board report and the Planning Board grants conditional
24 use permit approval and site modification approval for
25 application 8P-02-23 based on the testimony given,

1 plans submitted and with the four conditions outlined
2 in the Planning Board report.

3 CHAIRPERSON PRICE: Okay. I'll second. Is
4 there any discussion? You're good, Jason?

5 MR. HAREMZA: I'm good.

6 CHAIRPERSON PRICE: You guys all good?
7 Okay. Please call the roll.

8 **Conditional Use Findings:**

9 A. The Planning Board finds that the proposed
10 supermarket use complies with the standards of the
11 General Commercial District (BF-2).

12 B. The Planning Board finds that the proposed use is
13 in harmony with the purpose and intent of Code
14 Sections 217-3 through 217-7.2 (Conditional Uses).
15 The location and size of the supermarket, the
16 intensity, size of the site and access have all been
17 considered in the Board's review.

18 C. The Planning Board finds that the establishment of
19 a supermarket in this location, will not be
20 detrimental to persons, detrimental or injurious to
21 the property and improvements in the neighborhood, or
22 to the general welfare of the Town.

23 D. The supermarket will be developed within an
24 existing structure on a developed site and not result
25 in the destruction, loss or damage of any natural,

1 scenic or significant historical resource.

2 E. The Planning Board finds that the establishment of
3 a supermarket will not create excessive additional
4 requirements for public facilities and services and
5 will not be detrimental to the economic welfare of the
6 community.

7 F. The Planning Board finds that the establishment of
8 a supermarket will be adequately served by essential
9 public facilities.

10 G. The Planning Board finds that the establishment of
11 a supermarket will not result in the loss or damage to
12 trees.

13 H. The proposed finds that the establishment of a
14 supermarket in this location essentially conforms to
15 the Town Master Plan: Envision Brighton 2028.
16 Specifically Volume 2, Pages 47-47, the West Henrietta
17 Road Land Use Focus Area. The redevelopment of this
18 blighted building and site will improve the West
19 Henrietta Road corridor.

20 **Conditions:**

21 1. Address the comments of the Town of Brighton's
22 Department of Public Works.

23 A. Applicant shall respond in writing to
24 all comments of the Planning Board, Town Engineer, and
25 Building and Planning Department.

1 2. Monroe County and NYSDOT comments, if any, shall
2 be addressed.

3 3. The entire building shall comply with the most
4 current New York State Fire Prevention and Building
5 Code. The proposed building shall be sprinklered in
6 accordance with Town of Brighton sprinkler
7 requirements.

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

10 (Ms. Altman, yes; Mr. Babcock-Stiner, yes;
11 Mr. Fader, yes; Ms. Ford, yes;
12 Mr. Grisewood, yes; Mr. Osowski, yes;
13 Mr. Price, yes.)

14 (Upon roll motion to approve with conditions
15 carries.)

16 **Application 4P-NB1-23**

17 Application of Westmarsh Properties, LLC,
18 owner, for Preliminary Site Plan Approval and
19 Preliminary EPOD (woodlot) Permit Approval to
20 construct a 2,562 square foot two-story single-family
21 home with a 634 square foot attached garage on
22 property located at 57 Eldridge Avenue. All as
23 described on application and plans on file.

24 CHAIRPERSON PRICE: We're on 4P-NB1-23. I
25 believe this is the table recommendation.

1 MR. BABCOCK-STINER: I move that application
2 4P-NB1-23 be tabled based on the testimony given and
3 the plans submitted and that additional information is
4 requested in order to make a determination of
5 significance to have a complete application.

6 CHAIRPERSON PRICE: Second.

7 Any other discussion? This is a motion and
8 second to table the application. Please call the
9 roll.

10 (Ms. Altman, yes; Mr. Babcock-Stiner, yes;
11 Mr. Fader, yes; Ms. Ford, yes;
12 Mr. Grisewood, yes; Mr. Osowski, yes;
13 Mr. Price, yes.)

14 (Upon roll motion to table carries.)

15 CHAIRPERSON PRICE: All right. We have a
16 bunch of signs.

17 **Signs:**

18 **1691** Auto Glass Now! For a building face sign at
19 2627 West Henrietta Road.

20 CHAIRPERSON PRICE: I'll make a motion for
21 approval as recommended by ARB.

22 MR. FADER: Second.

23 CHAIRPERSON PRICE: All in favor.

24 ALL BOARD MEMBERS: Aye.

25 **1692** Care-A-Lot Generations for a building face

1 sign at 1501 Monroe Avenue.

2 CHAIRPERSON PRICE: I'll make a motion to
3 approve as recommended by the ARB.

4 MR. FADER: I'll second.

5 CHAIRPERSON PRICE: All in the favor.

6 ALL BOARD MEMBERS: Aye.

7 **1693** Nouveau Beauty Aesthetics for a building
8 face sign at 2423 Monroe Avenue.

9 CHAIRPERSON PRICE: I recommended approval
10 based on the recommendation of ARB.

11 MS. ALTMAN: Second.

12 CHAIRPERSON PRICE: All in favor.

13 ALL BOARD MEMBERS: Aye.

14 **1694** Go Car Wash for a building face sign at 2875
15 Monroe Avenue.

16 CHAIRPERSON PRICE: I will make a motion to
17 approve as recommended by ARB.

18 MR. BABCOCK-STIENER: Second.

19 CHAIRPERSON PRICE: All in favor.

20 ALL BOARD MEMBERS: Aye.

21 **1695** Chara for a building face sign at 1900
22 Monroe Avenue.

23 (Approved administratively.)

24 **1696** Boujee Coiffure for a building face sign at
25 1530 Monroe Avenue.

1 CHAIRPERSON PRICE: I'll move to approve
2 with the condition as recommended by the ARB.

3 MR. BABCOCK-STIENER: Second.

4 CHAIRPERSON PRICE: Approved and seconded.
5 All in favor.

6 ALL BOARD MEMBERS: Aye.

7 (Proceedings concluded at 8:12 p.m.)

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1 REPORTER CERTIFICATE

2
3 I, Holly E. Castleman, do hereby certify
4 that I did report the foregoing proceeding, which was
5 taken down by me in a verbatim manner by means of
6 machine shorthand.

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

11
12 Dated this 16th day of August, 2023
13 at Rochester, New York.

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21 ----- *Holly E. Castleman* -----
22 HOLLY E. CASTLEMAN, NYSACR,
23 Notary Public.
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