

PLANNING BOARD
TOWN OF BRIGHTON
MEETING OF DECEMBER 20, 2023
Brighton Town Hall
2300 Elmwood Avenue

Written comments may be submitted to Jason Haremza, Executive Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to jason.haremza@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.

FINAL AGENDA

7PM

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members.

CHAIRPERSON: Approval of 11-15-2023 minutes (if available)

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of 12-14-2023 will now be held.

Application Number: [6P-03-23](#)

[Additional Information 11-15-2023](#)

[Additional Information 12-20-2023](#)

OpenGov reference no: NA

1 Knollwood Drive

Application of Carl Grasta, owner, for Site Plan Modification and EPOD (watercourse) Permit approval to construct an in-ground swimming pool in conjunction with a new home (11P-01-22) on property located at 1 Knollwood Drive. All as described on application and plans on file. **TABLED 6-21-2023; PUBLIC HEARING REMAINS OPEN**

Application Number: [11P-03-23 Additional Information](#)

OpenGov reference no: PB-23-21

2829 West Henrietta Road

Application of Taib El Kettani, owner, and Rafiullah Sahak, lessee, for Conditional Use Permit Approval to allow for a convenience store on property located at 2829 West Henrietta Road. All as described on application and plans on file. **TABLED 11-15-2023; PUBLIC HEARING REMAINS OPEN**

Application Number: [12P-01-23](#)

OpenGov reference no: PB-23-22

1800 Brighton Henrietta Town Line Road

Application of 1800 BHTL Road, LLC, owner, and Lynn Kosmider, lessee, for Conditional Use Permit Approval to allow for a custom sign business to be on property located at 1800 Brighton Henrietta Town Line Road. All as described on application and plans on file.

Application Number: [12P-02-23](#)

OpenGov reference no: PB-23-23

2525 West Henrietta Road

Application of Vision Hyundai, owner, and Andrew Spencer, BME Associates, agent, for Preliminary/Final Site Plan Approval to construct a 1,244 sf service department building addition along with other minor site improvements on property located at 2525 West Henrietta Road. All as described on application and plans on file.

Application Number: [12P-03-23](#)

OpenGov reference no: PB-23-24

470 West Metro Park

Application of Rochester Joint Apprentice and Training Committee, owner, and Lakeside Tool, Inc, lessee, for Conditional Use Permit Approval to allow a tool warehouse/distribution facility on property located at 470 West Metro Parkway. All as described on application and plans on file.

NEW BUSINESS:

NONE

CHAIRPERSON: Announce that public hearings are closed.

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

NONE

PETITIONS:

NONE

SIGNS:

<u>1705</u>	700 W Metro Pkwy Ralph Baranes Skylight Signs	Building face sign Pathways, Inc. <i>ARB 11-28-2023 Recommend approval as presented</i>
<u>1706</u>	797 E Henrietta Rd Randy DiNatale Flexlume Sign Co.	Building face sign Spark by Hilton <i>ARB 11-28-2023 Recommend approval as presented</i>
<u>1707</u>	2600 Monroe Ave Frank Mugnola	Building face sign Arby's <i>ARB 11-28-2023 Recommend approval as presented</i>

PLANNING BOARD REPORT

HEARING DATE: 11-15-2023

APPLICATION NO: 6P-03-23

LOCATION: 1 Knollwood Drive

APPLICATION SUMMARY: Application of Carl Grasta, owner, for Site Plan Modification and EPOD (watercourse and steep slope) Permit Approval to construct an in-ground swimming pool in conjunction with a new home (11P-01-22) on property located at 1 Knollwood Drive.

NOTE: This application was tabled by the Planning Board at the 6-21-2023 meeting and has been postponed at the applicant's request until 11-15-2023 when it was again tabled by the Planning Board.

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. 1 Knollwood Drive currently contains a single family dwelling under construction.
2. The subject property is zoned Residential – Low Density A (RLA)
3. The subject site is within Environmental Protection Overlay Districts (EPOD) 1 Steep Slopes and 3 Watercourse and Floodplain Protection.
4. The site of the proposed pool is within two EPODs, making this a Type 1 Action, per [Town of Brighton Code Section 201-14J](#). The applicant has submitted applications for both EPOD permits and a full environmental assessment form (EAF).
5. A site plan, engineers report, hydraulic information, easement information, and supporting documents were submitted submitted in May 2023. Additional materials were submitted including a plan set with revision dates of 10-2-2023 and 12-6-2023, a revised engineer's report dated 10-4-2023, a stormwater pollution prevention plan (SWPPP) dated 10-6-2023, and a full environmental assessment form (EAF).
6. The applicant has responded to prior Planning Board and staff comments. See attached letter from Schultz Associates dated 12-6-2023
7. The Watercourse and Floodplain Protection District EPOD and Steep Slope EPOD boundaries shall be corrected on the plan. The boundary should be shown for a distance of 100 feet from each bank or to the landward boundary of special flood hazard, whichever is greater. The steep slope boundary is shown incorrectly. The boundary shall include all areas of 15% or greater slopes, and all areas within 50 feet of the toe or top of such slopes. See also the attached memo from Michael Guyon, PE, dated 11-14-2023.

8. Per [Town of Brighton Code Section 203-129B](#) No permit to undertake a regulated activity within the Watercourse and Floodplain Protection District shall be issued by the Planning Board unless it determines that the proposed project complies with the following standards:
 - a. The proposed activity provides adequate measures to prevent disruption and pollution of fish and wildlife habitats and freshwater wetlands, stormwater runoff, septic and sewage systems and any other activity on the site.
 - b. A natural vegetative buffer of 100 feet from each bank shall be retained adjacent to the watercourses to absorb floodwaters, to trap sediments, to protect adjacent fish and wildlife habitats and to protect scenic qualities.
 - c. Site preparation, including stripping of vegetative cover or grading, shall be undertaken so that the amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water is limited. Disturbed soils shall be stabilized and revegetated before construction can begin. During the interim, erosion protection measures, including but not limited to vegetation, retention ponds, recharge basins, berthing, silt traps and mulching, shall be used to ensure that sedimentation is minimized and mitigated.
 - d. The project shall provide adequate measures to protect surface and ground waters from direct or indirect pollution and from overuse.
 - e. Fill shall not encroach on natural watercourses, constructed channels or floodway areas. All fill shall be compacted at a final angle of repose which provides stability for the material, minimizes erosion and prevents settlement.
 - f. Roads, trails and walking paths along water bodies shall be sited and constructed so they are not a source of runoff and sedimentation. Such roads, trails and walking paths shall be constructed and sited in such a manner as to maximize the visual opportunities of a water body while maintaining the scenic qualities of the water body.
 - g. No new dock, boat launching site or fishing access and parking area shall be constructed unless it is shown that it will not impede the natural flow of the streams to which this section applies and will be located and constructed so as to minimize its intrusion into the streams and avoid adverse environmental impact and unreasonable impacts upon public use of the waters.
 - h. New structures, except for fences, bridges and fishing access parking areas, shall not be constructed within 25 feet of the bank of the stream.
 - i. New structures shall be designed and constructed in accordance with erosion control standards and stormwater control standards contained in the Best Management Practices for Stormwater Runoff Management and Stormwater Management Guidelines for New Development, as found in Chapter 6 of the New York State Department of Environmental Conservation's Stream Corridor Management Manual.
9. Per [Town of Brighton Code Section 203-120B](#) No permit to undertake a regulated activity within a steep slope protection district in the Town of Brighton shall be issued by the authorized official or the Planning Board unless the applicant can adequately demonstrate that:
 - (a.) The stable angle of repose of the soil classes found on the site shall be used to

determine the proper placement of structures and other development-related facilities within the plateau area. Site-specific calculations of the stable angle of repose for the site shall be determined by a professional soil scientist or engineer using the soil classes and nomenclature contained in the Soil Survey of Monroe County and obtained for the site by borings, as well as high-intensity soil survey data provided by the applicant.

- (b.) The stability of soils will be maintained or increased to adequately support any construction thereon or to support any landscaping, agricultural or similar activities. This shall be documented by soil bearing data provided by a qualified testing laboratory or engineer and paid for by the developer.
- (c.) No proposed activity will cause erosion or slipping of soil or cause sediment to be discharged into any stream or tributary, or the wetlands or tributaries of Irondequoit Bay.
- (d.) Plant life located on the slopes outside of the minimum area that need to be disturbed for carrying on approved activities shall not be destroyed. Plants or other acceptable ground cover shall be reestablished in disturbed areas immediately upon completion of development activity so as to prevent any of the harmful effects set forth above to maintain the natural scenic characteristics of any steep slope.
- (e.) Access down steep slopes shall be provided with ramp slopes no greater than 1:6 and side slopes no greater than 1:3 if not terraced or otherwise structurally stabilized. Disturbed nonroadway areas shall be stabilized and adequately drained;
- (f.) There is no reasonable alternative for the proposed regulated activity on that portion of the site not containing steep slopes.

TOWN ENGINEER: See attached memo dated 11-14-2023 (Note: SWBR is providing engineering services to the Town on an interim basis). Only two minor items remain to be resolved.

CONSERVATION BOARD:

Advisory comments

None

ENVIRONMENTAL REVIEW/SEQR

The granting of two or more EPOD permit is a Type 1 Action. Environmental Review. Coordinated review is not necessary as there is only one involved agency, the Town of Brighton Planning Board.

If the Planning Board finds that the proposed action will not have a significant impact on the environment, Town staff suggests that the Planning Board adopt the prepared negative declaration when considering EPOD permit approval.

BOARD ACTION/DECISION

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. The applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Town Engineer, and Building and Planning Department
2. The applicant shall satisfy the requirements of the engineer for the town including, but not limited to backwash/pool drainage and sloop stabilization and restoration. For a complete list of all specific requirements, please refer to the attached memos dated 11-9-2023 and 11-14-2023
3. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
4. All Town codes shall be met that relate directly or indirectly to the applicant's request.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 6P-03-23

Date: 12-20-2023

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Brighton Planning Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: 6P-03-23

SEQR Status: Type 1

Conditioned Negative Declaration: No

Description of Action: Site Plan Modification and EPOD (watercourse and steep slope) Permit Approval to construct an in-ground swimming pool in conjunction with a new home (11P-01-22) on property located at 1 Knollwood Drive.

Location: 1 Knollwood Drive

Findings and Reasons Supporting this Negative Declaration:

Based on information submitted to the Lead Agency, Long Environmental Assessment Form (EAF) Part 1 this action will not have a significant adverse impact on the environment for the reasons set forth below:

1. Air, Water, Waste, Erosion, Drainage, and Site Disturbance. The Project will not create any significant adverse impact in the existing air quality or water quality, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems. Chlorinated water runoff from the proposed pool was reviewed and will be adequately collected and discharged. Stormwater runoff from the Project will be adequately collected and treated on site through the stormwater management facility to be constructed on the Property and discharged in accordance with all applicable New York State standards.
2. Noise and Visual Impacts. The Project will not create any adverse noise or visual impacts.
3. Agriculture, Archeology, Historic, Natural, or Cultural Resources, Community or Neighborhood Character. The Project will not adversely impact agricultural, archeological, historical, natural, or cultural resources.

4. Vegetation, Fish, Wildlife, Significant Habitats, Threatened or Endangered Species, Wetlands, Flood Plains. The Project will not have a significant adverse impact on plant or animal life. The Property does not host any threatened or endangered species, and therefore the Project will have no impact on any threatened or endangered species. There are no State or Federal wetlands on the Property. The Property does contain a very small portion of a flood hazard area but this will not be impacted by the demolition.

5. Community Plans, Use of Land, and Natural Resources. The Project is consistent with the Town's Comprehensive Plan.

6. Growth, Subsequent Development, etc. The Project will not induce any significant or adverse growth or subsequent development.

7. Long Term, Short Term, Cumulative, or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.

8. Critical Environmental Area. The Project will not have an impact on any designated Critical Environmental Area as set forth in 6 NYCRR Section 617.14(g).

9. Traffic. The Project will not have a significant adverse impact on vehicular traffic.

10. Public Health and Safety. The Project will not have a significant adverse impact on public health or safety.

The Project is subject to all applicable Federal, State, and Local laws, regulations, and code requirements including all requirements of the Town of Brighton, Monroe County Department of Transportation, Monroe County Water Authority, Monroe County Department of Health, and New York State Department of Environmental Conservation.

Pursuant to SEQRA, based on the abovementioned information, documentation, testimony, correspondence, and findings, and after examining the relevant issues, including all relevant issues raised and recommendations offered by involved and interested agencies and Town Staff, the Lead Agency determines that the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration, and, therefore, SEQRA does not require further action relative to the Project.

The Town of Brighton Planning Board, as Lead Agency, has made the following additional determinations:

A. The Lead Agency has met the procedural and substantive requirements of SEQRA.

B. The Lead Agency has carefully considered each and every criterion for determining the potential significance of the Project upon the environment as set forth in SEQRA, and the Lead Agency finds that none of the criteria for determining significance set forth in SEQRA would be implicated as a result of the Project.

C. The Lead Agency has carefully considered (that is, has taken the required "hard look" at)

the Project and the relevant environmental impacts, facts, and conclusions in connection with same.

D. The Lead Agency has made a reasoned elaboration of the rationale for arriving at its determination of environmental non-significance, and the Lead Agency's determination is supported by substantial evidence, as set forth herein

E. To the maximum extent practicable, potential adverse environmental impacts will be largely avoided or minimized by the Applicant's careful incorporation in its application materials of measures designed to avoid such impacts that were identified as practicable.

Date Issued: 12-20-2023

For further information:

Contact Person: Rick DiStefano, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Email: rick.distefano@townofbrighton.org
Telephone: 585-784-5228

December 6, 2023

Jason Haremza, Town Planner

Town of Brighton

2300 Elmwood Avenue
Rochester, New York 14618

**RE: Grasta Site Plan
1 Knollwood Drive
Residential Site Plan Review
Planning Board Application 6P-03-23**

Dear Mr. Haremza:

Attached, please find the following for the updated site plan for the above mentioned project for Town of Brighton review.

- Five (5) copies of the revised site plan set.
- Fifteen (15) copies of the revised site plan reduced onto 11"x17" sheets.
- Revised Planning Board Application and \$150 for the Steep Slope EPOD.
- Light Fixture Specifications
- Sanitary Pump Information
- Preliminary Letter of Credit estimate for review.

The plans have been revised as follows:

Town Of Brighton Planning Board Report comments, dated: November 15, 2023:

Building and Planning:

1. No response required.
2. No response required.
3. No response required.
4. No response required.
5. A revised Planning Board application form and fee are included with this submission.
6. No response required.
7. The Watercourse and Floodplain Protection District EPOD line is located on the plan, I have added a thicker line type to have the boundary line stand out on the black and white plan. The 50-foot extension from the top and toe of the steep slopes has been added to the Steep Slopes EPOD limits shown on the plan. The Steep Slopes shown on the plan are the natural areas of step slopes, I did not include the areas created with the recent house construction.
8. See the EPOD Watercourse and Floodplain Protection District Statement within the Engineers Report.
9. See the EPOD Steep Slope Protection District Statement within the Engineers Report.

Town Engineer – SWBR - comments (Michael E. Guyon, PE) dated: November 9, 2023:

General:

1. The Watercourse and Floodplain Protection District EPOD line is located on the plan, I have added a thicker line type to have the boundary line stand out on the black and white plan. The EPOD is now shown as a single shading (hatch).
2. The 50-foot extension from the top and toe of the steep slopes has been added to the Steep Slopes EPOD limits shown on the plan.
3. The extents of the Watercourse and Floodplain Protection District EPOD and the Steep Slopes EPOD now have a thicker line type which should help in reading the plan. The Watercourse and Floodplain Protection District EPOD is now shown as a single shading (hatch).
4. A Letter of Credit for the Landscaping, steep slope stabilization areas, sanitary sewer features and water service is included with this submission for your review.
5. The geotechnical report indicated that the existing slope is fill material and is not suitable for structural fill. The area of the proposed pool, deck and cabana will need to be excavated to native soil. This area will then be backfilled with #1/#2 stone and compacted to achieve 95% density. The excavated fill material will be taken offsite to be used as yard (non-structural) fill on one of the developer's development projects. The developer is aware of this requirement.
6. Exterior lighting will include a Barrett 9" Wx18" H Outdoor Wall Lantern located at the cabana door and the restroom door. This fixture is a patio light that uses (3) 60 Watt E12 Candelabra light bulbs. The cut sheet is included with this submission. A Lighting List block has been added to sheet D-1.
7. The pool shall comply with all applicable Town of Brighton and NYS Building Code requirements. This has been added to General Town of Brighton Note #14 on sheet D-2.

Engineer's Report:

1. The final SWPPP will be signed by a NYS licensed PE, certifying that the design of all construction and post-construction SWPP & ESC practices meet the requirements.

Modified Site Plan:

1. The pump station selected is referenced in the Utility Notes on sheet D-2 and shown in the Pool Area Detail on Sheet S-1 as well as the Cabana Detail on sheet D-1. The pump curve information for the Liberty Pumps P680 series side discharge sewage system is included with this submission. The pump elevation will be around 393.65, the existing sanitary lateral in the basement is around 393.0'. The total dynamic head will be less than 5 feet.
2. To avoid potential water quality concerns with Allen's Creek the owner has decided to connect the pool pump discharge to the sanitary lateral. A connection detail with invert elevations is shown on sheet D-1. The 2" pool discharge line will have a check valve and connect to a 4" gravity lateral which will be connected to the gravity lateral extended from the existing lateral in the basement. The recommended backwash rate is 15 gpm per sf of sand filter for 2 to 3 minutes once a week. Assuming a maximum 3 sf sand filter the amount of weekly backwash entering the sanitary lateral will be approximately 90-135 gallons.
3. A detail has been created showing the silt fence backed by construction fence and is located on sheet D-2.
4. Steep Slope Landscape note #1 indicates that sod is to be placed to stabilize all disturbed areas including the steep slope areas. 1,160 sf of sod is shown on the Landscaping Detail on sheet D-1.



129 SOUTH UNION STREET
PO BOX 89
SPENCERPORT, NY 14559
OFFICE:(585) 349-3750
FAX:(585) 349-3751
www.schultzassociatespc.com

5. The cabana roof leader discharge velocity will be mitigated by directing the discharge to established sod. See Steep Slope Landscape note #1.

Detail Sheet:

1. The Town sanitary lateral detail has been removed from the plans. Details of the proposed force main and pump station have been added to sheet D-2.

Please feel free to contact me if you have any questions regarding this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Matt".

David Matt
Project Manager



ROCHESTER OFFICE
387 East Main St
Rochester NY 14604
585 232 8300
rochester@swbr.com

Architecture
Graphic Design
Interior Design
Landscape Architecture
Structural Engineering

Date: November 14, 2023

From: Michael E. Guyon, P.E.

To: Evert Garcia, Jason Haremza

Copy: File

Re: Application No. 6P-03-23

Owner: Carl Grasta

Property Address: 1 Knollwood Drive

Project Description: Site Plan Modification and EPOD, (Watercourse), Permit Approval
Construct an In-Ground Swimming Pool

We have completed our review of the above referenced project and offer the following comments for the Planning Boards consideration:

General:

1. The Floodplain Protection District EPOD boundary line shown on the plan correctly identifies the Watercourse and Floodplain Protection District. The boundary line should be labeled as the Watercourse and Floodplain Protection District and all other references to this EPOD should be removed from the plans.
2. A note should be added to the plans indicating that excavated fill material shall be removed from the site within 14 days of excavation.



ROCHESTER OFFICE
387 East Main St
Rochester NY 14604
585 232 8300
rochester@swbr.com

Architecture
Graphic Design
Interior Design
Landscape Architecture
Structural Engineering

Date: November 9, 2023

From: Michael E. Guyon, P.E.

To: Evert Garcia, Jason Haremza

Copy: File

Re: Application No. 6P-03-23

Owner: Carl Grasta

Property Address: 1 Knollwood Drive

Project Description: Site Plan Modification and EPOD, (Watercourse), Permit Approval
Construct an In-Ground Swimming Pool

We have completed our review of the above referenced project and offer the following comments for the Planning Boards consideration:

General:

1. The EPOD and its associated buffer for the Watercourse and Floodplain Protection District EPOD is shown incorrectly on the plan. The boundary should be shown for a distance of 100 feet from each bank or to the landward boundary of special flood hazard, whichever is greater.
2. The steep slope boundary is shown incorrectly. The boundary shall include all areas of 15% or greater slopes, and all areas within 50 feet of the toe or top of such slopes.
3. Sheet S-2 includes hatching within the floodplain. What is the intent of this hatching? The plans should include a legend.
4. A letter of credit should include landscaping, including ground cover that is intended to stabilize disturbed areas, sanitary sewer, and water service improvements. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
5. The geotechnical report indicates that the existing slope is fill material and is not suitable for structural fill. The report states that this fill is sensitive to settlement and should not be left in place beneath the pool, cabana or associated patio slab. This could be a substantial volume of material. The long form EAF indicates that this material will be removed from the site to be used as fill. Please explain this statement.
6. Cut sheets and technical data regarding the proposed lighting should be provided. The location of the lighting should be shown on the plans.
7. The pool shall comply with all applicable Town of Brighton and NYS Building Code requirements.

SWBR

Engineer's Report:

1. The final SWPPP must be signed by a New York State licensed professional engineer (PE), who will certify that the design of all construction phase and postconstruction phase stormwater pollution prevention and erosion and sediment control practices meets the requirements outlined in the Town's design criteria and the New York State Standards and Specifications for Erosion and Sediment Control and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the Town Engineer. This certification statement must be included in the SWPPP.

Plans

1. Modified Site Plan
 - a. The pump station must be designed in conformance with the NYS Residential Building and Plumbing codes.
 - b. We are concerned that the backwash discharge will discolor and degrade the water quality of Allens Creek. The NYSDEC MS4 permit indicates that pool discharges are exempt from the need to obtain a SPDES permit provided the discharge is dechlorinated. The NYSDEC indicates that as a general rule, 10 days holding time after the last chemical treatment, is usually adequate to dissipate chlorine prior to discharge. The NYSDEC also recommends that pool water be essentially free of chlorine, algaecides, and other potential pollutants prior to discharge. Additionally, pool discharges should be done slowly to prevent soil erosion, flooding, or damage to adjacent properties (the recommended maximum discharge rate is 25 gal/min or less). How will the proposed design meet these recommendations.
 - c. A detail showing the silt fence backed by orange construction fencing should be provided on the plans.
 - d. A note should be added to the plans indicating that all slopes greater than or equal to 3 horizontal to 1 vertical will be stabilized with an erosion fabric material such as jute mesh or sod.
 - e. The cabana and storm sewer system will discharge directly onto the steep slopes. What measures will be implemented to reduce the discharge velocity? Details of these measures should be provided on the plans.

Detail Sheet

1. The following details must be provided on the plans:
 - a. The sanitary lateral detail provided on the plans is not applicable. Details of the forcemain and pump station should be provided.

PLANNING BOARD REPORT

HEARING DATE: 12-20-2023

APPLICATION NO: 11P-03-23
OpenGov reference no: PB-23-21

LOCATION: 2829 West Henrietta Road

APPLICATION SUMMARY: Application of Taib El Kettani, owner, and Rafiullah Sahak, lessee, for Conditional Use Permit Approval to allow for a convenience store on property located at 2829 West Henrietta Road. **NOTE: This application was tabled by the Planning Board at the 11-15-2023 meeting.**

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. 2829 West Henrietta Road currently contains a two story, multi-tenant, mixed use building. The proposal is for the north tenant space, approximately 770 square feet, last occupied by a cell phone store.
2. The subject property is zoned General Commercial District (BF-2)
3. Floor plans and a site diagram showing 17 parking spaces have been submitted.
4. The change of use from a retail (previous use was a cellular telephone store) to a convenience store/grocery store space creates a one space parking deficiency. A prior variance for parking on this property was granted on 10-4-2017 that waived eight parking spaces (25 required at that time, 17 on site). A new variance request is required for the additional parking deficiency of one space. A variance was granted by the ZBA on 12-6-2023.
5. The proposal is for a specialty grocery store (halal meats)/convenience store. The applicant has stated that meat processing will consist of taking large cuts of fresh halal meat, and portioning it on site into smaller cuts for individual customers. Customer volume is expected to be low and focused on the Afghan community.
6. The applicant has submitted information related to the conditional use permit application.
7. The applicant has provided additional information about the parking to the Zoning Board, and in testimony to the Zoning Board has submitted additional information about trash collection.
8. Applicant should confirm expected type of delivery vehicle (box truck, tractor trailer,

etc.) and expected delivery times/how long the deliveries will take to ensure that other users of this property and adjoining properties/streets are not substantially affected by deliveries.

TOWN ENGINEER: NONE

SEWER DEPARTMENT:

The applicant should contact Tim Jason (tim.jason@townofbrighton.org 585-784-5289) in the Sewer Department with any questions on these comments.

1. Provide details on the chop saw (meat saw?) indicated on the site plan.
2. More details are needed regarding food sales and food preparation.
3. If there is any food preparation, a grease trap may be required.

CONSERVATION BOARD: NONE

CONDITIONAL USE PERMIT FINDINGS

The following findings, based on the standards found in [Town of Brighton Code Section 217-7](#), are suggested for the Planning Board's consideration and discussion.

1. The Planning Board finds that the proposed specialty grocery store/convenience store use complies with the standards of the General Commercial District (BF-2).
2. The Planning Board finds that the proposed use is in harmony with the purpose and intent of [Code Sections 217-3 through 217-7.2](#) (Conditional Uses). The location and size of the specialty grocery store/convenience store, the intensity, size of the site and access have all been considered in the Board's review.
3. The Planning Board finds that the establishment of a specialty grocery store/convenience store in this location, will not be detrimental to persons, detrimental or injurious to the property and improvements in the neighborhood, or to the general welfare of the Town.
4. The specialty grocery store/convenience store will be developed within an existing structure on a developed site and not result in the destruction, loss or damage of any natural, scenic or significant historical resource.
5. The Planning Board finds that the establishment of a convenience store/grocery store will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.
6. The Planning Board finds that the establishment of a convenience store/grocery store will be adequately served by essential public facilities.
7. The Planning Board finds that the establishment of a convenience store/grocery store will not result in the loss or damage to trees.

8. The Planning Board finds that the establishment a convenience store/grocery store in this location essentially conforms to the Town Master Plan: Envision Brighton 2028. Specifically Volume 2, Pages 47-47, the West Henrietta Road Land Use Focus Area. Although small, the occupancy of this commercial space by a viable business is better than a vacant space for the West Henrietta Road corridor.

ENVIRONMENTAL REVIEW/SEQR

Staff reviewed the submitted materials and carefully considered both State (6 NYCRR 617.5) and Town (Town Code Section 201-14) and determined the proposed accessory structure is a Type 2 action, requiring no further environmental review.

Specifically 6 NYCRR 617.5(c)(18):

Reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part.

BOARD ACTION/DECISION

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Town Engineer, and Building and Planning Department.
2. Seventeen (17) parking spaces shall be available on the property regardless of configuration and trash container locations. The owner shall submit an updated property diagram showing the current parking space configuration and area designated for trash containers (toters, dumpsters, etc.).
3. Proposed interior renovations may require plans to be drawn and stamped by a design professional licensed in New York State. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
4. Any proposed signage shall comply with the Town of Brighton code.
5. All Town codes shall be met that relate directly or indirectly to the applicant's request.

Cox Building Properties LLC

5912 Benz Drive. Zephyrhills, Florida 33540. Phone 585-414-0435.

Email: casaproerty.te@gmail.com

December 4, 2023

LETTER OF ATTESTATION

Mr. Jason Haremza, AICP Planner

Ref: Planning Board Application 11P-03-23, 2829 W.H.Rd-14618

Mr. Haremza,

It has come to my attention that the owner(s) of the Gold & Cash Pawn shop offered testimony before the Town of Brighton's board regarding the above referenced Planning Board Application for a parking lot variance. As the board is aware of, my tenant is planning to open a specialty kosher store catering to particular customers which should have in principle minimum traffic and parking impact on the previous way business was conducted due to the square footage to be occupied and the nature of business.

Mr. Adam, the owner of the adjacent property, where he operates his Pawnshop business and rents to the Chinese restaurant, TSING TAO, testimony was false and misleading in numerous ways. His testimony, against the Applicant, to the best of my knowledge, was that there was already a parking shortage at my Address, when in fact that was never the case. The truth is that in the past, I have not objected to Mr. Adam and his employees to park in the rear of my un-used spaces in the back of my parking lot to accommodate his own parking lot shortage. I did this as courtesy to my neighbor. It is worth noting that Mr. Adam does not pay me for this usage, and has no contractual right to park on my property or keep on doing so. In addition, I recently became aware through information provided by my tenants that the TSING TAO Chinese restaurant employes who are also tenants of Mr. Adam have been instructed to park in my parking lot in an effort to free up much needed parking spaces for their customers. Even with this violation of my property rights, neither I nor my tenants have ever experienced issues with parking shortage at my property.

As a result of these facts, I have effectively decided to deny Mr. Adam, his employes, as well as his Tenants and their customers to further continue to park on my property. In addition, I will be contracting with a towing company and posting signs that will emphasize that the parking lot usage is strictly for my Tenants and their patrons. I have also agreed that both the Applicant and the bubble Tea shop Tenants use one single parking lot spot to accommodate both their small size dumpsters. I have also verified with that both dumpsters will be able to be serviced simultaneously. As a result, I now will have more parking freed up and available strictly for my Tenants than I did previously.

While the Zoning board understandably takes into account the inputs and opinions of neighboring property owners when approving or denying a variance, it should be aware when such neighbors are offering false self-serving testimonies, such as Mr. Adam's who sought in a malicious manner to keep the parking privileges, I have extended to him and his employes in the past.

In conclusion, having a good understanding of the existing parking lot conditions, denying Mr. Adam, his employees and Tenants further use of my parking lot, enforcing towage of illegally parked cars, and consolidating the dumpsters square footage usage, In addition to the nature of the Applicant's business model which in my opinion is being improperly classified as a Mini-Mart/Grocery store should ease every one's mind if not, eliminate concerns of any serious potential parking space issues on my property.

Cordially Yours,

Cox Building Property LLC

By: Taib Elkettani

Its: Sole Managing Member

PLANNING BOARD REPORT

HEARING DATE: 12-20-2023

APPLICATION NO: 12P-01-23
OpenGov reference no: PB-23-22

LOCATION: 1800 Brighton Henrietta Town Line Road

APPLICATION SUMMARY: Application of 1800 BHTL Road, LLC, owner, and Lynn Kosmider, lessee, for Conditional Use Permit Approval to allow for a custom sign business to be on property located at 1800 Brighton Henrietta Town Line Road.

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. 1800 Brighton Henrietta Town Line Road currently contains a single story, 12,000 (+/-) square foot, multi-tenant, commercial building.
2. The subject property is zoned Light Industrial (IG).
3. A survey map, building diagram, and floor plans, have been submitted, as well as operational information relevant to the Conditional Use Permit request.
4. Applicant to confirm that no exterior changes are proposed for the property.
5. Applicant to confirm that all operations will take place within the building and there will be no outdoor fabrication, storage, or other activities.
6. Applicant to confirm hours of operation.

TOWN ENGINEER: NONE

SEWER DEPARTMENT: NONE

CONSERVATION BOARD: NONE

CONDITIONAL USE PERMIT FINDINGS

The following findings, based on the standards found in [Town of Brighton Code Section 217-7](#), are suggested for the Planning Board's consideration and discussion.

1. The Planning Board finds that the proposed sign business use complies with the standards of the Light Industrial (IG) district.
2. The Planning Board finds that the proposed use is in harmony with the purpose and intent of [Code Sections 217-3 through 217-7.2](#) (Conditional Uses). The location and size of the sign business, the intensity, size of the site and access have all been considered in the Board's review.

3. The Planning Board finds that the establishment of a sign business in this location, will not be detrimental to persons, detrimental or injurious to the property and improvements in the neighborhood, or to the general welfare of the Town.
4. The sign business will be developed within an existing structure on a developed site and not result in the destruction, loss or damage of any natural, scenic or significant historical resource.
5. The Planning Board finds that the establishment of a sign business will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.
6. The Planning Board finds that the establishment of a sign business will be adequately served by essential public facilities.
7. The Planning Board finds that the establishment of a sign business will not result in the loss or damage to trees.
8. The proposed finds that the establishment of a sign business in this location essentially conforms to the Town's Comprehensive Plan: Envision Brighton 2028. Specifically Volume 2, Pages 16, the Economic Vitality Policy Objectives [emphasis added]:
 - A. *Attract and promote the sustainable development of quality office, retail, commercial, medical, light industrial, and residential uses in areas with existing critical infrastructure, in an effort to expand the Town's local tax base while providing needed and desired goods and services, and without compromising other community goals.*
 - E. *Provide support for local businesses, entrepreneurs, institutions, and enterprises to attract and retain local talent and increase access to local goods.*

ENVIRONMENTAL REVIEW/SEQR

Staff reviewed the submitted materials and carefully considered both State (6 NYCRR 617.5) and Town (Town Code Section 201-14) and determined the proposed accessory structure is a Type 2 action, requiring no further environmental review.

Specifically 6 NYCRR 617.5(c)(18):

Reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part.

BOARD ACTION/DECISION

If the Planning Board entertains approval, the following conditions are recommended by staff,

along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Town Engineer, and Building and Planning Department
2. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
3. All Town codes shall be met that relate directly or indirectly to the applicant's request.

PLANNING BOARD REPORT

HEARING DATE: 12-20-2023

APPLICATION NO: 12P-02-23
OpenGov reference no: PB-23-23

LOCATION: 2525 West Henrietta Road

APPLICATION SUMMARY: Application of Vision Hyundai, owner, and Andrew Spencer, BME Associates, agent, for Preliminary/Final Site Plan Approval to construct a 1,244 sf service department building addition along with other minor site improvements on property located at 2525 West Henrietta Road.

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. The subject property is zoned General Commercial (BF-2).
2. The property contains a 26,000 (+-) square foot, single story structure, used for retail since the 1970s and used for vehicle sales since approximately 1987.
3. A survey, site plan, and architectural plan set have been submitted.
4. The application materials only show what is occurring on 2525 West Henrietta Road. However, it is clear that Vision Hyundai is utilizing both 2525 West Henrietta Road and the adjacent parcel to the south, 2577 West Henrietta Road, as one functional site. In fact, the parking spaces along the south side of the building on 2525 cannot function without utilizing 2577. The applicant should provide information on cross-access easements and/or plans to combine the parcels through a re-subdivision.
5. Review of aerial images show that the dirt/gravel area on 2577 West Henrietta Road was paved in 2021 or 2022. The survey submitted for this application shows out of date information regarding the site conditions of 2577 West Henrietta Road.
6. In addition, the owner of 2525 West Henrietta Road (2525 West Henrietta Road LLC) also owns 2595 West Henrietta Road, the property immediately to the south of 2577 West Henrietta Road. This suggests that this third parcel may at some point be integrated into the operations of Vision Hyundai.
7. The applicant should provide additional information including but not limited to clear information on the ownership/site control of all three parcels, up to date site conditions, and drainage information for all paved areas. See also the attached memo from Assistant Town Engineer Brendan Ryan, dated 12-15-2023. The applicant shall respond to all 26

items listed in this memo.

8. See aerial imagery and GIS parcel information at the end of this section for project orientation.
9. The project was reviewed and approved as presented by the Architectural Review Board (ARB) on 12-19-2023.



TOWN ENGINEER: See attached memo dated 12-15-2023. The applicant shall respond to all 26 items. The following items from the memo are of particular importance:

1. A schedule of all easements (existing/proposed, public/private) shall be provided in conjunction with this project. All texts, maps and descriptions shall be prepared and submitted to this office for review of the proposed easements. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.
2. How would the stormwater from the proposed addition be handled (connection points to storm sewer, surface discharge, dry well, etc)?
3. An easement is shown on the property to the south, and it appears that significant amounts of paving has been added to this parcel and is being used as additional parking for Vision Hyundai. Please clarify how this occurred and how it is being addressed.
4. A utility manhole is shown on the plans with reference to possible utility access

easements. Please clarify the status and details of this.

5. The oil separator must comply with NYS Plumbing Code, as well as Town code, and must be able to adequately accommodate site additions.
6. It appears that the existing sidewalk and curbing adjacent to the north side of the building may conflict with access to the new addition.

SEWER DEPARTMENT:

The applicant should contact Tim Jason (tim.jason@townofbrighton.org 585-784-5289) in the Sewer Department with any questions on these comments.

1. Oil separator must comply with NYS Plumbing code as well as Town code. Oil separator must be able to adequately accommodate site additions.

CONSERVATION BOARD: NONE

Advisory comments

ENVIRONMENTAL REVIEW/SEQR

This is likely a Type 2 Action. However, complete information on the entire site (2525 West Henrietta Road, 2577 West Henrietta Road, and potentially 2595 West Henrietta Road) is required before a determination can be made.

BOARD ACTION/DECISION

If the Planning Board entertains tabling, the following reasons are recommended by staff, along with any others added by the Board:

1. Submit additional information that addresses the general topics raised in this staff report and the accompanying Town Engineer memo, including but not limited to:
 - a. Verification of ownership and site control of all three parcels: 2525 West Henrietta Road, 2577 West Henrietta Road, and 2595 West Henrietta Road
 - b. Updated drawings showing the entire site, site conditions, and easements

For a complete list of 26 specific requirements, please refer to the attached memo dated 12-15-2023.

2. Monroe County comments shall be addressed.



Town of
Brighton

Public Works Department

Commissioner of Public Works – Evert Garcia, P.E.

Brendan Ryan
Assistant Engineer

Date: December 15, 2023

From: Brendan Ryan

To: Jason Haremza

Copy: File

Re: *Application No. 12P-02-23*

*Application of Vision Hyundai Henrietta, owner, for Preliminary/Final Site Plan Approval and Conditional Use Permit Approval to construct a 1244 +/- sf building addition
2525 West Henrietta Rd*

We have completed our review of the above referenced project and offer the following comments for the Planning Board's consideration:

General:

1. A schedule of all easements (existing/proposed, public/private) shall be provided in conjunction with this project. All texts, maps and descriptions shall be prepared and submitted to this office for review of the proposed easements. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.
2. All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
3. The contractor shall obtain all necessary Highway Access, Sewer Construction, or other permits from the Town or other agencies prior to starting work.
4. If any environmental conditions or issues, not previously identified, are encountered during construction, the owner and the contractor(s) shall immediately notify the Town, Monroe County Health Department and NYSDEC before continuing the construction process.
5. The proposed building and site plan must comply with the New York State Fire Code. The Town of Brighton Fire Marshal must review the fire apparatus access and fire hydrant locations. The Fire Apparatus Access and Fire Hydrant Worksheet must be completed and submitted to the Town of Brighton for review. The worksheet can be found at: <http://www.townofbrighton.org/DocumentCenter/View/4557>

Sustainability:

1. Regional materials should be used to construct the proposed project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.
2. The applicant should consider provisions to promote sustainable transportation such as bicycle parking.
3. The applicant should consider provisions to reduce stormwater runoff and impervious cover where possible

Site Plan:

1. How would the stormwater from the proposed addition be handled (connection points to storm sewer, surface discharge, dry well, etc)?
2. An easement is shown on the property to the south, and it appears that significant amounts of paving has been added to this parcel and is being used as additional parking for Vision Hyundai. Please clarify how this occurred and how it is being addressed.
3. A utility manhole is shown on the plans with reference to possible utility access easements. Please clarify the status and details of this.
4. The oil separator must comply with NYS Plumbing Code as well as Town code, and must be able to adequately accommodate site additions.
5. It appears that the existing sidewalk and curbing may conflict with access to the new addition.

General Notes:

1. Floor drains, if installed, shall be connected to the sanitary sewer system. Floor drains do not include foundation or footer drains. Discharge from any floor drain must meet the effluent limits of the local and/or Monroe County Pure Waters Sewer use Law.
2. An erosion and sediment control plan must be provided.

Notes- The following notes should be included with the formal set of design drawings

1. All construction shall conform to Town of Brighton Standards unless specifically noted on the plans, and shall be subject to the inspection and approval of the Town of Brighton.
2. The contractor is directed to obtain a current copy of the Town of Brighton Standards prior to beginning work.
3. The contractor shall obtain all necessary Highway Access, Sewer Construction, or other permits from the Town or other agencies prior to starting work
4. The contractor shall be responsible for all damages and repairs to all utilities, public and private roadways, sidewalks, and structures including signs, resulting from his operation
5. The contractor shall locate, mark, safeguard, and preserve all survey control monuments in the areas of construction. For descriptive and survey data on the control monuments, call the Monroe County Geodetic Survey Office.
6. The landscaping associated with the project shall be guaranteed for three years.
7. Erosion control measures shall be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control.
8. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control measures, tree protection and preservation throughout construction.
9. All utilities services serving the site shall be disconnected at the direction of the utility provider. The severance of utility services should be confirmed by the Sewer Department and other agencies prior to demolition.
10. Sanitary and/or storm sewer cleanouts on site or within the right of way, shall be protected by orange construction fencing during the demolition.
11. The project must comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the project must comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, Section 56-3.6(a) regarding ten-day notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and the asbestos survey and removal requirements of Section 56-5 are met.

PLANNING BOARD REPORT

HEARING DATE: 12-20-2023

APPLICATION NO: 12P-03-23
OpenGov reference no: PB-23-24

LOCATION: 470 West Metro Parkway

APPLICATION SUMMARY: Application of Rochester Joint Apprentice and Training Committee, owner, and Lakeside Tool, Inc, lessee, for Conditional Use Permit Approval to allow a tool warehouse/distribution facility on property located at 470 West Metro Parkway.

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. 470 West Metro Parkway currently contains a single story, 12,000 (+/-) square foot, multi-tenant, commercial building.
2. The subject property is zoned Light Industrial (IG).
3. A survey map, building diagram, and floor plans, have been submitted, as well as operational information relevant to the Conditional Use Permit request.
4. Applicant to confirm that no exterior changes are proposed for the property.
5. Applicant to confirm that all operations will take place within the building and there will be no outdoor storage or other activities.
6. Hours of operation are proposed to be 8:30AM to 6PM.
7. Applicant to provide additional information on the nature of the business. For example, it is primarily wholesale, but can an individual walk off the street and purchase or rent a tool?

TOWN ENGINEER: NONE

SEWER DEPARTMENT: NONE

CONSERVATION BOARD: NONE

CONDITIONAL USE PERMIT FINDINGS

The following findings, based on the standards found in [Town of Brighton Code Section 217-7](#), are suggested for the Planning Board's consideration and discussion.

1. The Planning Board finds that the proposed tool warehouse/distribution facility complies with the standards of the General Commercial District (BF-2).
2. The Planning Board finds that the proposed use is in harmony with the purpose and intent of [Code Sections 217-3 through 217-7.2](#) (Conditional Uses). The location and size of the

tool warehouse/distribution facility, the intensity, size of the site and access have all been considered in the Board's review.

3. The Planning Board finds that the establishment of a tool warehouse/distribution facility in this location, will not be detrimental to persons, detrimental or injurious to the property and improvements in the neighborhood, or to the general welfare of the Town.
4. The tool warehouse/distribution facility will be developed within an existing structure on a developed site and not result in the destruction, loss or damage of any natural, scenic or significant historical resource.
5. The Planning Board finds that the establishment of a tool warehouse/distribution facility will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.
6. The Planning Board finds that the establishment of a tool warehouse/distribution facility will be adequately served by essential public facilities.
7. The Planning Board finds that the establishment of a tool warehouse/distribution facility will not result in the loss or damage to trees.
8. The proposed finds that the establishment of a tool warehouse/distribution facility in this location essentially conforms to the Town's Comprehensive Plan: Envision Brighton 2028. Specifically Volume 2, Pages 16, the Economic Vitality Policy Objectives [emphasis added]:
 - A. *Attract and promote the sustainable development of quality office, retail, commercial, medical, light industrial, and residential uses in areas with existing critical infrastructure, in an effort to expand the Town's local tax base while providing needed and desired goods and services, and without compromising other community goals.*
 - E. *Provide support for local businesses, entrepreneurs, institutions, and enterprises to attract and retain local talent and increase access to local goods.*

ENVIRONMENTAL REVIEW/SEQR

Staff reviewed the submitted materials and carefully considered both State (6 NYCRR 617.5) and Town (Town Code Section 201-14) and determined the proposed accessory structure is a Type 2 action, requiring no further environmental review.

Specifically 6 NYCRR 617.5(c)(18):

Reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part.

BOARD ACTION/DECISION

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Town Engineer, and Building and Planning Department
2. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
3. All Town codes shall be met that relate directly or indirectly to the applicant's request.