
BRIGHTON

PLANNING

BOARD

March 20, 2024
At approximately 7 p.m.
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

JASON HAREMZA, EXECUTIVE SECRETARY

JOHN OSOWSKI, ACTING CHAIRPERSON

| | | |
|----------------------|---|---------------|
| DAVID FADER |) | BOARD MEMBERS |
| PETER GRISEWOOD |) | |
| JASON BABCOCK-STINER |) | |

LAUREN BARON, ESQ.
Attorney for the Town

ABSENT:

WILLIAM PRICE, CHAIRPERSON

KAREN ALTMAN

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

1 ACTING CHAIRPERSON OSOWSKI: Good evening,
2 everyone. I'd like to welcome you to our March 20th
3 Town of Brighton Planning Board meeting.

4 In the event of a non-snow emergency
5 tonight, there are doors in front of the hall
6 behind -- in front of us, behind you, and doors to the
7 side; to my right, your left in case of an emergency.

8 If there are any comments that you care to
9 submit after hearing more details about the
10 applications discussed at tonight's meeting, you may
11 submit those comments in writing to Jason Haremza our
12 Executive Secretary and Town Planner. His email is
13 Jason.haremza, H-A-R-E-M-Z-A at townofBrighton.org.

14 At this time I will call the meeting to
15 order and ask the executive secretary to call the
16 roll, please.

17 (Whereupon the roll was called.)

18 MR. HAREMZA: Altman is absent. Price is
19 absent.

20 ACTING CHAIRPERSON OSOWSKI: Okay. Thank
21 you. At this time we'll take a few minutes with the
22 Board and with our staff and consulting legal advisor
23 to talk about the applications we will be hearing
24 tonight.

25 Okay. So Jason, the first one is --

1 actually the only one is 3P-01-24, the 2144 Brighton
2 Henrietta Town Line Road. What additional information
3 do you think we need to know about this?

4 MR. HAREMZA: Very little. This seems very
5 straightforward. I think maybe just have the
6 applicant state on the record some of the questions
7 I've provided in the staff report about any outdoor
8 storage or operations and the precise nature of the
9 business just to, again, be sure it is primarily
10 office, warehouse and wholesale.

11 ACTING CHAIRPERSON OSOWSKI: Okay. Very
12 good. Thank you. Okay. We'll --

13 MR. HAREMZA: Just -- I will, if possible,
14 John, just a few comments on the signs for tonight.

15 ACTING CHAIRPERSON OSOWSKI: Yeah. Go
16 ahead.

17 MR. HAREMZA: Okay. So typically we don't
18 do staff reports for signage, though you saw one in
19 the packet that was posted yesterday because the
20 Starbucks signage package was pretty extensive and
21 complex.

22 So what staff is recommending for that is
23 there are a number of signs that have been sort of
24 grouped into I believe three or four different
25 variances that the applicant has submitted

1 applications for the ZBA. However, two of the signs
2 are code compliant. And so the recommendation is that
3 the Planning Board -- if it agrees, to approve the two
4 signs that meet the Code and table the remainders
5 pending their variance -- the granting of those
6 variances.

7 As far as Architectural Review Board, they
8 reviewed the whole package and were okay with the
9 whole thing going forward.

10 ACTING CHAIRPERSON OSOWSKI: It looks pretty
11 similar to what we did for the Starbucks down in the
12 Whole Foods Plaza with the warning thing above the
13 drive lane and message board and all that stuff.

14 MS. HAREMZA: And that warning thing isn't
15 even technically a sign. So that -- that's not even
16 an issue.

17 You know, Rick DiStefano -- we chatted about
18 this, Rick and I amongst ourselves. We had extensive
19 meetings, meeting with the local sign company and an
20 established representative from out of town. You
21 know, this is Brighton's fourth Starbucks. So Rick
22 has seen these before.

23 And again, you know, he questioned -- and I
24 agree with him -- you know, is it necessary to have
25 the drive-through sign mounted on the building with the

1 chevrons, which would seem apparent to most people
2 that this is the drive-through. Do they really need
3 five digital menu boards in the drive-through queue?
4 That's up to the Zoning Board.

5 So you know, not unusual for Starbucks, but
6 we'll see what the Zoning Board does. Again, two
7 codes apply. And if the Planning Board agrees, you
8 know, again the recommendation in conversations with
9 John Mancuso -- Lauren was not at our staff meeting.
10 So John -- but he's filled her in. His recommendation
11 was to propose approval in part and tabling in part
12 for the Starbucks signs.

13 ACTING CHAIRPERSON OSOWSKI: Okay. They'll
14 be going to the ZBA meeting next month I would assume.

15 MR. HAREMZA: I don't believe -- they did
16 not meet the deadline for the April 3rd meeting. So I
17 think they would be going the first week of May,
18 whenever that ZBA is.

19 ACTING CHAIRPERSON OSOWSKI: Okay. Great
20 thank you very much. Appreciate that. Okay.

21 At this point in time I would like for us to
22 review and possibly approve the meeting minutes for
23 our meeting of January 17th and also the meeting from
24 February 21st.

25 So starting with January 17th, is there a

1 motion to approve those minutes?

2 MR. FADER: I'll move to approve those
3 minutes.

4 ACTING CHAIRPERSON OSOWSKI: Thank you.
5 Motion made by David.

6 MR. BABCOCK-STINER: I'll second.

7 ACTING CHAIRPERSON OSOWSKI: Second by
8 Jason.

9 Jason, why you don't read the roll.

10 (Mr. Babcock-Stiner, yes; Mr. Grisewood,
11 yes; Mr. Fader, yes; Mr. Osowski, yes.)

12 (Upon roll motion to approve minutes
13 carries.)

14 ACTING CHAIRPERSON OSOWSKI: All right.
15 Thank you. Now, we'll do the February 21st, 2024,
16 meeting minutes. Is there a motion to approve?

17 MR. BABCOCK-STINER: I will move we approve.

18 MR. FADER: I'll second.

19 ACTING CHAIRPERSON OSOWSKI: Motion by
20 Jason. Second by David.

21 Jason, do the roll.

22 (Mr. Babcock-Stiner, yes; Mr. Grisewood,
23 yes; Mr. Fader, yes; Mr. Osowski, yes.)

24 (Upon roll motion to approve minutes
25 carries.)

1 ACTING CHAIRPERSON OSOWSKI: Mr. Secretary,
2 was tonight's public meeting properly advertised?

3 MR. HAREMZA: Tonight's meeting was
4 advertised in the Daily Record of March 14th, 2024.

5 ACTING CHAIRPERSON OSOWSKI: All right.
6 Thank you. So now we'll start with our first -- one
7 and only application.

8 **Application 3P-01-24**

9 Application of 2144 BHTL Road LLC, owner,
10 and All Green Flooring, lessee, for Conditional Use
11 Permit Approval to allow for a 4,550 +/- square foot
12 office/warehouse on property located at 2144 Brighton
13 Henrietta Town Line Road. All as described on
14 application and plans on file.

15 ACTING CHAIRPERSON OSOWSKI: Anyone here to
16 address this application?

17 MR. HITCHCOCK: Yes, sir. Hello, everyone.
18 My name is Jerry Hitchcock. I'm here on behalf of
19 Flaum Management, who represents the owner of 2144
20 Brighton Henrietta Townline Road LLC. I'm here to
21 present the conditional use application for All Green
22 Flooring.

23 MS. BARON: Could you just provide your
24 address -- your business address for the record.

25 MR. HITCHCOCK: Yes. Our business address

1 is 400 Andrew Street, Suite 500, Rochester, New York
2 14604.

3 MS. BARON: Thanks.

4 MR. HITCHCOCK: As I was saying, we're here
5 representing -- applying for a conditional use permit
6 for All Green Flooring.

7 It's going to be an office-warehouse-type
8 tenant. Everything should be contained in the
9 building site. No outside storage, other than
10 dumpster use.

11 Traffic conditions are typical for this type
12 of business. They expect deliveries of one to two
13 cube trucks and one to two tractor-trailers daily,
14 only there for 30 minutes to 45 minutes at a time.

15 The previous tenant space was ADP Payroll.
16 It was all office space. They had approximately 27 to
17 30 tenants -- or excuse me -- employees in the ADP
18 Payroll. The new occupant, All Green Flooring,
19 employees should only consist of four to seven with
20 very little public coming to visit the site.

21 That's about it. Do you have any questions?

22 ACTING CHAIRPERSON OSOWSKI: So All Green
23 Flooring, are they just a local firm?

24 MR. HITCHCOCK: Yes, sir.

25 ACTING CHAIRPERSON OSOWSKI: Okay. And is

1 this both a wholesale and retail location? Do they do
2 installations?

3 MR. HITCHCOCK: They do installations. It
4 is wholesale. And they do intend to have a small
5 retail area.

6 ACTING CHAIRPERSON OSOWSKI: And do they
7 have installation trucks or vans that they park
8 on-site after hours?

9 MR. HITCHCOCK: Possibly one. All of their
10 installers or subcontractors, that will not be
11 occupying any of this space.

12 ACTING CHAIRPERSON OSOWSKI: Okay. And the
13 dumpster that you mentioned for their scrap material
14 and whatnot, is that a joint dumpster for the entire
15 complex or designated to them?

16 MR. HITCHCOCK: No. It would be dedicated
17 to them.

18 ACTING CHAIRPERSON OSOWSKI: Is there a
19 place on the property where the dumpsters are
20 congregated?

21 MR. HITCHCOCK: No. They are independent to
22 each tenant space and it's pretty much directly behind
23 each one.

24 ACTING CHAIRPERSON OSOWSKI: Do they all
25 tend to get picked up on the same day or do they

1 contract each one out?

2 MR. HITCHCOCK: That I couldn't say for
3 sure. I'm sure it's not all the same day. Every
4 tenant probably has their own schedule.

5 ACTING CHAIRPERSON OSOWSKI: Okay. So you
6 mentioned a couple deliveries a day. Is that -- are
7 installers in addition to that? So if an installer
8 comes with his van full of other materials --

9 MR. HITCHCOCK: We were not considering that
10 a delivery, no.

11 ACTING CHAIRPERSON OSOWSKI: Okay. So All
12 Green doesn't have a retail storefront somewhere else?
13 This is their one and only location?

14 MR. HITCHCOCK: Yes. Yeah.

15 The majority of the business is commercial.
16 So to get general public at this location is going to
17 be very limited in my opinion.

18 ACTING CHAIRPERSON OSOWSKI: That's all I
19 have for questions. Any other board members?

20 MR. BABCOCK-STINER: I'm all set.

21 ACTING CHAIRPERSON OSOWSKI: David?

22 MR. FADER: No.

23 ACTING CHAIRPERSON OSOWSKI: Pete?

24 MR. GRISEWOOD: Looks pretty
25 straightforward. It's just a warehousing space for

1 carpets.

2 MR. HITCHCOCK: Carpet, flooring products,
3 things of that nature.

4 MR. GRISEWOOD: Then potentially a small
5 showroom.

6 MR. HITCHCOCK: Right.

7 MR. GRISEWOOD: How many people would be --

8 MR. HITCHCOCK: Employees?

9 MR. GRISEWOOD: How many people are
10 occupying?

11 MR. HITCHCOCK: They're expecting about four
12 to seven.

13 MR. GRISEWOOD: So pretty small. Okay.

14 ACTING CHAIRPERSON OSOWSKI: Is the building
15 sprinklered?

16 MR. HITCHCOCK: This particular one is not.
17 We have made accounts for that by increasing the fire
18 wall separation in the building plans provided.

19 ACTING CHAIRPERSON OSOWSKI: Okay.

20 MS. BARON: Just one question. In terms of
21 the deliveries, do you have a specific timing for when
22 you're expecting deliveries to occur? The one to two
23 box trucks and tractor-trailers.

24 MR. HITCHCOCK: I believe it was all
25 mornings typically from 7 to 10 a.m.

1 MR. HAREMZA: Just a couple questions about
2 the dumpster you referenced. It's on the east side of
3 the building with the loading dock?

4 MR. HITCHCOCK: Correct.

5 MR. HAREMZA: And All Green Flooring will
6 have one of the dedicated loading docks that's already
7 on the building?

8 MR. HITCHCOCK: Correct.

9 MR. HAREMZA: So no exterior changes to the
10 building proposed.

11 MR. HITCHCOCK: Correct.

12 ACTING CHAIRPERSON OSOWSKI: If they want to
13 put up a sign, they come back to us for that; right?

14 MR. HITCHCOCK: Yeah. Of course.

15 ACTING CHAIRPERSON OSOWSKI: All right. No
16 other questions? Okay. Very good. Thank you very
17 much.

18 MR. HITCHCOCK: Thank you.

19 ACTING CHAIRPERSON OSOWSKI: Okay. Is that
20 it for our public hearing?

21 MR. HAREMZA: That is it for our public
22 hearing.

23 ACTING CHAIRPERSON OSOWSKI: All right.

24 MR. HAREMZA: We do have a brief
25 presentation which is on the agenda. I decided to

1 test out this agenda category. So --

2 MS. BARON: Before -- do we need to announce
3 the public hearing for that application closed? Or
4 are you going to do that when you vote?

5 ACTING CHAIRPERSON OSOWSKI: Public
6 hearing's are closed.

7 **PRESENTATIONS:**

8 Review Zoning Code Section 205-14,
9 Off-street on-site parking. Specifically with regard
10 to a proposed specialty retail/online fulfillment use
11 proposed for 2852 West Henrietta Road.

12 MR. HAREMZA: So where this started is there
13 is a tentative proposal which you will likely see next
14 month with a formal proposal for a conditional use
15 permit for a tenant space at 2852 West Henrietta Road,
16 small plaza at the northeast corner of Brighton
17 Henrietta Townline Road and West Henrietta Road.

18 The space in question is highlighted on your
19 site map. Most recently it had been an auto parts
20 store, approximately 6,000 square feet I think.

21 You also have a floor -- proposed floor plan
22 from the potential applicant. And then some, again,
23 tentative information on their conditional use permit
24 application that you will see next month.

25 But what I wanted to go over was a portion

1 of the Code that allows the Planning Board to make a
2 determination about parking for uses that do not --
3 that are not specifically included in the Town's
4 parking schedule, which I think I also distributed.

5 So what this is -- and I'll allow you to do
6 a little bit of research between now and next month.
7 Rick DiStefano and I talked about this. We talked
8 about this in the larger staff meeting with the
9 attorney for the Town and town engineer and other
10 folks. The business is called RTV Exotics.

11 Now, when he came in and said I would like
12 to open a store for exotic snacks, I only heard exotic
13 and thought dancing. My colleagues heard exotic
14 snakes and thought it was going to be a sort of pet
15 store.

16 But, no. This is a business. They have a
17 location on Riverton Street in Manhattan that, based
18 on photos on Google, sells exotic snacks that are
19 shipped in from Japan and Taiwan and India and resold,
20 both retail and internet orders.

21 So what the floor plan indicates is about
22 two-thirds of their space will be used for internet
23 order fulfillment.

24 And so a couple things gave Rick and I pause
25 about why we couldn't fit it into a category such as

1 convenience store or specialty grocery store. They
2 described their business as half and half retail
3 versus online.

4 But also the nature of the food they are
5 selling is not typical convenience store food. This
6 is a destination. So folks are not driving down West
7 Henrietta Road and thinking like oh, I'm going to stop
8 and get a Diet Coke and some chips.

9 Their rationale is that it is between RIT
10 and U of R and that's a portion of their business
11 base.

12 And finally, if you would like to visit a
13 local, a similar business is Joy Mart in College Town
14 I understand that opened last year. They also sell
15 exotic snacks.

16 So that's what we're looking at. I just --
17 again, I want to highlight this portion of the zoning
18 code, which some Planning Board members might not be
19 familiar with.

20 Rick reminded me that the Planning Board has
21 seen this in the past for things like yoga studios,
22 which are also a thing that don't neatly fit into any
23 of the categories of the Zoning Code. And, you know,
24 again, similar to a gym, but probably not attracting
25 the same sort of churn or turnover that the Planet

1 Fitness or something like that would.

2 So it -- I found a interesting tool in our
3 Zoning Code that could be utilized by the Planning
4 Board. So I wanted to take a few minutes tonight and
5 highlight it for you and remind you it's there. And I
6 guess if you have any questions or any specific
7 information that you would like to see from the
8 applicant at this time, I can relay that to him to
9 help you make your decision next month.

10 ACTING CHAIRPERSON OSOWSKI: When I heard
11 you say exotic, I'm immediately thinking marijuana.

12 MR. BABCOCK-STINER: That's what I thought.

13 MS. BARON: I really just want to highlight
14 that he's speaking about this 205-14 off-street
15 parking, which allows the Board -- one, if the use
16 doesn't immediately fit in the chart then, you know,
17 you could figure out what the parking should be at
18 your discretion.

19 ACTING CHAIRPERSON OSOWSKI: Is it Custom
20 Truck Creations that used to be there --

21 MR. HAREMZA: Most recently I want to say it
22 was an Advanced Auto Parts.

23 MR. BABCOCK-STINER: That sounds about
24 right.

25 ACTING CHAIRPERSON OSOWSKI: Okay.

1 MS. BARON: So one thing I did want to bring
2 to your attention on this, since they highlighted
3 tobacco as something that they want to sell,
4 cigarettes, cigars and chewing tobacco, I encourage
5 the Board to ask the question to clarify that it is
6 all the types of tobacco just because New York State
7 has interesting new recent laws about flavor vapes, if
8 you've heard of that. And flavored vape pens and the
9 sale of those, that includes tobacco. So there's a
10 nuanced law there that are kind of --

11 MR. BABCOCK-STINER: Is there anything
12 limiting the sale of tobacco like that in a specialty
13 candy shop with kids? Is there anything we have to
14 know about that? Is there --

15 MR. HAREMZA: Not -- no Brighton laws that
16 I've discovered.

17 Just tagging on with what Lauren just said
18 about vaping. A couple weeks ago, Brighton revised
19 their code about vaping. They put vaping in with
20 other adult stores like adult bookstores.

21 So vaping or any kind of e-cigarettes or
22 related products could not be here because adult uses
23 can only be industrial. And then even then, we have
24 our distance limitations from schools and churches and
25 things like that.

1 Regarding the ability to sell tobacco with
2 snacks and candy, I don't believe there is, but --

3 MS. BARON: So I think this goes to the
4 question of what exactly this fits under. You know,
5 kind of the multiple uses. Because a convenience
6 store technically would sell candy and snacks and also
7 is allowed to sell tobacco.

8 MR. BABCOCK-STINER: Yeah. I just didn't
9 know if anything like that existed just as -- just the
10 nature of being so candy-heavy, I can see how -- it's
11 New York. There might be something.

12 MS. BARON: I think those are questions that
13 should definitely be asked of the applicant. You
14 know, who is your target audience for these products?
15 Are you trying to target kids or younger than college
16 kids? Who is your primary market?

17 MR. GRISEWOOD: I have a question. So it
18 sounds like a convenience store regardless of what
19 it's selling.

20 Is it pretty clear what the -- because it's
21 off-street parking that we're worried about. What is
22 the parking arrangement? Is that the question?

23 MS. BARON: So I don't want to speak for
24 Jason. I think it was more determined by staff that
25 it's more of a specialty food store, which is separate

1 than a convenience store. But it's combined with this
2 sort of warehouse, wholesale space where they're
3 fulfilling their online orders. It seems like that's
4 two-thirds of the business. So it's a mixed-use type
5 of building.

6 MR. HAREMZA: Yeah. And just going to the
7 Town -- the Zoning Code's definition of convenience
8 store: A retail store serving the daily or occasional
9 needs of the residents of the immediate area with a
10 variety of goods such as groceries, meats, beverages,
11 dairy products, patent medicines, sundries, tobacco,
12 stationery, hardware, magazines and/or newspapers and
13 having a gross floor area of less than 5,000 square
14 feet. Gasoline is not sold.

15 So on the surface it appears to be a
16 convenience store, but I think, again, given the
17 products that they are largely selling, these unusual
18 food items from other countries, coupled with the fact
19 that a majority of the floor area and half their
20 business is online orders, that's what led Rick and I
21 to think it doesn't fit under convenience store.

22 MR. GRISEWOOD: What's the difference in
23 parking? Because it's a parking rate issue question;
24 right? Ultimately like what are we going to require
25 them to have?

1 MR. HAREMZA: Yeah. So that's a good point
2 and that's some information I think should be part of
3 the application for next month.

4 But what it really boils down to is -- by
5 the way, the previous tenant was Parts Plus auto
6 store. But we'll show you what the parking
7 requirement was for retail and then -- and then that's
8 the sort of question. Like does the Planning Board
9 consider this more like retail or would it consider it
10 more like a food store that has a slightly higher
11 parking requirement?

12 So if this was retail to retail, like
13 there'd be no question. Like say it's a cell phone
14 store going in here, you're replacing an auto parts
15 store with a cell phone store, parking is the same.
16 Even if it's deficient, they can go in because it's
17 the same deficiency.

18 The question is does this change of use sort
19 of exacerbate the deficiency in parking per the Code.

20 You know, the other thing we've heard from
21 the property owner is that there's never been a
22 parking problem on the site. You know, so even though
23 it may not meet the, you know, mathematical
24 requirement per the Code, it may function perfectly
25 fine in real life.

1 You know, all things for the Board to weigh.
2 Like this is different from Monroe Avenue where
3 parking can spill into a residential neighborhood and
4 on-street parking. You clearly couldn't park on West
5 Henrietta Road. So those are all things for the
6 Planning Board to weigh in their review of this.

7 MR. GRISEWOOD: I want to understand like
8 what their current requirement would be, what their
9 deficit is, if they currently are operating under one.
10 Worst-case scenario -- they did say this is really
11 like two-thirds an online business. Is this really a
12 convenience store at all? Or not -- isn't -- and that
13 would be -- would kick them into a higher amount of
14 parking that they needed. What would be the most that
15 they need? If they need 18 spaces versus 17 spaces or
16 16 spaces, probably doesn't matter. If it's 20 versus
17 10 --

18 MR. HAREMZA: Yeah. We'll definitely take a
19 look at that.

20 I mean, these small multi-tenant retail
21 spaces are problematic. The Code used to have a
22 section that dealt with them and for whatever reason
23 it was taken out 10 years ago. So I don't know the
24 history on that.

25 So it's like, you know, assigning individual

1 quantities of parking to tenants in a place like this
2 is like in the old days of saying well, a section of a
3 restaurant is nonsmoking. You know, you park
4 wherever.

5 So it's a little bit -- on one level it gets
6 a little bit silly. I think the overall is assessing
7 the impact. You know, are people lined up West
8 Henrietta Road trying to get in the parking lot, over
9 a hundred percent capacity, that sort of stuff.

10 When Papa John's went in a few months ago,
11 they needed a variance for -- I think it was three
12 space deficiency they had. Again, hadn't met the Code
13 requirements, but in the real world it didn't make a
14 ton of sense because there's no provision in
15 Brighton's Code for a takeout restaurant. So with no
16 tables, you know, how much parking do you really need
17 for a takeout restaurant like that?

18 So, you know, that's where we are. But,
19 yeah. I think those are excellent points, Peter. So
20 we'll try to get that information for next month.

21 So do you want to do the easy one first and
22 save Starbucks?

23 MR. BABCOCK-STINER: Well, we got to close
24 out --

25 MR. HAREMZA: You got to decide what you're

1 doing with -- yeah.

2 ACTING CHAIRPERSON OSOWSKI: That's right
3 yes. Okay. So circling back around to application
4 3P-01-24, Town Line Road, for conditional use permit.

5 **Application 3P-01-24**

6 Application of 2144 BHTL Road LLC, owner,
7 and All Green Flooring, lessee, for Conditional Use
8 Permit Approval to allow for a 4,550 +/- square foot
9 office/warehouse on property located at 2144 Brighton
10 Henrietta Town Line Road. All as described on
11 application and plans on file.

12 MR. FADER: I move to close the public
13 hearing.

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

15 (Mr. Babcock-Stiner, yes; Mr. Grisewood,
16 yes; Mr. Fader, yes; Mr. Osowski, yes.)

17 (Upon roll motion to close the public
18 hearing carries.)

19 ACTING CHAIRPERSON OSOWSKI: Someone make a
20 motion.

21 MR. BABCOCK-STINER: I move that the
22 Planning Board grants conditional use approval and
23 adopts the eight conditional use findings outlined in
24 the Planning Board report.

25 I also move that the Planning Board approves

1 application 3P-01-24 for conditional use permit based
2 on the testimony given, plans submitted and with the
3 three conditions outlined in the Planning Board
4 report.

5 ACTING CHAIRPERSON OSOWSKI: Okay. Someone
6 second.

7 MR. FADER: I'll second it.

8 ACTING CHAIRPERSON OSOWSKI: Thank you,
9 David. Mr. Secretary, call the roll.

10 MR. HAREMZA: Any discussion?

11 ACTING CHAIRPERSON OSOWSKI: Any discussion?
12 No further discussion.

13 **Conditional Use Permit Findings:**

14 1. The Planning Board finds that the proposed
15 office/warehouse complies with the standards of the
16 Light Industrial (IG) district.

17 2. The Planning Board finds that the proposed use is
18 in harmony with the purpose and intent of Code
19 Sections 217-3 through 217-7.2 (Conditional Uses).

20 The location and size of the proposed
21 office/warehouse, the intensity, size of the site and
22 access have all been considered in the Board's review.

23 3. The Planning Board finds that the establishment of
24 an office/warehouse use in this location, will not be
25 detrimental to persons, detrimental or injurious to

1 the property and improvements in the neighborhood, or
2 to the general welfare of the Town.

3 4. The office/warehouse use will be developed within
4 an existing structure on a developed site and not
5 result in the destruction, loss or damage of any
6 natural, scenic or significant historical resource.

7 5. The Planning Board finds that the establishment of
8 an office/warehouse will not create excessive
9 additional requirements for public facilities and
10 services and will not be detrimental to the economic
11 welfare of the community.

12 6. The Planning Board finds that the establishment of
13 an office/warehouse will be adequately served by
14 essential public facilities.

15 7. The Planning Board finds that the establishment of
16 an office/warehouse will not result in the loss or
17 damage to trees.

18 8. The proposed finds that the establishment of an
19 office/warehouse in this location essentially conforms
20 to the Town's Comprehensive Plan: Envision Brighton
21 2028. Specifically Volume 2, Pages 16, the Economic
22 Vitality Policy Objectives [emphasis added]:

23 A. Attract and promote the sustainable
24 development of quality office, retail, commercial,
25 medical, light industrial, and residential uses in

1 areas with existing critical infrastructure, in an
2 effort to expand the Town's local tax base while
3 providing needed and desired goods and services, and
4 without compromising other community goals.

5 E. Provide support for local businesses,
6 entrepreneurs, institutions, and enterprises to
7 attract and retain local talent and increase access to
8 local goods.

9 **Conditions:**

10 1. Applicant shall respond in writing to all comments
11 of the Planning Board, Department of Public Works,
12 Building and Planning Department, and Fire Marshal.

13 2. The entire project shall comply with the most
14 current New York State Fire Prevention and Building
15 Code and the Town of Brighton sprinkler requirements.

16 3. All Town codes shall be met that relate directly
17 or indirectly to the applicant's request.

18 (Mr. Babcock-Stiner, yes; Mr. Grisewood,
19 yes; Mr. Fader, yes; Mr. Osowski, yes.)

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

22 ACTING CHAIRPERSON OSOWSKI: All right.

23 Great. Thank you.

24 **Signs:**

25 1714 30 Allens Creek Road

1 ACTING CHAIRPERSON OSOWSKI: All in favor of
2 approving application 1174 [sic].

3 ALL BOARD MEMBERS: Aye.

4 1715 1905 South Clinton Avenue

5 ACTING CHAIRPERSON OSOWSKI: All in favor?

6 ALL BOARD MEMBERS: Aye.

7 1716 1905 South Clinton Avenue

8 MR. BABCOCK-STINER: Should we approve signs
9 B1 and B2 --

10 ACTING CHAIRPERSON OSOWSKI: All in favor?

11 ALL BOARD MEMBERS: Aye.

12 MS. BARON: Any sign that's been determined
13 to require a variance should be tabled.

14 MR. BABCOCK-STINER: I move we table the
15 granted signs that require a variance.

16 MR. GRISEWOOD: Second.

17 ACTING CHAIRPERSON OSOWSKI: All in favor.

18 ALL BOARD MEMBERS: Aye.

19 (Proceedings concluded at 7:41 p.m.)

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REPORTER CERTIFICATE

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

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

Dated this 20th day of March, 2024
at Brighton, New York.



Holly E. Castleman ACR,
Official Court Reporter