

PLANNING BOARD
TOWN OF BRIGHTON
MEETING OF AUGUST 21, 2024
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 6-20-2024 minutes (if available)
Approval of 7-17-2024 minutes

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of 8-__-2024 will now be held.

PUBLIC HEARINGS:

Application Number: [8P-01-24](#)

OpenGov reference no: PB-24-20

100 Stanford Drive

Application of the Protection of the Mother of God Russian Orthodox Church, owner, and Ray Raimondi, Costich Engineering, agent, for Preliminary/Final Site Plan Approval to construct a 1,320 +/- sf single family home with a 336 +/- sf attached garage on property located at 100 Stanford Drive. All as described on application and plans on file.

Application Number: [8P-02-24](#)

OpenGov reference no: PB-24-22

172 Metro Park

Application of PGR, LLC, owner, and Matt Tomlinson, Marathon Engineering, agent, for Preliminary/Final Site Plan Approval, Preliminary/Final Resubdivision Approval and EPOD (woodlot) Permit Approval to acquire .25 +/- acres of land from property at 1057 East Henrietta Road and construct a 12,200 +/- sf building addition with associated parking on property located at 172 Metro Park. All as described on application and plans on file.

NEW BUSINESS:

Application Number: [8P-NB1-24](#)

OpenGov reference no: PB-24-21

2021 South Winton Road

Application of Jewish Senior Life, owner, and Matt Tomlinson, Marathon Engineering, agent, for Preliminary Site Plan Approval to construct a 4-story, 90,000 +/- sf senior independent living apartment building, consisting of 90 dwelling units, with a 7,596 +/- sf carport structure on property located at 2021 Winton Road South. All as described on application and plans on file.

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

NONE

PETITIONS:

NONE

SIGNS:

Application Number: [SN-24-15 \(1724\)](#)

3450 Winton Pl

An aluminum channel letter internally illuminated LED sign for ‘*Jacuzzi*’. ARB recommended approval.

Application Number: [SN-24-16 \(1725\)](#)

2852 W. Henrietta Rd

Two internally illuminated raceway mount signs for ‘*PAPA JOHNS*’. ARB recommended approval.

Application Number: [SN-24-19 \(1726\)](#)

2747 W Henrietta Rd

An illuminated business identification cabinet sign for ‘*The Magnet Fried Chicken*’. ARB tabled.

PLANNING BOARD REPORT

HEARING DATE: 8-21-2024

APPLICATION NO: 8P-01-24

OpenGov reference no: PB-24-20

LOCATION: 100 Stanford Drive

APPLICATION SUMMARY: Application of the Protection of the Mother of God Russian Orthodox Church, owner, and Ray Raimondi, Costich Engineering, agent, for Preliminary/Final Site Plan Approval to construct a 1,320 +/- sf single family home with a 336 +/- sf attached garage on property located at 100 Stanford Drive.

COMMENTS

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

BUILDING AND PLANNING:

1. The subject property is zoned Residential – Low Density B (RLB).
2. Places of worship, including parish houses, convents, rectories or parsonages, require a Conditional Use Permit in the RLB District, per Zoning Code Section 203-2.1C.
3. A survey, existing conditions, and site plan (with proposed grading) has been submitted.
4. The project was reviewed and approved with conditions by the Architectural Review Board (ARB) on 7-23-2024.
5. The site went through Site Plan Review in 2000-2001 (2P-04-00), when the church was constructed, and Site Plan Modification in 2003 (6P-01-03) for a parking lot expansion. The residence was indicated as a future phase on the initial Site Plan. A Conditional Use Permit (see #2 above) was also granted in 2000. No additional Conditional Use Permit approval for any uses or structures included in the approval from 2000 is required. *Note: the final site plan drawing from the 2000 approval is included for reference.*
6. The location of the residence was slightly different on the 2000 site plan compared to what is currently proposed.
7. The 2000 site plan also included a north-south driveway/access road connecting with the southern end of Blossom Circle West. This was never constructed and the proposed placement of the residence would seem to preclude the future construction of this driveway/access road. In addition, initial submittals in 2000 included a Monroe County Water Authority (MCWA) easement, generally following the route of this north-south driveway.
 - a. The applicant should confirm this driveway is not needed for fire access or

MCWA access.

- b. The applicant should confirm that MCWA does not require the easements that were initially proposed in 2000.

TOWN ENGINEER:

Ken Hurley, PE (ken.hurley@townofbrighton.org 585-784-5225)

1. No specific comments and no concerns that would preclude Site Plan Approval. The applicant should confirm with the Town Engineer that he is satisfied with the submitted Engineer Report and grading, erosion control, and stormwater management.

SEWER DEPARTMENT:

Tim Jason (tim.jason@townofbrighton.org 585-784-5289)

1. No specific comments but the applicant should confirm what, if any, permits are required from the Sewer Department.

CONSERVATION BOARD:

Advisory comments

None

ENVIRONMENTAL REVIEW/SEQR

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

Specifically 6 NYCRR 617.5(c)(11):

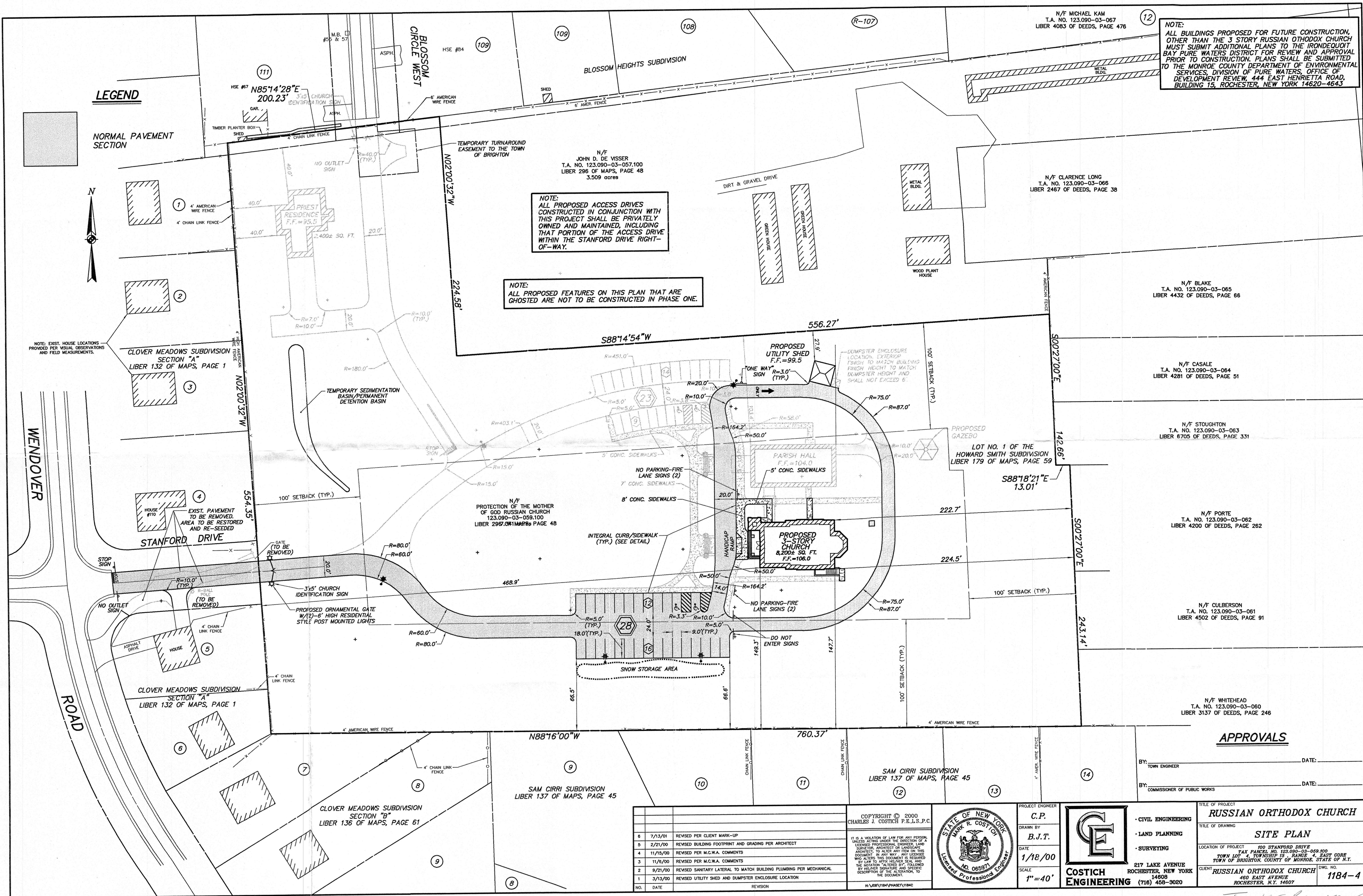
Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections

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 (including the Sewer Department and Town Engineer), Building and Planning Department, and Fire Marshal.
2. The applicant shall provide documentation from the Town of Brighton Fire Marshal and the Monroe County Water Authority that the proposed north-south access drive and easements from the 2000 Site Plan Review and approval are not needed.
3. Monroe County comments, if any, shall be addressed.

4. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
5. All Town codes that relate directly or indirectly to the applicant's request shall be met.
6. The project shall be constructed in accordance with the design approved by the ARB and the final site plan drawing set.



NOTE:
ALL BUILDINGS PROPOSED FOR FUTURE CONSTRUCTION, OTHER THAN THE 3 STORY RUSSIAN ORTHODOX CHURCH, MUST SUBMIT ADDITIONAL PLANS TO THE IRONDEQUOIT BAY PURE WATERS DISTRICT FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION. PLANS SHALL BE SUBMITTED TO THE MONROE COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES, DIVISION OF PURE WATERS, OFFICE OF DEVELOPMENT REVIEW, 444 EAST HENRIETTA ROAD, BUILDING 15, ROCHESTER, NEW YORK 14620-4643

NOTE:
ALL PROPOSED ACCESS DRIVES CONSTRUCTED IN CONJUNCTION WITH THIS PROJECT SHALL BE PRIVATELY OWNED AND MAINTAINED, INCLUDING THAT PORTION OF THE ACCESS DRIVE WITHIN THE STANFORD DRIVE RIGHT-OF-WAY.

NOTE:
ALL PROPOSED FEATURES ON THIS PLAN THAT ARE GHOSTED ARE NOT TO BE CONSTRUCTED IN PHASE ONE.

APPROVALS

BY: _____ DATE: _____
TOWN ENGINEER
BY: _____ DATE: _____
COMMISSIONER OF PUBLIC WORKS

<p>6 7/13/01 REVISED PER CLIENT MARK-UP</p> <p>5 2/21/00 REVISED BUILDING FOOTPRINT AND GRADING PER ARCHITECT</p> <p>4 11/15/00 REVISED PER M.C.W.A. COMMENTS</p> <p>3 11/16/00 REVISED PER M.C.W.A. COMMENTS</p> <p>2 9/21/00 REVISED SANITARY LATERAL TO MATCH BUILDING PLUMBING PER MECHANICAL</p> <p>1 3/15/00 REVISED UTILITY SHED AND DUMPSTER ENCLOSURE LOCATION</p>		<p>COPYRIGHT © 2000 CHARLES J. COSTICH P.E./L.S.P.C.</p> <p>IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, LAND SURVEYOR, ARCHITECT OR LANDSCAPE ARCHITECT, TO ALTER ANY ITEM ON THIS DOCUMENT. IN ANY WAY, ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX HIS/HER SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS/HER SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION, TO THE DOCUMENT.</p> <p>NO. DATE REVISION</p>	<p>STATE OF NEW YORK Mark R. Costich Professional Engineer No. 06597</p>	<p>PROJECT ENGINEER C.P. DRAWN BY B.J.T. DATE 1/18/00 SCALE 1"=40'</p>	<p>COSTICH ENGINEERING 217 LAKE AVENUE ROCHESTER, NEW YORK 14608 (716) 458-3020</p>	<p>TITLE OF PROJECT RUSSIAN ORTHODOX CHURCH TITLE OF DRAWING SITE PLAN LOCATION OF PROJECT TAX PARCEL NO. 123.090-03-059.100 TOWN LOT 4, TOWNSHIP 13, RANGE 4, EAST CORNER TOWN OF BRIGHTON, COUNTY OF MONROE, STATE OF N.Y. CLIENT RUSSIAN ORTHODOX CHURCH 460 EAST AVENUE ROCHESTER, N.Y. 14607 DWG. NO. 1184-4</p>
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Town of Brighton

PLANNING BOARD REPORT

HEARING DATE: 8-21-2024

APPLICATION NO: 8P-02-24

OpenGov reference no: PB-24-22

LOCATION: 172 Metro Park and 1057 East Henrietta Road

APPLICATION SUMMARY: Application of PGR, LLC, owner, and Matt Tomlinson, Marathon Engineering, agent, for Preliminary/Final Site Plan Approval, Preliminary/Final Resubdivision Approval and EPOD (woodlot) Permit Approval to acquire .25 +/- acres of land from property at 1057 East Henrietta Road and construct a 12,200 +/- sf building addition with associated parking on property located at 172 Metro Park.

COMMENTS

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

BUILDING AND PLANNING:

1. Both parcels are in the Light Industrial (IG) zoning district and both contain single story commercial/light industrial structures. 172 Metro Park is occupied by JCS Process and Control Systems (food processing equipment). 1057 East Henrietta Road is a multi-tenant structure. The project is intended to facilitate a building expansion for JCS Process and Control Systems.
2. A site plan drawing set, subdivision plan, stormwater and utility memo (engineer's report), and tree survey have been submitted.
3. The project was reviewed by the Architectural Review Board (ARB) on 7-23-2024 and was tabled. Further review by the ARB is pending.
4. The applicant is proposing to mitigate the loss of trees in the mapped woodlot by planting five new trees. Staff concurs that the existing woodlot is not of high quality and the proposed hedge maple and American basswood trees are a suitable replacement, the proposed location of four of these five trees is not recommended. They are proposed for a narrow strip of land, east of the driveway, and on top of a sanitary sewer line.

Staff recommends consideration be given to planting the four proposed trees in the right-of-way of Metro Park as an alternative mitigation plan. Note: Off site mitigation is can be considered by the Planning Board as part of the granting of an EPOD permit.

TOWN ENGINEER:

Ken Hurley, PE (ken.hurley@townofbrighton.org 585-784-5225)

1. The Town Engineer conducted an initial review of the project and has concerns including

but not limited to stormwater calculations and stormwater management.

SEWER DEPARTMENT:

Tim Jason (tim.jason@townofbrighton.org 585-784-5289)

1. No specific comments but the applicant should confirm what, if any, permits are required from the Sewer Department.

CONSERVATION BOARD:

Advisory comments

None

ENVIRONMENTAL REVIEW/SEQR

This project has been classified by the Town of Brighton as an Unlisted Action. A short Environmental Assessment Form (EAF) was submitted. Review of the EAF is ongoing and a draft environmental determination is pending.

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. Allow for final review of the stormwater documentation and management plans by the Town Engineer.
2. Work with town staff on an alternate mitigation plan for the loss of the mapped woodlot.
3. Response to the ARB's 7-23-2024 comments.

PLANNING BOARD REPORT

HEARING DATE: 8-21-2024

APPLICATION NO: 8P-NB1-24

OpenGov reference no: PB-24-21

LOCATION: 2021 South Winton Road

APPLICATION SUMMARY: Application of Jewish Senior Life, owner, and Matt Tomlinson, Marathon Engineering, agent, for Preliminary Site Plan Approval to construct a 4-story, 90,000 +/- sf senior independent living apartment building, consisting of 90 dwelling units, with a 7,596 +/- sf carport structure on property located at 2021 Winton Road South.

COMMENTS

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

BUILDING AND PLANNING:

1. The property contains the original Jewish Home building, the 6 to 7 story Farash Tower (short term rehab and long term care), as well as the more recently constructed 3 ½ story Green House Cottages (long term care). The location for the proposed independent living building at the southwest corner of the parcel has been reserved as a future development site.

The site is zoned Residential High Density 1 (RHD-1) and is subject to an Incentive Zoning agreement dating back to 1996, most recently modified by the Town Board on 7-10-2024.

2. A site plan drawing set and stormwater and utility memo (engineer's report) have been submitted.
3. The project requires review by the Architectural Review Board (ARB). Note that the carport also requires ARB review due to its size, approximately 7,500 sf.
4. The project requires an area variance for the proposed carport structure, determined to be located in the front yard. The ZBA will review the variance application on 9-4-2024.
5. The applicant should provide more details on the parking calculations and assumptions, especially considering the Conservation Board's comment. The Incentive Zoning agreement requires 1.4 parking spaces per unit, or 126 parking spaces for the proposed 90 units. The site plan shows 146 parking spaces.
6. The project may benefit from a revised landscaping plan that considers the Conservation Board's comments.

TOWN ENGINEER:

Ken Hurley, PE (ken.hurley@townofbrighton.org 585-784-5225)

1. The Town Engineer conducted an initial review of the project and has concerns including but not limited to stormwater calculations and stormwater management.

SEWER DEPARTMENT:

Tim Jason (tim.jason@townofbrighton.org 585-784-5289)

1. No specific comments but the applicant should confirm what, if any, permits are required from the Sewer Department.

CONSERVATION BOARD:

Advisory comments

1. Why are there more parking spaces provided than what is required by code?
2. Recommend solar panel installation on carport. At a minimum, carport design should accommodate the future installation of solar panels.
3. Why are the handful of trees surrounding the existing small parking lot shown to be removed?
4. Where is the snow storage?
5. Recommend findings an alternative to the proposed sugar maples, which are no longer suitable for our climate and are not salt tolerant.
6. Consider additional large trees instead of the proposed shrubs where space permits.
7. Consider replacing lawn areas with a low mow/pollinator mix.

ENVIRONMENTAL REVIEW/SEQR

Pursuant to the State Environmental Quality Review Act (SEQRA), the Town Board conducted an environmental review and adopted a negative declaration associated with the Incentive Zoning modification on 7-10-2024. No further environmental review is required.

BOARD ACTION/DECISION**Option A - Table**

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

1. Allow for final review of the stormwater documentation and management plans by the Town Engineer.
2. Provide more details on parking calculations and assumptions.
3. Provide a revised landscaping plan.
4. Submit an ARB application.

Option B – Approve With Conditions

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 (including the Sewer Department and Town Engineer), Building and Planning Department, and Fire Marshal.
2. Applicant shall provide more details on parking calculations and assumptions and/or submit a revised site plan drawing with the application for Final Site Plan Approval that shows no more than 126 parking spaces.
3. Applicant shall include a revised landscaping plan with the application for Final Site Plan Approval that takes into consideration the Conservation Board comments.
4. Submit an application to the Architectural Review Board.
5. Obtain the necessary area variances.
6. Address any comments from Monroe County.
7. Submit an application for Final Site Plan Approval.