

TOWN OF BRIGHTON PLANNING BOARD
FINAL AGENDA
MEETING OF OCTOBER 16, 2024
Brighton Town Hall
2300 Elmwood Avenue

Please Note: This will be the final meeting of the Planning Board at 2300 Elmwood Avenue. The central portion of Town Hall will close for renovation as of November 15, 2024. Town offices and public meetings will relocate to 680 Westfall Road during the approximately 18 month renovation project. Police, courts, and library will remain at 2300 Elmwood Avenue. Mail should continue to be addressed to 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.

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
Approval of 8-21-2024 minutes

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of 10-10-2024 will now be held.

PRESENTATIONS:

[2300 Elmwood Avenue](https://www.opengov.com/meetings/2300-elmwood-avenue)
OpenGov reference no: PB-24-18

Provide updates regarding the Town of Brighton's proposal to renovate Town Hall, construct a small addition at the rear of the building, and reconfigure and improve pedestrian access and circulation, parking, landscaping and other site amenities on property located at 2300 Elmwood Avenue.

PUBLIC HEARINGS:

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

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. **TABLED 8-21-2024; PUBLIC HEARING REMAINS OPEN**

Application Number: [9P-01-24](#)

OpenGov reference no: PB-24-23

1900 Monroe Avenue

Application of Brighton Corners LLC, owner, and Polo Padilla, lessee, for Conditional Use Permit Approval to allow a take-out food establishment to be on property located at 1924 Monroe Avenue (Twelve Corners Plaza). All as described on application and plans on file.

Application Number: [9P-02-24](#)

OpenGov reference no: PB-24-25

2144 Brighton Henrietta Town Line Road

Application of 2144 BHTL RD, LLC, owner, and Ome Oluikpe, lessee, for Conditional Use Permit Approval to allow a wholesale drug compounding facility to be on property located at 2144 Brighton Henrietta Town Line Road. All as described on application and plans submitted.

Application Number: [9P-03-24](#)

OpenGov reference no: PB-24-27

2021 South Winton Road

Application of Jewish Senior Life, owner, and Matt Tomlinson, Marathon Engineering, agent, for Final 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.

Application Number: [10P-01-24](#)

OpenGov reference no: PB-24-30
190 Jefferson Road

Application of BWZ, LLC, owner, and Robert Sant, agent, for Conditional Use Permit Approval to allow for a truck terminal facility to be on property located at 190 Jefferson Road. All as described on application and plans on file.

Application Number: [10P-02-24](#)

OpenGov reference no: PB-24-31
1625 Crittenden Road

POSTPONED TO 11-20-2024, per applicant's request

Application Of Brighton Village Apartments, owner, and Jake Goldstein, agent, for Preliminary/Final Site Plan Approval to construct a 2,400 sf storage building on property located at 1625 Crittenden Road (Tax ID #148.16-1-4). All as described on application and plans on file.

NEW BUSINESS:

NONE

OLD BUSINESS:

NONE

NONE

COMMUNICATIONS:

NONE

PETITIONS:

NONE

SIGNS:

Application Number: [SN-24-22 \(1728\)](#)

749 E. Henrietta Rd

Gemini 3/8" acrylic letters painted pantone 300C, stud mounted to exterior wall for *Laundromat*

Application Number: SN-24-24 (1729)

2400 S. Clinton Ave

An aluminum / FlexFace sign *Fresenius Kidney Care*

Application Number: SN-24-25 (1730)

2144 Brighton-Henrietta Town Line Rd

Molded Plastic Brushed Bronze Building Lettering for *Brighton Apothecary*

Application Number: SN-24-26 (1731)

1571 Monroe Ave

Aluminum pan sign with vinyl logo with 3/8" stud acrylic letters and mounted with stud stand-offs for *Thorley Wealth Management*

Application Number: SN-24-27 (1732)

1835 Monroe Ave

Aluminum, individual channel letters with plastic faces and internal LED illumination for *Oxygen Yoga & Fitness*

Application Number: SN-24-28 (1733)

2775 Monroe Ave

Non-illuminated 32sqft aluminum sign printed with 3mm Jbond material with a black core in the middle for *Spin and Savor*

Application Number: SN-24-29 (1734)

2253 S Clinton Ave

An internally illuminated 3" deep aluminum channel letters with a translucent white acrylic 3/16" T and blue translucent 79sqft sign for *Planned Parenthood*

Application Number: SN-24-30 (1735)

1880-1882 S Winton Rd

An 18 sqft sign with 3/4" thick-formed plastic letters stud mounted to a brick façade for *GAMEDAY MEN'S HEALTH*

Application Number: SN-24-31 (1736)

1468 (1478) Monroe Ave

A 22.5 sqft aluminum sign with vinyl graphics for *Nail Design 2*

NOTE: Designated Landmark. HPC review of Certificate of Appropriateness (C of A) scheduled for 10-24-2024.

PLANNING BOARD REPORT

HEARING DATE: 10-16-2024 (postponed from 9-18-2024)

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 8-27-2024 and approved as presented.
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 recommended planting the four proposed trees in the right-of-way of Metro Park as mitigation for the loss of trees in the mapped woodlot. Off site mitigation is can be considered by the Planning Board as part of the granting of an EPOD permit. The applicant has agreed to this.

Building and Planning Department staff will coordinate with the Highway Department and the applicant and/or applicant's contractor to finalize the siting and details of the street tree planting.

TOWN ENGINEER:

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

1. The Town Engineer has reviewed the project and has no substantial concerns. Stormwater management may require underground storage. The details of this and any other remaining technical issues can be resolved between the applicant and Town Engineer during pre-construction.

SEWER DEPARTMENT:

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

None

CONSERVATION BOARD:

Advisory comments

None

ENVIRONMENTAL REVIEW/SEQR

The proposed project is an unlisted action. If the Planning Board finds that the proposed action will not have a significant impact on the environment, Town staff recommends that the Planning Board adopt the prepared negative declaration when considering Preliminary/Final Site Plan 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 (including the Sewer Department and Town Engineer), Building and Planning Department, and Fire Marshal.
2. The applicant shall submit any additional information required by the Town Engineer.
3. The applicant shall install the four street trees in coordination with the Town of Brighton Highway Department. The final location of these trees shall be determined by the Town.
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.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 8P-02-24

Date: 10-16-2024

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: 8P-02-24

SEQR Status: unlisted

Conditioned Negative Declaration: No

Description of Action: 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.

Location: 172 Metro Park and 1057 East Henrietta Road, Rochester, NY 14623 (Town of Brighton)

Findings and Reasons Supporting this Negative Declaration:

Based on information submitted to the Lead Agency, Short 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. 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 is on an already developed site and will not adversely

impact agricultural, archeological, historical, natural, or cultural resources. The impacts to the mapped woodlot are not substantial with the proposed mitigation.

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 nor flood hazard areas on the property.

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: 10-16-2024

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

PLANNING BOARD REPORT

HEARING DATE: 10-16-2024 (postponed from 9-18-2024)

APPLICATION NO: 9P-01-24
OpenGov reference no: PB-24-23

LOCATION: 1900 Monroe Avenue

APPLICATION SUMMARY: Application of Brighton Corners LLC, owner, and Polo Padilla, lessee, for Conditional Use Permit Approval to allow a take-out food establishment to be on property located at 1900 Monroe Avenue (AKA 1924 Monroe Avenue, Twelve Corners Plaza).

COMMENTS

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

BUILDING AND PLANNING:

1. 1900 Monroe Avenue currently contains a 30,000 +/- sf single story multi-tenant retail plaza built in 1941.
2. The subject property is zoned Neighborhood Commercial District (BF-1).
3. A site plan and floor plans have been submitted, as well as operational information relevant to the Conditional Use Permit request (attached).
4. Applicant to confirm whether there will be any tables and chairs inside the store.
5. Applicant to confirm that no exterior changes or exterior seating are proposed at this time.
6. As a take out restaurant, this operation is likely to generate trash. Many customers are likely to be walk-in customers from nearby Brighton High School. The applicant should provide information on trash containers in the vicinity of the restaurant.
7. Any signage shall be reviewed separately.
8. The applicant has provided property owner's authorization in writing.
9. Town Staff have made the determination that the proposed use is similar to a specialty food store. The specialty food store is defined in the code but is not listed on the parking schedule. Per Town of Brighton Code Section 205-12, for uses not listed, the required number of off-street parking spaces shall be determined by the Planning Board based on the need to prevent frequent on-street parking by users and employees. Town Staff recommends that the proposed specialty food store will not have a parking demand any greater than the prior retail use of the space (Brighton Vision).

A parking summary completed in 2023 for 12 Corners Plaza and a letter dated 9-17-2024 submitted by the property owner regarding parking are attached.

TOWN ENGINEER:

None

SEWER DEPARTMENT:

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

1. A grease trap must be installed and adhere to NYS Plumbing Code as well as Town Code

CONSERVATION BOARD:

Advisory comments

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 food store complies with the standards of the Neighborhood Commercial (BF-1) 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 proposed specialty food 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 food store use 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 food store use 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 specialty food 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 specialty food store will be adequately served by essential public facilities.
7. The Planning Board finds that the establishment of a specialty food store will not result in the loss or damage to trees.
8. The Planning Board finds that the establishment of a specialty food store 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.*

G. *Enhance the village feel of the Twelve Corners area and extend that concept to other commercial areas of the town wherever practicable.*

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. The applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Building and Planning Department, and Fire Marshal
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.

Conditional Use Permit Application Information

1. Name of the proposed business or other occupancy and the nature of the proposed business (for example: 'sit down restaurant' or 'retail grocery store') - **JAMBA/AUNTIE ANNE'S (B-Business occupancy - pretzel and smoothie and beverage facility)**
2. Size (in square feet) of the proposed business or occupancy – **1569 SF** –
3. Days and hours of operation **M-Sat 9am -9PM, Sun noon-6PM**
4. Anticipated busiest time **11am to 3pm , 5pm-7pm**
5. Number of employees anticipated to be on site during the busiest time **4 - 5**
6. Number of customers or visitors anticipated to be on site during the busiest time **6-7**
7. Scaled site diagram and description of parking, including number of spaces available for the proposed use and whether they are shared with any other use. **SEE ATTACHED**
8. Deliveries: how, when, and where they will occur. **One tractor trailer per week during 7 AM to 10AM parked in parking lot WITH DELIVERIES HAND TRUCKED TO THE REAR DOOR**
9. Trash generation, on-site storage, and pick up
10. Any unusual solid or liquid waste (for example 'commercial laundromat effluent' or 'commercial kitchen waste oil and grease') proposed to go into the sanitary sewer – **kitchen waste to go through Grease interceptor**
11. Any anticipated special events, promotions or other displays that would be visible outside of the building, cause extra traffic, noise or other increase in activity – **None at this time**



S.E. BAKER & COMPANY

Integrated Services For Real Estate Management, Brokerage & Acquisitions

September 17, 2024

Rick DiStefano, Planner/Jason Haremza, Planner

Building and Planning Dept.

Town of Brighton

2300 Elmwood Avenue

Rochester, New York 14618

Dear Building & Planning Department,

Brighton Corners, LLC and S.E. Baker & Co. have a prospective tenant for the former Brighton Vision space (+/-1,550 sf). The Planning Board application etc. has been provided and offers greater detail as to our prospect, use and hours of operation among other relevant details/information.

The perceived parking requirement of this prospective tenant along with our other **“assigned” parking spaces (ps) per tenant by code**, square footage and use is as follows:

- FIVE STAR BANK- 1,100 square feet, 16 ps
- SUBWAY- 1,536 square feet, 15 ps
- **VACANT**- 1,550 square feet, 5 ps
- CHARA- 2,190 square feet, 7 ps
- BROOKLYN JOE PIZZERIA- 2,940 square feet, 34 ps
- STARBUCKS- 2,570 square feet, 17 ps
- BEYOND NAIL SALON- 2,380 square feet, 9 ps

- FED EX – 2,000 square feet, 7 ps
- PANERA- 4,830 square feet, 55 ps
- BAGEL LAND- 1,000 square feet, 4 ps
- GLENNA’S CBD- 1,225 square feet, 4 ps
- PILATES- 2,100 square feet, 8ps
- SUPER CUTS- 1295 square feet, 22 ps
- SCOOP & TWIST- 1,100 square feet, 13 ps

The total amount of spots now assigned to all tenants totals 216 spots-please note we have sought and received up to 2 variances since 2013 (allocating 213 useable spaces). There are 194 physical parking spots on site. **Notable exceptions:**

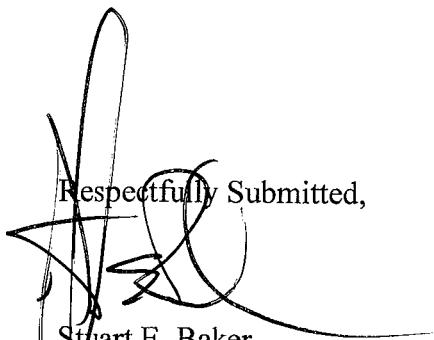
- **Supercuts is assigned 22 spots. This is/was based on eight (8) “working chairs” which were each assigned a salon professional (a proposed 8 employees). The reality, per site visit/inspection as of 9/2024, is they only use four (4) chairs at this site with only four (4) salon professionals/employees on site at maximum use (usually 3 employees). Using today’s code interpretation, 4 chairs would only require 50% of those “original” assigned parking spots per chair- from 22 parking spots to 11 parking spots (a gain of 11 spaces).**
- **Scoop & Twist is assigned 13 spots based on 26 seats (1 space per 2 seats) reported on premises in 2013. Per count as of 9/2024, there are only 12 seats on premises-four (4) 3 tops.**

HOURS OF OPERATION FOR 12 CORNERS PLAZA TENANTS:

- *Five Star Bank: Monday-Thursday 9 am to 4 pm, Friday 9am to 6 pm, Saturday 9 am to 12 pm*
- *Subway: Monday-Thursday 7 am to 10 pm, Friday 7am to 10:30 pm, Saturday 8 am to 10:30 pm, Sunday 9 am to 9 pm*
- *Auntie Sanne's/Jamba Juice: see application*
- *Chara: Tuesday-Friday 10 amt to 4 pm Saturday-Sunday 10 am-2 pm, Monday closed*
- *Joe's Brooklyn Pizza: Monday-Wednesday12 pm to 8 pm, Thursday -Saturday 11am to 10 pm, *Closed Sunday*
- *Starbucks: Monday -Saturday 5 am to 9pm, Sunday 5:30 am to 8 pm*
- *Beyond Nail Salon: Monday-Saturday 9:30 am to 7:30 pm, Sunday 10 am -6 pm*
- *Fed Ex: Monday-Friday 8 am to 8 pm, Saturday 7 am to 6 pm, *Closed Sunday*
- *Panera Bread: Monday-Friday 6:30 am to 9:30 pm, Saturday 7 am to 9:30 pm, Sunday 7:30 am to 8:30 pm*
- *Bagel Land: Monday - Friday 5 am to 3 pm, Saturday - Sunday 5 am to 3 pm*
- *Glenna's CBD: Monday-Friday 8:30 am to 6:30 pm, Saturday 9 am -5 pm, Sunday 9 am - 12 pm*
- *Supercuts: Monday-Friday 9am to 9pm, Saturday 8 am to 7pm, Sunday 10am to 5 pm*
- *Pilates: Monday-Thursday 6 am to 8 pm, Friday 6a, to 7 pm, Saturday 8am to 3:30 pm, Sunday7:30 am to 3:30 pm*
- *Scoop & Twist: Monday-Sunday 12 pm to 10 pm*

Based on the above calculations and information, , the detailed Costich Engineering parking summary and general use of the plaza, we feel confident that our new tenant (Auntie Anne's/Jamba Juice) will not strain our parking situation at the plaza.

One other major consideration as it pertains to general parking needs at 12 Corners Plaza is the influence of services such as Grub hub, Door Dash and Uber Eats as it pertains to parking on site. During and post COVID to present, restaurants have experienced a 20-30% decline in the **"in dining"** experiences. Customers were electing to use the services -bringing the food they love to their residence rather than driving to the site and eating at the location. The details provided in this report support the eventual tenancy and the perceived parking requirements of Auntie Anne's/Jamba Juice.



Respectfully Submitted,
Stuart E. Baker
President

S.E. Baker & Co. /Agent to Brighton Corners, LLC

**TWELVE CORNERS PLAZA
TOWN OF BRIGHTON,
STATE OF NEW YORK**

**Parking Summary
May, 2023**

1.0 Introduction

Costich Engineering has prepared this parking study to evaluate if there is adequate parking for redevelopment of two vacant tenant spaces in Brighton's Twelve Corners Plaza. The proposed tenants include a noodle bar and a clothing boutique gift shop.

The plaza is located at 1900 Monroe Avenue, Rochester, NY 14618 and consists of 14 separate business spaces. The plaza is 30,828 square feet and sits on a 2.8 acre lot. The two vacant tenant spaces are 1,550 square feet and 2,150 square feet respectively. Tenants currently consist of Five Star Bank, Subway, Joe's Brooklyn Pizza, Starbucks, Beyond Nails & Spa, FedEx Office, Panera Bread, Bagel Land, Glenna's Best CBD Oil, Club Pilates, Super Cuts, Scoop N Twist, and the two empty spaces (formerly Brighton Vision and Eleventh Hour). The plaza is located on the Northeast intersection of Monroe Avenue, South Winton Road, and Elmwood Avenue. The hours of the plaza range from 5:00 a.m. – 9:30 p.m. There are a total of 190 parking spaces in the plaza, 10 of which are handicap accessible.

2.0 Purpose

The purpose of this report is to provide rationale and supporting data to evaluate if the number of parking spaces at Brighton's Twelve Corners Plaza is enough to accommodate two new businesses moving into the vacancies.

3.0 Methodology

The following methodology was utilized in determining the parking demand for the plaza:

- Inventory of plaza tenant uses and hours
- On site evaluation (one day period prior to counts) to determine peak times of parking/plaza activity
- Six day count of parking spaces at peak plaza activity time
- Visual recording of parking levels to supplement physical counts
- Analysis of parking counts
- Review of Institute of Transportation Engineers (ITE) parking generation data for proposed uses

4.0 Parking Study

A study of the Twelve Corners Plaza was conducted to determine that the businesses inquiring about moving into the vacant spaces will not increase parking over the lot's capacity.

To determine the times of peak parking demand for the study, two days (March 30th and 31st) were spent counting cars with a pitch counter every hour on the hour from 5:00 a.m. - 9:00 p.m., based on the hours of operation for the businesses within the plaza. The peak hours were determined to be from 10 a.m. to 2 p.m.

Parking counts were then performed for a six day period from April 10th to April 15th. Counts were performed starting an hour earlier and going an hour later from the observed peak, to ensure any deviations from observed peaks were captured. The study ran an hour early (9:00 a.m.) on Tuesday, Wednesday, Thursday, and Saturday and ended late on Friday (3:00 p.m.) and Saturday (5:00 p.m.). The counts observed were consistent for the five weekdays and one weekend date so no further counts were conducted in the study.

During the week of counts a map was drawn up every hour depicting available spaces and filled spaces to determine any patterns, including the areas of the lot that are more likely to have available spaces. Weather permitting, a drone was flown every half hour to obtain intermediate counts and confirm the hourly numbers. On the days the drone couldn't fly, every half hour, due to high winds (Tuesday and Thursday) extra photos were taken on the ground. It took roughly 5 minutes to complete a drone flight and roughly 15 minutes for a walk around the lot, hence the slight variations in the data.

There is no significance difference in the values produced by the drone versus the walk through.

When evaluating the data in calculations the highest value was applied to ensure more conservative results.

The lowest number of available spaces across all the data recorded was 37 and the average number of available spaces was 82. Peak parking demand occurred was between 12 and 12:30 p.m. There was a significant drop off in parking demand before 10 a.m. and after 2 p.m. See *Table 1.0 Parking Counts* for all observed counts. Parking counts for the individual days can be found in Appendix A. Site Pictures available upon request.

Table 1.0 Parking Counts Observed

Date	Peak Time	Parking Spaces Utilized	Available Parking Spaces
(Monday) 04/10/2023	12:00PM	135	55
(Tuesday) 04/11/2023	12:00PM	135	55
(Wednesday) 04/12/2023	12:30PM	119	71
(Thursday) 04/13/2023	12:00PM	114	76
(Friday) 04/14/2023	12:30PM	153	37
(Saturday) 04/15/2023	12:30PM	126	64
Average		130	60

5.0 Projected Parking Demand

A parking generation analysis was completed based on the Institute of Transportation Engineers (ITE) Parking Generation, 5th Edition for projecting the amount of parking demand for the proposed tenant uses. In this analysis, three uses were evaluated for the Noodle Bar (930-Fast Casual Restaurant, 932-High Turnover (Sit Down) Restaurant-Family, 933-Fast-Food Restaurant Without Drive Through) and two were utilized for the boutique (876-Apparel Store, 820-Shopping Center- Non-December). From there, Weekday, Friday, Saturday, and Sunday Peak Average Rates (depending on available data) were calculated for each use. When using the data in calculations, the highest value was applied to ensure more conservative results.

The Noodle Bar's peak average rate of impact was determined to be between 14 and 19 spaces and the Boutique's peak average rate of impact was between 1 and 5 spaces. The highest number of cars recorded in the parking lot during the study was 153 vehicles at 12:30 p.m. on Friday via the drone's captured images. If the Noodle Bar and Boutique were both also at their peak, the number of cars in the parking lot could be $153+19+5=177$ occupied spaces. This would still leave 13 empty spaces and be below the plaza's peak capacity of 190. Based on the data acquired, the businesses should not put the parking lot over capacity. Sample calculations can be found in Appendix A.

Table 2.0 Parking Projections

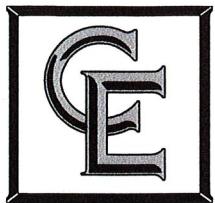
Day	Parking Spaces Utilized at Peak	Projected Spaces Utilized	Total Spaces Utilized	Available Parking Spaces
Monday	135	24	159	31
Tuesday	135	24	159	31
Wednesday	119	24	143	47
Thursday	114	24	138	52
Friday	153	24	177	13
Saturday	126	24	150	40
Average			154	36

6.0 Summary

We believe the ITE parking generation analysis and parking studies substantiate there is adequate parking to support the two proposed businesses. There are 190 total parking spaces and at peak usage 153 were occupied. This results in an excess of 37 spaces, with the addition of the proposed tenant parking demands there would still be an excess of 13 spaces available at peak demand.

APPENDIX A

- **Parking Exhibit**
- **I.T.E. Analysis & References**



**COSTICH
ENGINEERING**

- CIVIL ENGINEERING
- LAND PLANNING
- SURVEYING

217 LAKE AVENUE
ROCHESTER, NEW YORK
14608
(585) 458-3020

Twelve Corners- CE 5906

JOB _____

SHEET NO. 1 OF 1

CALCULATED BY: SRC DATE 4/11/2023

CHECKED BY: _____ DATE _____

SCALE _____

Drone flight takes about 5 minutes and record images to create the maps and it takes about 15 to complete a full walk around for manual counts which accounts for the deviations in hourly counts. Total On-site Parking Spaces Available 190.

Monday	Tuesday	Wednesday	Thursday
9 a.m. - N/A	9 a.m. - 94 vehicles	9 a.m. - 95 vehicles	9 a.m. - 99 vehicles
10 a.m. - 106 vehicles	10 a.m. - 114 vehicles	10 a.m. - 104 vehicles	10 a.m. - 107 vehicles
11 a.m. - 105 vehicles	11 a.m. - 127 vehicles	11 a.m. - 118 vehicles	11 a.m. - 107 vehicles
12 p.m. - 135 vehicles	12 p.m. - 135 vehicles	12 p.m. - 113 vehicles	12 p.m. - 114 vehicles
1 p.m. - 119 vehicles	1 p.m. - 120 vehicles	1 p.m. - 102 vehicles	1 p.m. - 99 vehicles
Monday drone car count	Tuesday drone car count	Wednesday drone car count	Thursday drone car count
10:48 am - 111 vehicles	10:06 a.m. - 132 vehicles	10 a.m. - 96 vehicles	10 a.m. - 110 vehicles
11:20 a.m. - 110 vehicles	10:30 a.m. - 116 vehicles	10:30 a.m. - 118 vehicles	
11:46 a.m. - 118 vehicles		11 a.m. - 115 vehicles	
12:20 p.m. - 127 vehicles		11:30 a.m. - 117 vehicles	
12:48 p.m. - 118 vehicles		12 p.m. - 118 vehicles	
		12:30 p.m. - 119 vehicles	Saturday drone car count
Friday	Friday drone car count	1:00 p.m. - 110 vehicles	9 a.m. - 86 vehicles
10 a.m. - 134 vehicles	10 a.m. - 133 vehicles		9:30 a.m. - 94 vehicles
11 a.m. - 124 vehicles	10:30 a.m. - 122 vehicles	Saturday	10 a.m. - 96 vehicles
12 p.m. - 133 vehicles	11 a.m. - 124 vehicles	9 a.m. - 76 vehicles	10:30 a.m. - 113 vehicles
1 p.m. - 128 vehicles	11:30 a.m. - 129 vehicles	10 a.m. - 86 vehicles	11 a.m. - 125 vehicles
2 p.m. - 104 vehicles	12 p.m. - 123 vehicles	11 a.m. - 119 vehicles	11:30 a.m. - 111 vehicles
3 p.m. - 108 vehicles	12:30 p.m. - 153 vehicles	12 p.m. - 106 vehicles	12 p.m. - 108 vehicles
	1 p.m. - 120 vehicles	1 p.m. - 111 vehicles	12:30 p.m. - 126 vehicles
	1:30 p.m. - 120 vehicles	2 p.m. - 107 vehicles	1 p.m. - 102 vehicles
	2 p.m. - 106 vehicles	3 p.m. - 77 vehicles	1:30 p.m. - 114 vehicles
	2:30 p.m. - 102 vehicles	4 p.m. - 59 vehicles	2 p.m. - 114 vehicles
	3 p.m. - 98 vehicles	5 p.m. - 57 vehicles	2:30 p.m. - 104 vehicles
			3 p.m. - 76 vehicles
			3:30 p.m. - 73 vehicles
			4 p.m. - 60 vehicles
			4:30 p.m. - 58 vehicles
			5 p.m. - 59 vehicles

PLANNING BOARD REPORT

HEARING DATE: 10-16-2024 (postponed from 9-18-2024)

APPLICATION NO: 9P-02-24
OpenGov reference no: PB-24-25

LOCATION: 2144 Brighton Henrietta Town Line Road

APPLICATION SUMMARY: Application of 2144 BHTL RD, LLC, owner, and Ome Oluikpe, lessee, for Conditional Use Permit Approval to allow a wholesale drug compounding facility to be on property located at 2144 Brighton Henrietta Town Line Road..

COMMENTS

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

BUILDING AND PLANNING:

1. 2144 Brighton Henrietta Town Line Road currently contains a 17,850 +/- sf single story office/warehouse structure built in 1989.
2. The subject property is zoned Light Industrial (IG).
3. A site plan and floor plans have been submitted, as well as operational information relevant to the Conditional Use Permit request (included in the application materials posted and attached again for reference).
4. Applicant to confirm walk-in or retail operations are minimal and ancillary to the wholesale/processing/assembly activities.
5. Applicant to confirm that no exterior changes are proposed for the property at this time.
6. Any signage shall be reviewed separately.
7. Applicant has provided property owner's authorization in writing.
8. Applicant should quantify "trace" amounts of medications in sewer as noted in #10 on Conditional Use Permit Information sheet.

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 compounding pharmacy 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 proposed compounding pharmacy, 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 compounding pharmacy use 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 compounding pharmacy use 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 compounding pharmacy 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 compounding pharmacy will be adequately served by essential public facilities.
7. The Planning Board finds that the establishment of a compounding pharmacy will not result in the loss or damage to trees.
8. The Planning Board finds that the establishment of a compounding pharmacy 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. The applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Building and Planning Department, and Fire Marshal
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.

Conditional Use Permit Application Information

1. Name of the proposed business or other occupancy and the nature of the proposed business (for example: 'sit down restaurant' or 'retail grocery store')

BRIGHTON APOTHECARY will be a closed door compounding pharmacy and outsourcing facility compounding medications subject to prescriptions from qualified healthcare providers for their patients. (503a and 503b compounding)

2. Size (in square feet) of the proposed business or occupancy

4500 square feet

3. Days and hours of operation (for example 'M-Sat 10AM-9PM, Sun noon-6PM')

Monday to Friday; 10am to 6pm; closed Saturday and Sunday

4. Anticipated busiest time (for example '7AM-9AM')

2pm to 4pm

5. Number of employees anticipated to be on site during the busiest time

6 to 8 employees

6. Number of customers or visitors anticipated to be on site during the busiest time

1 to 2. It is expected that close to 100% of orders will be shipped to clients. Best estimate of order fulfilment breakdown is 98% shipped and 2% picked up by clients at the facility.

7. Scaled site diagram and description of parking, including number of spaces available for the proposed use and whether they are shared with any other use.

97 parking spaces are available on premises shared with other tenants.

(site diagram to follow)

8. Deliveries: how, when, and where they will occur (for example: 'two tractor trailer trucks per week, generally between 7AM and 9AM, parked in the parking lot, with deliveries hand-trucked to the rear door').

FedEx, UPS or USPS deliveries anticipated daily dropped off at reception desk or hand-trucked through the side entrance to receiving

Daily shipment pickup by courier is also anticipated (possibly at the same time as supplies are delivered to us by courier)

9. Trash generation, on-site storage, and pick up

Trash containing confidential patient info will be stored on-site and picked up weekly (or other interval) by HIPAA vendor.

Out-dated, damaged or otherwise unusable bulk medications will be stored on-site in dedicated receptacles and removed monthly (or other interval) by an FDA registered reverse distributor

10. Any unusual solid or liquid waste (for example 'commercial laundromat effluent' or 'commercial kitchen waste oil and grease') proposed to go into the sanitary sewer

Trace amounts of medications or excipients may go down the drain but insignificant amounts are anticipated to go into sanitary sewer as production typically utilizes carefully weighed small batches of material and very little waste is generated from typical operations

11. Any anticipated special events, promotions or other displays that would be visible outside of the building, cause extra traffic, noise or other increase in activity

None anticipated

PLANNING BOARD REPORT

HEARING DATE: 10-16-2024 (postponed from 9-18-2024)

APPLICATION NO: 9P-03-24
OpenGov reference no: PB-24-27

LOCATION: 2021 South Winton Road

APPLICATION SUMMARY: Application of Jewish Senior Life, owner, and Matt Tomlinson, Marathon Engineering, agent, for Final 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 was reviewed by the Architectural Review Board (ARB) on 8-27-2024 and approved with the following conditions: provide documentation demonstrating that all mechanical equipment will be concealed from view.
4. The project requires an area variance for the proposed carport structure, determined to be located in the front yard. The ZBA reviewed the variance application and granted the variance on 9-4-2024.
5. The project was referred to Monroe County as part of the Incentive Zoning modification application earlier this year. Monroe County provided comments dated 4-3-2024 (attached) which are relevant to Site Plan Approval.
6. The applicant should provide additional information or explain the parking lot island situation with regard to tree planting and snow storage. The proposed trees are a positive

feature of the plan and it is unlikely the island would be used for snow storage considering how parking lots are typically plowed. However, some drawings note the island as a snow storage area.

TOWN ENGINEER:

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

1. The Town Engineer has reviewed the project and has no substantial concerns. The existing Stormwater Pollution Prevention Plan (SWPPP) will need to be modified to justify design size changes. This and any other remaining technical issues can be resolved between the applicant and Town Engineer during pre-construction.

SEWER DEPARTMENT:

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

1. A Sewer Permit is required
2. Provide food preparation information; a grease trap may be required
3. Installation of a grinder pump is required

CONSERVATION BOARD:

Advisory comments

1. The site plan shows a snow storage area using the landscaped island within the parking lot. The landscaping plan shows the island having 12 red maple trees. Snow storage within the island will have a negative impact on the health and viability of the trees and should be avoided.

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

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 (including the Sewer Department and Town Engineer), Building and Planning Department, and Fire Marshal.
2. The applicant shall submit a modified SWPPP and any other information required by the Town Engineer.
3. The applicant shall obtain all necessary permits from the Town of Brighton Sewer Department.

4. Applicant shall ensure that the details of the landscaping plans and site plans match.
5. Address the comments provided by Monroe County dated 4-3-2024.
6. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
7. All Town codes that relate directly or indirectly to the applicant's request shall be met.
8. The project shall be constructed in accordance with the design approved by the ARB and the final site plan drawing set.

PLANNING BOARD REPORT

HEARING DATE: 10-16-2024

APPLICATION NO: 10P-01-24
OpenGov reference no: PB-24-30

LOCATION: 190 Jefferson Road

APPLICATION SUMMARY: Application of BWZ, LLC, owner, and Robert Sant, agent, for Conditional Use Permit Approval to allow for a truck terminal facility to be on property located at 190 Jefferson Road.

COMMENTS

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

BUILDING AND PLANNING:

1. 190 Jefferson Road currently contains a 10,000 +/- sf single story building. Note: despite being included on the site plan, 182 Jefferson IS NOT included in this application.
2. The subject property is zoned Light Industrial District (IG).
3. A site plan and floor plans have been submitted.
4. Additional operational information should be provided by the applicant:
 - a. The nature of the proposed business. Will there be fuel sales? If so, will fuel be available to the general public? No overnight stays by drivers, no restaurants, and no showers are permitted.
 - b. Size (in square feet) of the proposed business
 - c. Size of typical truck. Will the proposed parking spaces be able to accommodate the typical truck? Are any changes to the existing driveway proposed?
 - d. Days and hours of operation
 - e. Anticipated busiest time
 - f. Number of employees anticipated to be on site during the busiest time
 - g. Number of customers or visitors anticipated to be on site during the busiest time
 - h. Deliveries: how, when, and where they will occur
 - i. Trash generation, on-site storage, and pick up
 - j. Any unusual solid or liquid waste (for example 'commercial laundromat effluent' or 'commercial kitchen waste oil and grease') proposed to go into the sanitary sewer
 - k. Any anticipated special events, promotions or other displays that would be visible outside of the building, cause extra traffic, noise or other increase in activity
5. Applicant to confirm that no exterior changes are proposed at this time.
6. Per Town of Brighton Code Section 203-93B(6), the site must be fully enclosed by a solid fence or wall.
7. The site has existing encroachment into mapped wetlands. This is pre-existing but there can be no further expansion into wetland areas. Any site or exterior changes (other than the required fence/wall) must be reviewed separately.
8. Any signage shall be reviewed separately.

9. The applicant has provided property owner's authorization in writing.
10. Monroe County review is pending.
11. The Planning Board may consider hours of operation as a condition of approval.

TOWN ENGINEER:

1. Provide information regarding vehicle size and a site diagram showing vehicle maneuvering, turning radius, and parking spaces, to scale.

SEWER DEPARTMENT:

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

1. A grease trap/oil separator must be installed and must adhere to NYS Plumbing Code as well as Town Code.

CONSERVATION BOARD:

Advisory comments

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 food store 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 proposed truck terminal, 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 truck terminal use 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 truck terminal use 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 truck terminal 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 truck terminal will be adequately served by essential public facilities.

7. The Planning Board finds that the establishment of a truck terminal will not result in the loss or damage to trees.
8. The Planning Board finds that the establishment of a truck terminal 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. The applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Building and Planning Department, and Fire Marshal
2. The applicant shall submit a site diagram, drawn to scale, with vehicle size information, turning and maneuvering templates, parking spaces, and any other related information required by the Town Engineer.
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.

5. Monroe County comments, if any, shall be addressed.
6. The applicant shall obtain any required NYS Department of Transportation permits.
7. The hours of operation shall be limited to _____.