
BRIGHTON

PLANNING

BOARD

November 20, 2024
At approximately 7 p.m.
Empire State University
680 Westfall Road, Room 159
Rochester, New York 14620

PRESENT:

JASON HAREMZA, EXECUTIVE SECRETARY

WILLIAM PRICE, CHAIRPERSON

| | | |
|----------------------|---|---------------|
| JOHN OSOWSKI |) | BOARD MEMBERS |
| KAREN ALTMAN |) | |
| DAVID FADER |) | |
| CLARA SANGUINETTI |) | |
| JASON BABCOCK-STINER |) | |

LAUREN BARON, ESQ.
Attorney for the Town

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

1 CHAIRPERSON PRICE: Good evening, everybody.
2 Welcome to the November 20th, 2024, meeting of the
3 Town of Brighton Planning Board.

4 This is our first night here. In the
5 unlikely event of an emergency, you would have exits
6 back to your right and directly behind you. Can you
7 go out those doors?

8 MR. HAREMZA: Yup.

9 CHAIRPERSON PRICE: Okay.

10 MR. HAREMZA: And behind you as well.

11 CHAIRPERSON PRICE: There we are. Okay.
12 Okay. All right. If -- in the event that you do end
13 up having comments on an application that you heard
14 tonight, please feel free to give Jason Haremza, our
15 Executive Secretary, an email. Now that's here. It's
16 Jason.Haremza, H-A-R-E-M-Z-A, at townofbrighton.org.

17 Can we please call the roll?

18 (Whereupon the roll was called.)

19 CHAIRPERSON PRICE: Okay. We take a few
20 minutes now to review tonight's agenda with staff and
21 our consulting legal person. We don't have a very
22 long agenda tonight; right?

23 MR. HAREMZA: Correct.

24 CHAIRPERSON PRICE: Three applications --
25 public hearings.

1 MR. HAREMZA: Correct. Three public
2 hearings and then the signs. And that will be it for
3 tonight.

4 Just a couple housekeeping items in the new
5 room and we appreciate everyone's patience as we get
6 used to our temporary facilities here. As of yet we
7 do not have microphones, but the room seems to have
8 pretty good acoustics and is much smaller than the
9 auditorium at Town Hall. So just speak clearly and
10 project so that our court reporter can record.

11 Restrooms are out into the lobby and turn
12 left. And I think that's it for now for logistics.

13 First application was a postponement from
14 last month. 1625 Crittenden Road, Brighton Village
15 Apartments large apartment complex just west of West
16 Henrietta Road. It's proposing a storage building
17 garage-type building at the southeast corner of the
18 site tucked in the very back of the complex, not
19 visible from the public roads.

20 Pretty basic structure. Metal pole barn.
21 It is fully enclosed. It is a building. There's no
22 water or sewer service to the building. Electricity
23 only.

24 And it received the necessary variances
25 actually almost a year ago and just last night was

1 approved by ARB.

2 CHAIRPERSON PRICE: The drawing doesn't
3 imply any doors. I assume -- well, I could ask.

4 MR. GOLDSTEIN: I can submit -- I have the
5 architectural drawing I can submit if necessary.

6 CHAIRPERSON PRICE: I'm jumping ahead.
7 Sorry.

8 MR. HAREMZA: That's fine. Doors are
9 important.

10 MR. GOLDSTEIN: There are doors.

11 CHAIRPERSON PRICE: Any other questions on
12 Crittenden?

13 MR. HAREMZA: 1900 --

14 MR. OSOWSKI: Are there any sheds on the
15 site? Well, I can ask that later too.

16 MR. HAREMZA: That's a great question.
17 Yeah.

18 Next up is 1900 South Clinton, also known as
19 the shops at Lac De Ville, also known as the Tops
20 Plaza. This is a conditional use permit for a new
21 takeout restaurant in between Rita's and the Post
22 Office, that part of the plaza.

23 I think most recently the space had been
24 some kind of nutrition or small gym of some kind.
25 Again, pretty straightforward application.

1 One question to ask the applicant is to
2 confirm whether or not there will be any convenience
3 seating, couple of high-tops and some stools or a
4 bench or anything like that or is it strictly takeout,
5 nowhere to sit kind of thing.

6 CHAIRPERSON PRICE: Okay. All right.

7 MR. HAREMZA: And then finally, 3300
8 Brighton Henrietta Townline Road. As we were chatting
9 before, many of you have seen this, or a very similar
10 proposal, most recently in 2019. And there was an
11 extension of that approval granted in 2020 for a very
12 similar medical office building.

13 I believe the main difference -- and again,
14 this would be a good question for the applicant is to
15 review the differences. One, the square footage
16 figure is a little misleading. The previous proposal
17 was 10,000. This is 20,000. But that's only because
18 now there's a full basement, which is not going to be
19 occupied space. It's just for mechanicals and
20 storage.

21 And that is actually related to one of the
22 conditions of one of the variances that the Zoning
23 Board granted regarding parking because based --
24 strictly based on the square footage, there's a
25 parking deficiency, but that was counting the 10,000

1 square feet of basement space.

2 Other than that, you know, it is -- it
3 requires an EPOD permit as well. Allens Creek sort of
4 curves around the site. And the Town Engineer has
5 some concerns about stormwater management and grading
6 in the floodplain.

7 There's also the need to confirm whether or
8 not it needs to go back to the ARB. If the building
9 is the same as previously proposed from a visual
10 standpoint, it does not need to go back. ARB
11 approvals do not expire. But we need confirmation of
12 that.

13 And then tomorrow night, Historic
14 Preservation Commission will be re-reviewing the
15 demolition of the single-family dwelling on the site.
16 Unfortunately, HPC approvals do expire, which is why
17 that needs to go back to them. But they found no
18 desire to advance landmark designation previously. So
19 presumably they will find that again tomorrow tonight.

20 MS. BARON: So -- I'm sorry. I had to step
21 out. Just also to add -- to add a couple things to
22 this one, because I went to the Zoning Board meeting
23 when they granted the variances. They did condition
24 the granting of the parking variance on the basement
25 only being used for storage and mechanical components

1 of the building.

2 They were concerned that perhaps more office
3 space would be added or additional employees may be
4 added. So that's why they conditioned the parking
5 variance on that considering it was such a substantial
6 parking variance.

7 And also this is an unlisted action under
8 SEQRA. And in your Planning Board report you'll see a
9 note that environmental review is still ongoing on
10 this. So there isn't an environmental determination,
11 decision drafted right now.

12 MR. HAREMZA: The -- our consensus among
13 staff was because of the remaining concerns of the
14 Town Engineer, we didn't feel it was quite ready yet
15 to draft a negative declaration. And the staff report
16 recommends tabling.

17 And then if, you know, these issues can be
18 substantially resolved in the next few weeks, we'll
19 come back in December for a combined preliminary and
20 final approval.

21 CHAIRPERSON PRICE: Okay. All right. Any
22 questions? All right. Let's proceed with the agenda.

23 We did receive the meeting minutes for
24 10/16/2024, our October meeting. Anybody care to make
25 a motion to approve those meeting minutes?

1 MR. FADER: I'll make a motion to approve
2 the minutes.

3 CHAIRPERSON PRICE: Motion to approve. Is
4 there a second?

5 MS. SANGUINETTI: Second.

6 CHAIRPERSON PRICE: Clara seconds. Any
7 discussion? I'm just going to do all in favor?

8 ALL BOARD MEMBERS: Aye.

9 CHAIRPERSON PRICE: Opposed? Okay.

10 All right. Mr. Secretary, were tonight's
11 public hearings properly advised in the Daily Record?

12 MR. HAREMZA: They were advertised in the
13 Daily Record of November 14th, 2024.

14 CHAIRPERSON PRICE: All right. Thank you.
15 So I'll hold those now.

16 First application is 10P-02-24.

17 **Application 10P-02-24**

18 1625 Crittenden Road

19 Application Of Brighton Village Apartments,
20 owner, and Jake Goldstein, agent, for
21 Preliminary/Final Site Plan Approval to construct a
22 2,400 square foot storage building on property located
23 at 1625 Crittenden Road (Tax ID #148.16-1-4). All as
24 Described on application and plans on file. POSTPONED
25 FROM 10-16-2024 (at the applicant's request).

1 CHAIRPERSON PRICE: Good evening.

2 MR. GOLDSTEIN: Good evening. Just quickly,
3 I have some documents if anybody would like to see.

4 CHAIRPERSON PRICE: If they're -- are they
5 elevations?

6 MR. GOLDSTEIN: So there's one front
7 elevation. And then we have some renderings as well.
8 And then we just have a large size of the site plan.

9 CHAIRPERSON PRICE: You can start with Clara
10 please. She can pass them down.

11 MR. HAREMZA: We do have the ability to put
12 them up on that board behind me, but that may be a
13 little distant for the Board members.

14 CHAIRPERSON PRICE: If you don't mind, Jake,
15 would you post that up on that board so the audience
16 can see?

17 MR. GOLDSTEIN: Definitely.

18 CHAIRPERSON PRICE: Jake, if you would just
19 introduce your name and company and then your address
20 if you would.

21 MR. GOLDSTEIN: Yup. My name is Jacob
22 Goldstein with Elevation Builders in Rochester. You
23 want my home address or business address?

24 CHAIRPERSON PRICE: No. Usually your
25 business address is fine. Whatever's on the

1 application.

2 MR. GOLDSTEIN: Yup. So on the application
3 may be my old business address. My new one is 277
4 Alexander Street, Suite 305, Rochester, New York
5 14607.

6 CHAIRPERSON PRICE: Thanks. Just give us an
7 overview of what you are asking to do.

8 MR. GOLDSTEIN: Sure. So I'm sure
9 everybody's familiar with the Brighton Village
10 Apartments. There's a company called Excelsior
11 Communities that currently owns the apartments and I
12 believe have owned them for the past I want to say
13 around eight years.

14 A lot of them have been recently remodeled.
15 There's quite a bit of maintenance activity throughout
16 the year that has to happen; landscaping, snow
17 removal, things like that, deicing of the roadways.

18 And unfortunately they have not really had
19 any permanent storage facility. They've been
20 utilizing some apartment units that have been empty
21 for a while. And they would like to recoup some of
22 that rental income, but they have nowhere else onsite
23 currently to store things.

24 So we've been using some mobile storage
25 units, but they're kind of an eyesore and have to be

1 moved around.

2 So the idea is to construct a pole barn-type
3 structure, steel mainly with vinyl siding, metal
4 roofing and some brick on the front facades to match
5 existing structures, really in order to house and
6 store most maintenance-related stuff like salt and
7 plumbing supplies, small vehicle storage.

8 It will be a slab on grade with pier footers
9 for the foundation, an overhead door, a man door in
10 the front, a man door in the rear and a window on each
11 of the four sides.

12 CHAIRPERSON PRICE: Okay. Jake, now that we
13 see the elevation it appears that the materials are
14 very similar to the materials in the existing
15 buildings.

16 MR. GOLDSTEIN: Correct.

17 CHAIRPERSON PRICE: Colors and brick are all
18 coming as close as you can to what's there.

19 MR. GOLDSTEIN: Correct.

20 CHAIRPERSON PRICE: Looking at this -- and I
21 know where this is. It's so far back in the site. Is
22 there any -- can we give any consideration to how wide
23 that driveway is?

24 MR. GOLDSTEIN: Yes.

25 CHAIRPERSON PRICE: That's one thing that

1 seems a little wide.

2 MR. GOLDSTEIN: Yes. I would hazard a guess
3 that would be about 20 feet wide.

4 CHAIRPERSON PRICE: Yeah. It is marked on
5 your plan as 20 feet. And if there's any way we could
6 narrow that up as it goes past the front facades of
7 the building. And then if you flared it to 18, 20
8 feet by the garage door and the man door, that would
9 make sense. If we could narrow that up to 10 or 12
10 feet until you get back and then you can park side by
11 side a couple vehicles when you're loading and
12 unloading. But I think if -- that's a lot of asphalt
13 out by the front of the building.

14 MR. GOLDSTEIN: Certainly. Yeah.
15 Absolutely.

16 CHAIRPERSON PRICE: Otherwise, it appears to
17 work from a grading standpoint, drainage.

18 That's all I had. Any questions?

19 MS. ALTMAN: No questions.

20 CHAIRPERSON PRICE: John?

21 MR. OSOWSKI: Lawn mowers, snow blowers
22 typically inside?

23 MR. GOLDSTEIN: Correct. Correct.

24 MR. OSOWSKI: Snow plow? Like a small
25 tractor with a plow on it.

1 MR. GOLDSTEIN: Probably just the actual
2 plow, the mechanical plow itself during the summer
3 months where it's not being utilized. And then during
4 winters, it will be attached to the plow trucks. But
5 I don't think there will be any actual plows stored in
6 there during the winter.

7 CHAIRPERSON PRICE: Is this freeing up space
8 anywhere else on site that you might consider doing
9 something else with?

10 MR. GOLDSTEIN: I don't believe so. This is
11 really just for the bunch of apartments that they want
12 to have tenants in.

13 CHAIRPERSON PRICE: I see. Okay. John, you
14 had a question about are there other sheds and things
15 onsite.

16 MR. OSOWSKI: Yeah. You mentioned like
17 storage -- sounds like shipping containers you use for
18 storage. You'll be removing those?

19 MR. GOLDSTEIN: Yeah.

20 CHAIRPERSON PRICE: Lauren, do you have
21 questions?

22 MS. BARON: I have no questions.

23 MR. HAREMZA: I have -- I guess just to draw
24 the Board's attention to the -- is this the one that
25 had Conservation Board comments about the trees I

1 believe?

2 MS. BARON: Trees. Yeah.

3 MR. HAREMZA: So something to consider. But
4 otherwise, no. It's a very simple project.

5 CHAIRPERSON PRICE: You're taking out it
6 appears to be three trees. Do you have any sense of
7 what those are? What kind of trees? Are they ash
8 or --

9 MR. GOLDSTEIN: I believe they are maple,
10 but I would have to get back to you on that.

11 MS. SANGUINETTI: There's four.

12 MR. GOLDSTEIN: Correct.

13 CHAIRPERSON PRICE: There's four? Oh,
14 sorry. I didn't see it.

15 MR. GOLDSTEIN: Our plan was to install some
16 landscaping on the front and sides of the building to
17 kind of make up for the aesthetic loss of the trees.

18 CHAIRPERSON PRICE: Okay. The Conservation
19 Board -- I don't see their comments here. I'm sorry.
20 Does anyone else --

21 MR. BABCOCK-STIENER: It's right at the top
22 page. Mitigate the loss of the four trees and plant
23 four new trees throughout the complex.

24 CHAIRPERSON PRICE: Okay. Jake, we may ask
25 you to plant four trees.

1 MR. GOLDSTEIN: Okay.

2 CHAIRPERSON PRICE: Maybe not right here,
3 but -- maybe even someplace up closer to an open space
4 that people are using.

5 MR. GOLDSTEIN: Certainly.

6 CHAIRPERSON PRICE: But we'll put in --
7 probably put in a note that they would be 2-,
8 2-and-a-half-inch caliper maples or something --

9 MR. GOLDSTEIN: Understood.

10 CHAIRPERSON PRICE: -- located on the site.
11 All right.

12 Any other questions? Comments? All right.
13 Thank you.

14 MR. GOLDSTEIN: Thank you.

15 CHAIRPERSON PRICE: This is a public
16 hearing. Is there anyone that wishes to address this
17 application? All right.

18 We're going to move on to our second
19 application, which is 11P-01-24.

20 **Application 11P-01-24**

21 1900 South Clinton Avenue

22 Application of New Lac De Ville Plaza, LLC,
23 owner, and Enci Lin, lessee, for Conditional Use
24 Permit Approval to allow for a takeout restaurant with
25 limited seating on property located at 1900 South

1 Clinton Avenue. All as described on application and
2 plans on file.

3 CHAIRPERSON PRICE: Please come on up. Good
4 evening. If you could just give us your name and an
5 address, that would be great.

6 MR. LIN: Good evening. My name is Enci
7 Lin. You can also call me Eric if you want.

8 So is it business location or --

9 CHAIRPERSON PRICE: Business please.

10 MR. LIN: It will be located at 1900 South
11 Clinton Avenue, unit 750.

12 CHAIRPERSON PRICE: All right. Tell us a
13 little bit about the operation. It says takeout
14 restaurant. What kind of takeout?

15 MR. LIN: So our business mainly -- so --
16 sorry -- sell boba teas and the fried wings,
17 Korean-style fried wings and the typical
18 American-style wings with some special sauce.

19 CHAIRPERSON PRICE: Okay. All right. We do
20 have a copy of your floor plan. What we get
21 interested in is things like smells that might be
22 exhausted out through the roof, people bringing --
23 your customers bringing paper products outside and
24 those paper products getting all over the plaza.

25 So when your customers come in, are they

1 there just to pick up? How does the operation work?
2 Do they order ahead?

3 MR. LIN: So as the application stated, it
4 will be limited seats. So currently we're assuming
5 there will be four tables with couples of chairs. So
6 we only -- the customer will come in and pick up, you
7 know, their order.

8 So I think that will kind of limit down like
9 overall waste, you know, the paper waste that you just
10 mentioned.

11 CHAIRPERSON PRICE: So in your -- what's
12 labeled as waiting area, that will have four tables
13 with two seats each on the -- or are you thinking any
14 more than that?

15 MR. LIN: So currently we don't have like an
16 accurate like -- we have like a estimation of how
17 many, but it's not set up yet. So we do believe there
18 will be couples of table, probably about like four,
19 and maybe two chairs per table.

20 MS. BARON: There's a mouse.

21 MR. HAREMZA: A mouse?

22 (There was a pause in the proceeding.)

23 CHAIRPERSON PRICE: Let's continue. I'm
24 sorry.

25 Okay. So four seats. Does the plaza

1 provide garbage cans outside?

2 MR. LIN: Yes.

3 CHAIRPERSON PRICE: And do you have any
4 obligation to empty those or does the plaza empty
5 those?

6 MR. LIN: If we're talking about kitchen
7 waste, I think they will take care of those. But if
8 you're talking about paper waste, I think we will be
9 obligated to set up some trash cans for customers to
10 throw in. But I think they -- the plaza themselves
11 also have those, you know, trash cans around.

12 CHAIRPERSON PRICE: Yeah. They have them by
13 Rita's. Okay.

14 What are your hours of operation?

15 MR. LIN: From -- can I ask my floor planner
16 to --

17 CHAIRPERSON PRICE: Please come on up can.
18 Could you just give us your name?

19 MR. HUANG: Sure. My name is Qunzhan Huang.
20 Okay. So the business hours will be from Monday to
21 Thursday is 11 a.m. to 9 p.m. And for the Friday and
22 Saturday is 10 a.m. I think -- no. 12 a.m. to 10 p.m.
23 And for the Sunday it will be closed.

24 CHAIRPERSON PRICE: Closed on Sunday. Okay.
25 How many employees roughly?

1 MR. HUANG: Five employees including two --

2 MR. HAREMZA: Lauren, I need an attorney for
3 a moment please.

4 MR. HUANG: Two out front and three in the
5 kitchen.

6 CHAIRPERSON PRICE: And are customers
7 ordering ahead on an app or anything or calling? Or
8 do they just go --

9 MR. LIN: I think currently -- because we're
10 just starting out. So I think they will start -- we
11 don't have a app for them for now until we have a
12 mature business model.

13 But then we can maybe, you know, onboard our
14 business to, you know, dash -- DoorDash, Uber Eats,
15 something like that for them to order ahead before
16 they come into the store.

17 CHAIRPERSON PRICE: Now, do you guys have an
18 existing operation anywhere or is this --

19 MR. LIN: This is a new business.

20 CHAIRPERSON PRICE: Sorry. There's a mouse.

21 MR. LIN: It's all right.

22 CHAIRPERSON PRICE: Anybody else have
23 questions about this operation?

24 MS. BARON: I just had a clarifying question
25 about the seating. So you're planning on four tables

1 with maybe two seats. So that'd be about eight people
2 total; right? Are you planning on having any outdoor
3 seating or only the indoor?

4 MR. LIN: There's like a share -- there's a
5 shared outdoor tables I think that's owned by the
6 plaza. So not us. So --

7 MR. HUANG: We are sharing with the ice
8 cream shop.

9 MS. BARON: Okay.

10 CHAIRPERSON PRICE: Yeah. It's in the
11 corner there.

12 MR. OSOWSKI: I saw something in some of the
13 documents that mentioned Goosepark Bubble Tea. Is
14 that the name of your business?

15 MR. LIN: Yup. It's a strange name.

16 MR. OSOWSKI: It's not a franchise?

17 MR. LIN: It's not a franchise.

18 MR. HUANG: We hope so some day.

19 CHAIRPERSON PRICE: Clara, do you have any
20 questions?

21 MS. SANGUINETTI: Have you signed a lease
22 for the space?

23 MR. LIN: Yup.

24 MS. SANGUINETTI: How long is the lease?

25 MR. LIN: Three years.

1 MS. SANGUINETTI: Three years.

2 MR. LIN: Our vision is to open at the end
3 of this year. We're going to start the renovation I
4 think either next week or after next week. We have
5 all the -- we signed the contract with the
6 contractors. So yeah. They got the keys already.

7 CHAIRPERSON PRICE: Okay. I know it's
8 not -- is there a sign with this?

9 MR. HUANG: Yeah, there is.

10 CHAIRPERSON PRICE: There is.

11 MS. BARON: That will be considered
12 separately. I don't think it's going to tonight.

13 MR. HAREMZA: No. I don't believe -- we
14 haven't seen an application yet.

15 MR. LIN: No. We haven't --

16 CHAIRPERSON PRICE: But that would be the
17 only exterior improvement is a sign. No other --

18 MR. LIN: Yup.

19 CHAIRPERSON PRICE: -- site improvements
20 related to this.

21 MR. LIN: Yup. That's true. Yup.

22 CHAIRPERSON PRICE: Okay. That's all I had.
23 Anybody else? All good.

24 MS. ALTMAN: Good.

25 CHAIRPERSON PRICE: Jason, you good? Okay.

1 Thank you.

2 MR. LIN: Thank you.

3 CHAIRPERSON PRICE: This is a public
4 hearing. Is there anyone that cares to address this
5 application? I have to ask this.

6 UNIDENTIFIED SPEAKER: The mouse apparently.

7 CHAIRPERSON PRICE: Very entertaining. We
8 never had that at Town Hall.

9 All right. Our next application is
10 11P-02-24.

11 **Application 11P-02-24**

12 3300 Brighton Henrietta Town Line Road

13 Application of 3300 BHTL Partners, LLC,
14 owner, and Joshua Saxton, Passero Associates, agent,
15 for Preliminary/Final Site Plan Approval, EPOD
16 (watercourse) Permit Approval and Demolition Review
17 and Approval to raze a single family home and
18 construct a 20,000 square foot medical office building
19 with associated site improvements on property located
20 at 3300 Brighton Henrietta Town Line Road. All as
21 described on application and plans submitted.

22 CHAIRPERSON PRICE: Good evening, Josh. If
23 you could just introduce yourself and the address.

24 MR. RITZENTHALER: Yeah. So unfortunately,
25 Josh actually came down with the flu last night.

1 CHAIRPERSON PRICE: You're not Josh.

2 MR. RITZENTHALER: Nope. He came down with
3 the flu last night unfortunately. So, yeah. I'm Jim
4 Ritzenthaler with Passero Associates. We are located
5 at 242 West Main Street, Suit 100.

6 Yeah. So as you guys touched on in your
7 opening statement there talking about it, this project
8 has been before the Planning Board, all the boards,
9 previously back in 2019 where it was approved by
10 Planning Board, Zoning Board, HPC and ARB.

11 We had previous approval in 2019. We
12 resubmitted in 2022. Never followed all the way
13 through.

14 We have pretty much the exact same project
15 before you. We still have the same site at 3300
16 Brighton Henrietta Townline Road. We have the same
17 parking layout, pretty much all the same grading,
18 utilities everything like that.

19 We still have a building with a 10,000
20 square foot footprint. It has slightly changed in
21 shape. It's a bit longer, bit less wide, but doesn't
22 make much of a difference in site layout, grading or
23 anything like that.

24 As you mentioned, we do have a
25 10,000-square-foot basement. That's that 20,000 gross

1 floor area. But as has been mentioned, it is
2 stipulated that that area only be used for storage and
3 mechanical space. If that were to ever change in the
4 future, that needs to come back to planning, zoning
5 and all that. We're well aware of that.

6 So -- so, yeah. We are looking at a very
7 similar project. Looking for preliminary and final
8 approval from Planning Board. We, as mentioned, have
9 been to the Zoning Board. We were granted all of the
10 variances for the front yard setback, parking in the
11 front yard, EPOD limits and the amount of parking
12 based on that new 20,000 gross floor area.

13 Also was at the Conservation Board last
14 week. I believe it may have been one of the last
15 meetings -- I was there last week. I believe it was
16 the last meeting in the old building pre-renovation.
17 So happy to hear you guys are keeping all that nice
18 stone work in the front and all that, some of the old
19 marble and all that.

20 But, yeah. So positive reviews at
21 Conservation Board. We made sure to go in this time
22 with all previous comments addressed having to do with
23 the sidewalk along Brighton Henrietta, trees, some of
24 the shrubbery. We planted things in the bioretention
25 area. We definitely don't want that to be one of ugly

1 holes in the ground full with cattails, especially
2 with it being between the building and the roadway.
3 So that was something that we made sure of.

4 And really just addressed -- you know, we
5 have lots and lots of trees onsite. I remember here I
6 believe we had 33 trees total across the site, which
7 is pretty significant. That's just what we're
8 proposing, not including all the ones in the creek by
9 Elm Creek back there that are to remain. So, yeah.
10 Positive reviews at the Conservation Board so far.

11 We have got some comments back. We have the
12 County comments before. Those were the very standard
13 typical ones. For the most part those were all just
14 the standard comments. We don't see any issues there.

15 The Town comments came through today. So we
16 got the Town Engineer comments. A lot of those, vast
17 majority, we don't see any problems. They're mostly
18 just adding notes to the plans and little things like
19 that.

20 I know you have commented on some of the
21 stormwater and the floodplain concerns tonight that
22 the Town Engineer brought up. In initial review of
23 those and some of the design tweaks that we're making
24 today that, obviously, weren't really present tonight,
25 but we can go into some detail on, we don't see too

1 many issues there. We believe that we can make a
2 couple changes in grading in the back and reach those
3 floodplain counts and the stormwater requirements that
4 are laid out in the Town Engineer's comment.

5 So we don't see too many issues with those.
6 We think that we can move forward with those pretty
7 easily in the engineering review after site plan
8 approvals. And, you know, looking forward to actually
9 getting it built this time around. So you know, hate
10 to see -- hate to see an old house just kind of
11 sitting there doing nothing on the lot.

12 So, yeah. So just opening up to any
13 questions or comments you guys may have.

14 CHAIRPERSON PRICE: Okay. Thank you. This
15 is exactly the same. I couldn't even tell you if
16 there was much of a change in the footprint.

17 MR. RITZENTHALER: Yeah.

18 CHAIRPERSON PRICE: But just curious, the
19 comments of the Town Engineer, did they -- did they
20 differ than the comments from previous applications
21 much? Is there different -- are you looking at
22 different codes or --

23 MR. RITZENTHALER: Yeah. I, of course,
24 didn't print out the old comments, but it seemed --
25 one of the things that I didn't get a chance to review

1 before, you know -- given the new comments coming
2 through today, didn't get a chance to review before
3 the meeting was I know there was one comment about the
4 post-development -- the post-development hundred-year
5 storm flows have to be below the predevelopment
6 ten-year storm numbers.

7 That -- I didn't know if that was a new
8 thing or not in the Code or not. But I want to talk
9 to the engineer about that. I want to review the Code
10 that we haven't gotten a chance to because -- I
11 know -- if that's a Brighton code. I know Henrietta
12 has I believe like a 30 percent reduction. We had
13 some discussions with them.

14 Some of our concerns are, you know,
15 everybody wants to -- wants to cut back on storm flows
16 as much as possible. You know, we developed for years
17 without stormwater being a consideration and now are
18 seeing some of the issues with that. But some of the
19 concerns, especially on a site like this that border
20 floodplains, wetlands, creeks, all that, is when you
21 cut that so significantly, you run the risk of
22 draining wetlands and critical environments, stuff
23 like that.

24 So that is one of the things that I wanted
25 to review for the engineer. Other than that, I don't

1 think too much is --

2 CHAIRPERSON PRICE: Okay. I just
3 wondered --

4 MR. RITZENTHALER: -- different. Yeah.

5 CHAIRPERSON PRICE: Because this has been
6 reviewed fairly vigorously several times.

7 MR. RITZENTHALER: Yeah.

8 MS. ALTMAN: I had a question about what
9 your proposed schedule would be assuming all approvals
10 go through as you just outlined. When would it be
11 officially a start to construction?

12 MR. RITZENTHALER: That I'm not a hundred
13 percent sure. I don't know if you guys have the
14 answer or no.

15 MR. FISKE: Scott Fiske. I'm with Pardi
16 Partnership Architects. If you need an address, 25
17 Circle Street, Suite 101, Rochester.

18 Construction on a building like this is
19 probably eight to ten months, little less than a year
20 depending upon materials, that kind of thing.

21 We're happily through engineering design on
22 this. The design's been set. I would expect this
23 could start construction in spring and possibly be
24 completed by end of next year.

25 MS. ALTMAN: Okay. Thank you.

1 MR. OSOWSKI: Would demolition potentially
2 start right away?

3 MR. FISKE: Chris Roth would like a shot at
4 that building as fast as possible.

5 MS. SANGUINETTI: Do you know there's
6 asbestos in that --

7 MR. FISKE: Yeah.

8 MR. RITZENTHALER: On that note of
9 demolition, asbestos abatement, stuff like that, I
10 believe Josh did have communication with the Town
11 yesterday about -- on some of those things and
12 forwarding on some of that information to -- I don't
13 remember the contact, but he --

14 MR. HAREMZA: It was me.

15 MR. RITZENTHALER: Okay. So with Jason.
16 Some of the information from the HPC in the demolition
17 permit I believe it was handled or don't expect any
18 issues.

19 MR. HAREMZA: Correct. Yeah. So yesterday
20 I received -- basically they resubmitted the
21 information from 2019. And because of the atypical
22 schedule in November, that's going to HPC tomorrow.

23 So again, they reviewed it previously. And
24 we're -- I'm not expecting them to suddenly decide to
25 advance designation.

1 CHAIRPERSON PRICE: And out of curiosity,
2 what kind of medical is this?

3 MR. RITZENTHALER: Sorry.

4 CHAIRPERSON PRICE: Just curious.

5 MS. GREENE: Katharine Greene, the owner --
6 the owners.

7 CHAIRPERSON PRICE: You're the Greene of
8 Greene Medical.

9 MS. GREENE: We have one tenant who is
10 neurology. And the other tenant is also medical, but
11 wants to remain anonymous.

12 CHAIRPERSON PRICE: But no type of operation
13 that would impact any of these approvals?

14 MS. GREENE: No. No surgery. Nothing that
15 requires x-ray equipment or special elevators.

16 CHAIRPERSON PRICE: Okay. Thank you.

17 MS. GREENE: Anything else?

18 CHAIRPERSON PRICE: No. That's it. Just
19 curious.

20 Okay. The previous application did not have
21 a basement.

22 MR. RITZENTHALER: No.

23 CHAIRPERSON PRICE: Okay. But now we have a
24 known tenant. And I don't think there was a known
25 tenant at that time.

1 MR. RITZENTHALER: Yeah. Yeah, that's
2 correct. That's kind of why we went for the approval.

3 CHAIRPERSON PRICE: Okay.

4 MS. SANGUINETTI: So this would facilitate
5 the work of that tenant.

6 MR. RITZENTHALER: Yeah. Want it for the
7 storage space, maximize the actual use of the space on
8 the first floor with pushing mechanicals down to the
9 basement, things like that. So just trying to
10 maximize the amount of space on the first floor
11 really.

12 MR. OSOWSKI: Is there an elevator to the
13 basement or not?

14 MR. RITZENTHALER: Yeah, I believe so. The
15 elevator --

16 MR. FISKE: There's a limited use. Not a
17 passenger. It's a small one for moving -- basically
18 for moving freight.

19 MR. OSOWSKI: Not big enough to handle a
20 gurney.

21 MR. RITZENTHALER: No.

22 MR. FISKE: Only if we stood it on end. No.
23 Really the reason for the basement is for the
24 mechanical access. In that footprint, we do not want
25 to consume or waste usable footprint for mechanicals.

1 And also with the way the energy codes are driving us
2 these days, we don't want to be up in an attic space.
3 So in terms of cost efficiency and energy efficiency
4 and also storage for her for the business. There's a
5 lot of consumables that come in boxes that we need to
6 keep someplace off the floor.

7 CHAIRPERSON PRICE: Answered my questions.

8 All set?

9 MR. OSOWSKI: There's an awkward piece of
10 lawn at the northwest corner of the parking lot. A
11 square chuck of lawn. And it seems like people coming
12 from the parking lot to the entrance might be prone to
13 walk across that. Might want to consider maybe --
14 might want to consider making it a hard surface, make
15 it so it's obvious for people to walk across it rather
16 than --

17 MR. RITZENTHALER: Yeah. We could either
18 make it a hard surface or we could plant it as well
19 just with a couple of kind of blocker plants if you'd
20 like. I don't believe we have -- yeah. We have a
21 sanitary invert coming through that area, but it's --
22 so, yeah. We could make it just all pavement and --
23 or concrete there. Kind of like that.

24 MR. BABCOCK-STIENER: I think I'd rather see
25 plants than more --

1 MR. RITZENTHALER: So we wouldn't be able to
2 do a large tree or anything like that.

3 MR. BABCOCK-STINER: Yeah. But a low shrub,
4 something to keep --

5 MR. RITZENTHALER: Yeah. We can plant that
6 small space.

7 MR. BABCOCK-STINER: I'd rather see that
8 than more pavement.

9 MR. OSOWSKI: Did you consider any electric
10 vehicle charging stations out in the parking lot?

11 MR. RITZENTHALER: We don't have them shown
12 on the site plan as of right now. I'm not aware of
13 codes requiring it. I know it was one of the comments
14 from the County, but that is one of the standard
15 comments across all projects. But we could consider
16 it and take a peek, take a look at what it would
17 require.

18 MR. OSOWSKI: Sure. Okay.

19 CHAIRPERSON PRICE: Clara?

20 MS. SANGUINETTI: All set.

21 CHAIRPERSON PRICE: Lauren?

22 MS. BARON: I am good.

23 CHAIRPERSON PRICE: Jason?

24 MR. HAREMZA: I'm good.

25 CHAIRPERSON PRICE: Okay. Thank you.

1 MR. RITZENTHALER: Thank you.

2 CHAIRPERSON PRICE: Is there -- I'm not even
3 going to ask.

4 MS. BARON: I think you should just to --

5 CHAIRPERSON PRICE: I should for the record.
6 Is there anyone in the audience that cares to address
7 this application? All right. Thank you.

8 All right. Before we do signs, why don't we
9 circle back and talk about these applications.

10 (The public hearings concluded at 7:44 p.m.).

11 **Application 10P-02-24**

12 1625 Crittenden Road

13 Application Of Brighton Village Apartments,
14 owner, and Jake Goldstein, agent, for
15 Preliminary/Final Site Plan Approval to construct a
16 2,400 square foot storage building on property located
17 at 1625 Crittenden Road (Tax ID #148.16-1-4). All as
18 Described on application and plans on file. POSTPONED
19 FROM 10-16-2024 (at the applicant's request).

20 CHAIRPERSON PRICE: Is there a motion to
21 close the public hearing?

22 MR. BABCOCK-STINER: I move the public
23 hearing be closed for application 10P-02-24.

24 MR. FADER: Second.

25 CHAIRPERSON PRICE: Motion and second.

1 Please call the roll.

2 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;
3 Mr. Fader, aye; Mr. Osowski, aye; Mr. Price,
4 aye; Ms. Sanguinetti, aye.)

5 (Upon roll motion to close the public
6 hearing carries.)

7 CHAIRPERSON PRICE: Thank you. Motion to
8 approve?

9 MR. BABCOCK-STIENER: I move that the
10 Planning Board approves application 10P-02-24 for
11 preliminary and final site plan approval based on the
12 testimony given, plans submitted and with the four
13 conditions outlined in the Planning Board report.

14 CHAIRPERSON PRICE: Is there a second?

15 MS. ALTMAN: I'll second.

16 CHAIRPERSON PRICE: Moved and seconded. Any
17 further discussion? Please call the roll.

18 Conditions:

19 1. Applicant shall respond in writing to all comments
20 of the Planning Board, Building and Planning
21 Department, and Fire Marshal.

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

25 3. All Town codes shall be met that relate directly

1 or indirectly to the applicant's request.

2 4. The project shall be constructed in accordance
3 with the design approved by the ARB and the final site
4 plan drawing set.

5 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;

6 Mr. Fader, aye; Mr. Osowski, aye; Mr. Price,
7 aye; Ms. Sanguinetti, aye.)

8 (Upon roll motion to approve with conditions
9 carries.)

10 CHAIRPERSON PRICE: Jake, good luck.

11 MR. GOLDSTEIN: Thank you very much.

12 CHAIRPERSON PRICE: Okay. Let's go to
13 application 11P-01-24.

14 **Application 11P-01-24**

15 1900 South Clinton Avenue

16 Application of New Lac De Ville Plaza, LLC,
17 owner, and Enci Lin, lessee, for Conditional Use
18 Permit Approval to allow for a takeout restaurant with
19 limited seating on property located at 1900 South
20 Clinton Avenue. All as described on application and
21 plans on file.

22 CHAIRPERSON PRICE: Can I get a motion to
23 close the hearing?

24 MS. ALTMAN: I move to close the public
25 hearing.

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

2 CHAIRPERSON PRICE: Moved and seconded to
3 close the hearing. Please call the roll.

4 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;

7 (Upon roll motion to close the public
8 hearing carries.)

9 CHAIRPERSON PRICE: Okay. Is there a motion
10 relative to this application?

17 CHAIRPERSON PRICE: Moved.

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

19 CHAIRPERSON PRICE: Seconded. Is there any
20 discussion?

21 Lauren is there anything we need to do to
22 kind of memorialize the count of seats in it?

23 MS. BARON: So you have the testimony of the
24 applicant. If you wanted to condition it on a
25 specific amount of seats, you could technically do

1 that. It didn't sound like it would be an issue with
2 parking in that plaza, which I think is the only
3 reason you would want to insert that kind of
4 condition. So --

5 CHAIRPERSON PRICE: I think we have their
6 testimony. We'll leave it at that. Okay.

7 Moved and seconded. Please call the roll.

8 **Conditional Use Permit Findings:**

9 1. The Planning Board finds that the proposed takeout
10 restaurant complies with the standards of the
11 Neighborhood Commercial (BF-1) district.

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

15 The location and size of the proposed takeout
16 restaurant, the intensity, size of the site and access
17 have all been considered in the Board's review.

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

23 4. The takeout restaurant use will be developed
24 within an existing structure on a developed site and
25 not result in the destruction, loss or damage of any

1 natural, scenic or significant historical resource.

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

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

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

13 8. The Planning Board finds that the establishment of
14 a takeout restaurant in this location essentially
15 conforms to the Town's Comprehensive Plan: Envision
16 Brighton 2028. Specifically Volume 2, Pages 16, the
17 Economic Vitality Policy Objectives [emphasis added]:

18 A. Attract and promote the sustainable
19 development of quality office, retail, commercial,
20 medical, light industrial, and residential uses in
21 areas with existing critical infrastructure, in an
22 effort to expand the Town's local tax base while
23 providing needed and desired goods and services, and
24 without compromising other community goals.

25 E. Provide support for local businesses,

1 entrepreneurs, institutions, and enterprises to
2 attract and retain local talent and increase access to
3 local goods.

4 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;
5 Mr. Fader, aye; Mr. Osowski, aye; Mr. Price,
6 aye; Ms. Sanguinetti, aye.)

7 (Upon roll motion to approve with conditions
8 carries.)

9 CHAIRPERSON PRICE: Good luck.

10 MR. LIN: Thank you very much.

11 CHAIRPERSON PRICE: You will get a written
12 note in a couple days.

13 MR. LIN: Okay. Got it. Thank you.

14 CHAIRPERSON PRICE: Application 11P-02-24.

15 **Application 11P-02-24**

16 3300 Brighton Henrietta Town Line Road
17 Application of 3300 BHTL Partners, LLC,
18 owner, and Joshua Saxton, Passero Associates, agent,
19 for Preliminary/Final Site Plan Approval, EPOD
20 (watercourse) Permit Approval and Demolition Review
21 and Approval to raze a single family home and
22 construct a 20,000 square foot medical office building
23 with associated site improvements on property located
24 at 3300 Brighton Henrietta Town Line Road. All as
25 described on application and plans submitted

1 CHAIRPERSON PRICE: Couple of things
2 outstanding on this application. I think they're
3 going to be fairly easy to resolve. Do we go ahead
4 and --

5 MS. BARON: So as of right now, no negative
6 declaration -- the environmental review hasn't been
7 finished.

8 And I would also like to point out -- so
9 technically speaking, the Code does require HPC to
10 make a decision before this Board can make a decision
11 on the demolition.

12 CHAIRPERSON PRICE: Yeah. Okay. We're
13 going to need to move to table this. Can we get a
14 motion?

15 MR. BABCOCK-STINER: I move we table
16 application 11P-02-24.

17 MS. SANGUINETTI: I second.

18 CHAIRPERSON PRICE: Clara seconds. Okay.
19 Any further discussion on this? Have a couple pieces
20 we're waiting on.

21 MR. HAREMZA: Just one additional thought on
22 the lawn area that John brought up. It is right in
23 front of the main entrance. So I appreciate your
24 comment, Jason, but maybe having landscaping directly
25 in front of the door also sort of speaks to having it

1 be more of a hardscaped area.

2 MR. BABCOCK-STIENER: It was the corner;
3 right? It was that --

4 CHAIRPERSON PRICE: Jason, I think what we
5 could do there is we could just shift the concrete
6 more in line with the front door so the greenspace
7 would be kind of where the bike rack is. So just pull
8 it forward.

9 MR. BABCOCK-STIENER: Is that the front door
10 right there?

11 MR. HAREMZA: The triangle is the front
12 door.

13 MR. BABCOCK-STIENER: I did not realize that
14 was the front door. I'm sorry. I thought the front
15 door was over --

16 CHAIRPERSON PRICE: We can have the same
17 amount of pavement, but just move it. Slide it
18 towards --

19 MR. BABCOCK-STIENER: Yeah. Yeah. I didn't
20 quite realize that was the front door entry there.

21 CHAIRPERSON PRICE: Slide that down, that
22 gets a little bit longer. And that cuts over.

23 MR. BABCOCK-STIENER: Yeah. That's fine.
24 That's fine.

25 CHAIRPERSON PRICE: Okay. Moved seconded.

1 Please call the roll.

2 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;
3 Mr. Fader, aye; Mr. Osowski, aye; Mr. Price,
4 aye; Ms. Sanguinetti, aye.)

5 (Upon roll motion to table carries.)

6 CHAIRPERSON PRICE: I hope to see you in
7 December.

8 MR. RITZENTHALER: Thank you.

9 CHAIRPERSON PRICE: All right. That's our
10 agenda. We have five signs to go through.

11 **Signs:**

12 **Application Number: SN-24-28 (1733)**

13 2775 Monroe Ave

14 Non-illuminated 32 square foot aluminum sign printed
15 with 3 millimeter Jbond material with a black core in
16 the middle for Spin and Savor

17 **Application Number: SN-24-34 (1737)**

18 1840 S Winton Rd

19 An internally illuminated 22.5 square foot LED sign
20 with translucent vinyl graphics for Zea Proukou PLLC
21 Worker's Comp- SSD

22 **Application Number: SN-24-35 (1738)**

23 1501 Monroe Ave

24 An internally illuminated 21.25 square foot acrylic
25 sign for First Learning.

1 **Application Number: SN-24-37 (1739)**

2 2400 W Henrietta Rd

3 A 75 square foot internally illuminated acrylic and
4 aluminum sign for Cortese Mitsubishi Motors

5 **Application Number: SN-24-33 (1740)**

6 2729 Monroe Ave

7 A 75 square foot stud mounted flat cut acrylic letters
8 and a 76.8 square foot backlit box sign.

9 CHAIRPERSON PRICE: I'll make a motion to
10 approve applications 1733, 1737, 1738, 1739, and 1740,
11 as approved by the ARB -- as recommended by the ARB.

12 MR. BABCOCK-STIENER: So moved.

13 CHAIRPERSON PRICE: All in favor?

14 ALL BOARD MEMBERS: Aye.

15 CHAIRPERSON PRICE: Opposed? All approved.

16 (Proceedings concluded at 7:58 p.m.)

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* * * *

REPORTER CERTIFICATE

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

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

13 Dated this 20th day of November, 2024
14 at Rochester, New York.

Holly E. Costello

Holly E. Castleman ACR,
Official Court Reporter