

1  
2 **BRIGHTON**  
3 **ZONING BOARD OF APPEALS**  
4 **MEETING**  
5

---

6  
7 January 2, 2025  
8 At approximately 7 p.m.  
9 Brighton Town Hall  
680 Westfall Road  
Rochester, New York 14620

10 PRESENT:

11 DENNIS MIETZ  
12 Chairperson  
13 KATHLEEN SCHMITT ) Board Members  
14 HEATHER MCKAY-DRURY )  
15 ANDREA TOMPKINS-WRIGHT )  
16 JUDY SCHWARTZ )  
17 MATTHEW D'AUGUSTINE )  
18 LAUREN BARON, ESQ.  
19 Attorney for the Town  
20 RICK DiSTEFANO  
21 Secretary

22 ABSENT: EDWARD PREMO

23 REPORTED BY: KIMBERLY A. BONSIGNORE, Court Reporter  
24 FORBES COURT REPORTING SERVICES, LLC  
25 21 Woodcrest Drive  
Batavia, New York 14020

1 CHAIRPERSON MIETZ: Okay. Welcome to the  
2 January meeting of the Brighton Zoning Board of  
3 Appeals.

4 For those of you who have not been to one of  
5 our meetings before, this is how the meeting goes.  
6 We'll go through the applications, as they are on the  
7 agenda. You'll come up to the podium, give us your  
8 name and address, and then explain why you feel we  
9 should approve your application. The board members  
10 will ask questions, and then we'll move to the next  
11 application.

18 Do you have anything to add?

19 MR. DiSTEFANO: I have nothing to add, no.

20 Do any members have any questions regarding  
21 any of the applications?

22 CHAIRPERSON MIETZ: Okay. Call the roll.

23 (Whereupon the roll was called.)

24 MR. DiSTEFANO: Please let the record show  
25 that Mr. Premo is not present.

1                   CHAIRPERSON MIETZ: Okay. Rick, was the  
2 meeting properly advertised?

3                   MR. DiSTEFANO: Yes, Mr. Chairman. It was  
4 advertised in the December 26, 2024, edition of the  
5 Daily Record.

6                   CHAIRPERSON MIETZ: Okay. Do we have  
7 minutes?

8                   MR. DiSTEFANO: Well, I don't think you have  
9 minutes.

10                  MS. TOMPKINS-WRIGHT: I have no minutes.

11                  CHAIRPERSON MIETZ: I didn't think so.  
12 Well, you never know, you know.

13                  MR. DiSTEFANO: You had November's minutes,  
14 but obviously -- please let me know if you do receive  
15 those packets because then I will not resend the  
16 November minutes for next month.

17                  CHAIRPERSON MIETZ: Nothing as of today.

18                  MR. DiSTEFANO: So if you could do that.

19                  According to our mail service, it's the Post  
20 Office. They have slowed everything down.

21                  CHAIRPERSON MIETZ: I can't believe it.

22                  MR. DiSTEFANO: Especially at Christmastime,  
23 they just slowed everything right down, so who knows  
24 where those are.

25                  CHAIRPERSON MIETZ: They didn't know if

1       those were holiday gifts that you had --

2            MR. DiSTEFANO: Exactly. They had presents  
3        in front of you, but -- sorry.

4            CHAIRPERSON MIETZ: I'm sure that's what it  
5        was.

6            MR. DiSTEFANO: So we will do November's  
7        minutes at the February meeting, along with December's  
8        minutes.

9            CHAIRPERSON MIETZ: Okay. Then whenever  
10       you're ready, sir.

11           MR. DiSTEFANO: If there's anybody in the  
12       audience for Application 11A-01-24, that application  
13       has been postponed to the February 5th meeting. So  
14       we'll go on to Application 1A-01-25.

15       **Application 1A-01-25**

16           Application of Brenton Hall, agent, and 140  
17       Metro LLC, owner of property located at 140 Metro  
18       Park, for a sign variance from Sections 207-32A(5) and  
19       207-32B(1) to allow for a freestanding business  
20       identification/directory sign where not allowed by  
21       code. All as described on application and plans on  
22       file.

23           CHAIRPERSON MIETZ: Is there anyone to speak  
24       for anyone?

25           Go right ahead.

1                   MR. HALL: Hello, Board. How are you all  
2 today?

3                   CHAIRPERSON MIETZ: Can you pull the speaker  
4 up?

5                   MR. HALL: Sorry?

6                   CHAIRPERSON MIETZ: Pull the mic so you can  
7 speak into --

8                   MR. HALL: Oh, gotcha.

9                   CHAIRPERSON MIETZ: Okay.

10                  MR. HALL: I hope everybody is doing well  
11 tonight. So --

12                  MR. DiSTEFANO: You might want to introduce  
13 yourself and your address.

14                  MR. HALL: Oh, yes. My name is Brenton  
15 Hall. I am from Fast Signs in Syracuse. I'm  
16 representing 140 Metro Park LLC on behalf of Kishore  
17 and Yogi. My clients are right here.

18                  I looked through and I was -- the rules for  
19 posting the public hearing sign, I was told to bring  
20 this.

21                  MR. DiSTEFANO: I'll just take that.

22                  MR. HALL: And I brought a couple of copies  
23 for you as well.

24                  So I noticed what was allowed in the code  
25 was a much smaller sign, and they're only for posting

1 real estate or -- or advertising for tenants if the  
2 building is for sale or for lease.

3 So this building always has been a  
4 multi-tenant property. As of now, there are multiple  
5 businesses in it. There's really no great way --  
6 there's another building behind it as well, which is  
7 also owned by my clients. There's really no great way  
8 to advertise any of the businesses there.

9 No one knows that they are there, and  
10 because it's a multi-tenant building, we feel that it  
11 should -- there should be one there so that it can  
12 properly display all of the tenants in the building  
13 coming from both sides, from both directions.

14 One of the other comments back was that the  
15 sign was -- cannot be visible from a highway. There  
16 is no highway near the sign. It's a pretty slow speed  
17 limit road. It's 30 miles per hour. So I was just --  
18 that was one of the comments back. There's no highway  
19 near --

20 MR. DiSTEFANO: Clarification. Highway, as  
21 per the code, is any street --

22 CHAIRPERSON MIETZ: Road.

23 MR. DiSTEFANO: -- road, avenue. It's not a  
24 highway like 390 or anything like that. It is truly  
25 just a street road.

1                   A directory sign should only be seen once  
2 you're on the property. So once you go into the  
3 property and you approach a doorway, that's where a  
4 directory sign -- you can't see it from the road, a  
5 highway. So that's the directory sign requirements.

6                   MR. HALL: Okay. So, I mean, as of now -- I  
7 mean, because it's a multi-tenant building, I don't  
8 know if there ever was an alteration to the code. We  
9 do believe that it should be allowed. Because there  
10 are multiple tenants in the building, it should be  
11 visible to people driving down the road to let people  
12 know that they're there.

13                  Also it would help our clients as well to  
14 make the property more viable in order to bring in  
15 more tenants for them. Should someone leave, it helps  
16 them advertise better, being able to bring another  
17 tenant in far more easily than if there's nothing  
18 there by the road, just a building with just a  
19 business name on it, which is currently allowed, but  
20 is allowed by the code.

21                  I did notice -- I went up and down Metro  
22 Park, and I noticed there were a multitude of signs  
23 freestanding that were not real estate. I took  
24 pictures of them, printed them out, if you would like  
25 to see them.

1                   One of them is a building. I think it's  
2 Viewpoint Systems, and it looks like it has multiple  
3 tenants in it. It's also a freestanding sign that's  
4 also by the highway, which technically is supposedly  
5 not allowed by the code. So I was wondering if maybe  
6 they had gone through a similar process. No?

7                   MR. DiSTEFANO: Not that I'm aware of.

8                   MR. HALL: Okay.

9                   MR. DiSTEFANO: Have you got a picture of  
10 it?

11                  MR. HALL: I do. These are all the signs I  
12 found in Metro Park. Some of them are flags. Some  
13 are A-frames.

14                  MR. DiSTEFANO: Yeah, any A-frames are  
15 illegal. Any flags are illegal.

16                  MS. TOMPKINS-WRIGHT: Can I ask a quick  
17 question?

18                  MR. HALL: Yes.

19                  MS. TOMPKINS-WRIGHT: The tenants in this  
20 park, are they all office tenants, or are they retail,  
21 or medical, open to the public?

22                  MR. HALL: They are office tenants.

23                  MS. MCKAY-DRURY: So we need to know what we  
24 would be approving, so I want to clarify in terms of  
25 the square footage that you're seeking.

1                   MR. HALL: Uh-huh.

2                   MS. MCKAY-DRURY: It seems to me like you're  
3 seeking a variance -- well, there's multiple aspects  
4 of it. So you're looking for a larger size and a  
5 higher sign, and you want it to be double-sided;  
6 right? Is that the different components of what  
7 you're seeking?

8                   MR. HALL: Yes.

9                   MS. MCKAY-DRURY: So can you clarify? I  
10 mean, double-sided I get. Can you clarify the size  
11 that you're looking for and the height total?

12                  MR. HALL: Yes. So the height, I believe  
13 what's allowed is 6 feet. I don't have the drawing in  
14 front of me, but it is on there. It is above 6 feet.

15                  Now, there are ways to make it so that it  
16 could be wider. Theoretically, you could add more  
17 columns, make it wider, so that it could be a little  
18 bit lower.

19                  The construction of it is such that it's  
20 made up of -- it's a slat system, so they all feed  
21 together and it -- they do need to be that size, the  
22 way it's made, in order for the text to actually be  
23 visible to oncoming traffic, otherwise it would be so  
24 small you wouldn't be able to really read it at all.

25                  CHAIRPERSON MIETZ: You scaled for the

1 location; is that what you're saying? You scaled the  
2 size of the sign for the location and the road?

3 MR. HALL: Yes. I went and took pictures.  
4 I measured everything.

5 CHAIRPERSON MIETZ: Okay. All right.

6 Heather, did you have something else?

7 MS. MCKAY-DRURY: Yes. I'm just trying to  
8 understand. You're allowed to have 6 feet tall. I  
9 see 80 inches. Do you want me to do the math? Can I  
10 know what the height is in feet? Like how many inches  
11 are you seeking to --

12 MR. DiSTEFANO: It's 6 feet and 8 inches.

13 MS. MCKAY-DRURY: So it's an 8-inch height  
14 variance?

15 MR. HALL: Uh-huh.

16 MS. MCKAY-DRURY: And then size. Now, we  
17 have to do total square footage. So would it be 16,  
18 Rick, that would be allowed? I saw 16.

19 MR. DiSTEFANO: 94 inches by 80 inches.

20 MR. HALL: It's 94-by-80?

21 MR. DiSTEFANO: Yes. It looks a lot bigger  
22 than 6. Ten square feet I think the max is. It  
23 depends on what -- the problem we're having here is  
24 that you're trying to -- a directory sign has a  
25 certain requirement because that's always up by the

1 building.

2                   A freestanding sign, there is no requirement  
3 because they're just not permitted in this district.  
4 So there's no real -- I mean, if we look at this truly  
5 as just a freestanding sign that they want to ask for,  
6 then the size and height is irrelevant. It's really  
7 whether or not we're going to allow it.

8                   If you want to call it a directory sign,  
9 then the directory sign is -- the fact is it's not  
10 located where it needs to be and it's probably bigger  
11 and higher than what the code allows.

12                   So it's kind of a hybrid sign that -- it's  
13 not truly a freestanding sign, but it's -- you know,  
14 it's a multi-tenant sign, and there's a lot of  
15 multi-tenant buildings that don't put these out by the  
16 road.

17                   MS. MCKAY-DRURY: So we're comparing -- the  
18 numbers we're using, the 6 feet height and the 10 feet  
19 or 16 feet -- square foot, that's for directory signs?

20                   MR. DiSTEFANO: No. It's smaller than that.  
21 I'll look that up, but you keep asking your questions.

22                   MS. TOMPKINS-WRIGHT: But the current sign  
23 that was there, was that approved through variance or  
24 did it preexist?

25                   MR. DiSTEFANO: There was no current sign

1 there.

2 MS. TOMPKINS-WRIGHT: The application  
3 mentions that they're taking the current sign down.

4 MR. HALL: There was a sign there from the  
5 previous property owner that they used to advertise  
6 the property for sale.

7 MS. TOMPKINS-WRIGHT: All right.

8 MR. DiSTEFANO: You can't put up a business  
9 identification sign in there. That's illegal.

10 MS. BARON: And then in terms of the actual  
11 signage on the building, that would just be removed.  
12 The only sign you would have is the freestanding sign,  
13 or would you have signage that's attached to the space  
14 of the building?

15 MR. HALL: The sign that's currently on the  
16 building right now?

17 MS. BARON: Yes.

18 MR. HALL: We would like to leave that.

19 MS. BARON: Leave it. Okay.

20 MR. HALL: Yes.

21 CHAIRPERSON MIETZ: I think part of what  
22 this comes down to -- that's why I asked. He suggests  
23 that if this sign were to be approved, the way he  
24 designed it was that it was the size necessary to see  
25 it properly from the road.

1                   So we could ask if that's the minimum  
2 allowable or the minimum to be able to suffice to do  
3 that, not any larger than what you believe is  
4 necessary as the sign creator to do this.

5                   Is that fair what I'm saying? I don't want  
6 to put words in your mouth.

7                   MR. HALL: I believe I understand what  
8 you're saying. Maybe this will help illuminate a  
9 little bit more. The way it's made, each tenant spot  
10 on the sign is a slat.

11                  CHAIRPERSON MIETZ: I understand that.

12                  MR. HALL: They come in -- sorry. I didn't  
13 mean to cut you off, sir.

14                  CHAIRPERSON MIETZ: No, no, no. Go ahead.

15                  MR. HALL: They come in a specific height.  
16 That's basically the minimum height that we can  
17 fabricate.

18                  CHAIRPERSON MIETZ: So you would agree,  
19 then, that the size that you placed is the minimum  
20 that you could build the sign and have it adequately  
21 seen from the street? That's what I'm trying to ask.

22                  MR. HALL: Yes.

23                  CHAIRPERSON MIETZ: Because that's part of  
24 our responsibility here, is to do what is the minimum  
25 necessary to do the job. Right?

1                   MR. HALL: Uh-huh.

2                   CHAIRPERSON MIETZ: Very good.

3                   All right. Other questions?

4                   MS. MCKAY-DRURY: I still want to understand  
5 square footage.

6                   MR. DiSTEFANO: So if this was considered a  
7 directory sign (as read): Directory signs indicating  
8 the name of the occupants of the building and the  
9 building number in order to direct persons to their  
10 proper destination once they are on-site.

11                  These signs shall not be readable from the  
12 highway. Signs are to be single-faced, carry no  
13 advertising, and be no larger than 16 square feet in  
14 area, including the nameplates of all the tenants or  
15 uses, and shall project not more than 6 feet in height  
16 above grade.

17                  The proposed sign's construction shall  
18 complement the architectural style and materials used  
19 in the construction of the building for which it will  
20 serve. The proposed sign shall be subject to board  
21 review and shall require a building permit.

22                  In determining the design, location, and  
23 hours of illumination, the board shall be guided by  
24 other pertinent sections of these regulations.

25                  So that's what a directory sign is.

1 MS. MCKAY-DRURY: Okay.

2 MR. DiSTEFANO: So you can make the argument  
3 that this does not in any way meet the directory sign  
4 regulations.

5 CHAIRPERSON MIETZ: Correct.

6 MR. DiSTEFANO: So then you want to call it  
7 maybe a freestanding sign.

8 Purely a freestanding business  
9 identification sign, those are not permitted in this  
10 district, with some exceptions, churches, other things  
11 that are allowed a freestanding sign.

12 Now, yes, there may be some illegal signs on  
13 the street, and that's not good one way or the other.  
14 I think you've got to take this sign on its own merit  
15 and determine whether or not you want a directory  
16 sign -- a business freestanding sign out by the road.

17 MS. MCKAY-DRURY: Okay. And then can you  
18 tell me what the square footage is of the sign you're  
19 proposing?

20 MR. HALL: Yes. The dimensions were  
21 80-by-94. I don't have -- the drawing is in front of  
22 you; correct?

23 MR. DiSTEFANO: 80 inches by 94 inches.

24 MR. HALL: So that's 52 square foot.

25 MS. MCKAY-DRURY: 82 square feet.

1 MS. BARON: 52 square feet.

2 MR. HALL: 52 square feet.

3 CHAIRPERSON MIETZ: Okay.

4 MS. MCKAY-DRURY: Thank you.

5 CHAIRPERSON MIETZ: Are you set?

6 MS. MCKAY-DRURY: Yes.

7 CHAIRPERSON MIETZ: Do you have any other  
8 questions?

9 MS. MCKAY-DRURY: No, I don't think so.

10 CHAIRPERSON MIETZ: Everybody understands  
11 what we're talking about here?

12 Okay. Very good. Thank you, sir.

13 MR. HALL: Thank you, Board. I appreciate  
14 it.

15 CHAIRPERSON MIETZ: Okay. Is there anyone  
16 in the audience that would like to speak regarding  
17 this application?

18 Okay. There being none, then the public  
19 hearing is closed.

20 You're all set for now.

21 MR. HALL: Thank you.

22 **Application 1A-02-25**

23 Application of Denis Jeffries, applicant,  
24 and The Country Club of Rochester, owner of property  
25 located at 2935 East Avenue, for a temporary and

1 revocable use permit pursuant to Section 219-4 to  
2 allow for a fireworks display on the evening of  
3 February 8, 2025, in a RLA residential district. All  
4 as described on application and plans on file.

5 MR. WIHLEN: Good evening, everybody. My  
6 name is Scott Wihlen. I'm not Denis Jeffries, who's  
7 on the application. Denis had a family emergency and  
8 is out of town at this time. I'm representing the  
9 Brighton Fire Department. I'm currently president of  
10 the Brighton Fire Department.

11 This year is a unique year for us. It's our  
12 hundredth anniversary. We were incorporated in 1925.  
13 The volunteer fire department side was. And we're  
14 seeking a special use and revocable permit at our  
15 annual banquet, where we recognize our members for  
16 this special year, and we would like to put on a very  
17 short fireworks display for our members that have been  
18 volunteering for, you know, many, many years. So  
19 we're seeking town board -- I'm sorry -- zoning board  
20 approval for that use permit.

21 The display would be approximately 5, 10  
22 minutes long. It's going to be a short display for  
23 our members and it will approximately start between an  
24 8 and 8:30 time frame. We will not be doing it late  
25 at night to bother any of the neighbors or anything.

1           We will be also making a communication sent  
2 out through The Country Club of Rochester to all the  
3 neighbors in the area that we'll be hosting this  
4 fireworks display.

5           CHAIRPERSON MIETZ: Okay.

6           MR. WIHLEN: Any questions or comments?

7           CHAIRPERSON MIETZ: Matt?

8           MR. D'AUGUSTINE: So you would be fine as  
9 that as a condition, to make sure you communicate with  
10 the neighbors?

11           MR. WIHLEN: Oh, yes. Yes.

12           MS. BEARDSLEY-COMERER: And it's a condition  
13 of The Country Club of Rochester.

14           CHAIRPERSON MIETZ: Ma'am --

15           MS. BEARDSLEY-COMERER: I'm sorry.

16           CHAIRPERSON MIETZ: -- give us your name and  
17 address.

18           MS. BEARDSLEY-COMERER: Amy  
19 Beardsley-Comerer. I'm the assistant general manager  
20 at The Country Club of Rochester.

21           CHAIRPERSON MIETZ: Thank you.

22           What's the address, please?

23           MS. BEARDSLEY-COMERER: 2935 East Avenue.

24           CHAIRPERSON MIETZ: Thank you.

25           Any questions for these folks?

1               Okay. Thank you.

2               Is there anyone in the audience that would  
3 like to speak regarding this application?

4               Okay. Being none, the public hearing is  
5 closed.

6 **Application 1A-03-25**

7               Application of Alan Ryon, owner of property  
8 located at 111 Bastian Road, for 1) an area variance  
9 from Section 203-2.1B(2) and 203-9A(4) to allow a  
10 detached garage to be 1,078 square feet in size, after  
11 construction of a 575 square feet addition; and 2) an  
12 area variance from Section 207-6A(1) to allow said  
13 garage addition to be 16.5 foot in height in lieu  
14 of the maximum 16 feet allowed by code. All as  
15 described on application and plans on file.

16               MR. RYON: Hello. Alan Ryon here, 111  
17 Bastian Road.

18               We had went through this process I think it  
19 was -- it was 2023, and I just never was able to get  
20 it built due to kind of two factors: one, money, and  
21 then, two, I ran into some survey kind of issues.

22               We have our lot and the side lot next to us,  
23 and as a precondition in doing this -- because the  
24 structure would kind of cross that line, we were going  
25 to merge the lots.

1                   So we just ran into issues kind of merging  
2 it, with the survey work and stuff, but we mostly  
3 solved those, and we would solve those before we did  
4 any -- broke any ground. So that's actually still  
5 ongoing, but I feel like I'm very close to finishing  
6 that.

7                   I want to go through it now because I  
8 believe I will start the project, if approved, within  
9 the year, which I think that was the original --  
10 right?

11                  MR. DiSTEFANO: You have one year to pull a  
12 building permit.

13                  MR. RYON: So that's why I'm back.

14                  MS. TOMPKINS-WRIGHT: No changes to the  
15 plan?

16                  MR. RYON: Actually, yes, there was a change  
17 to the plan. I did increase the size a little bit,  
18 which was my original kind of size, but I kind of made  
19 it a little smaller --

20                  CHAIRPERSON MIETZ: Can you describe what  
21 that change was?

22                  MR. RYON: Yeah. So I'm going 3 more  
23 additional feet wide than the lot structure. So it  
24 was 16 foot wide before, which was what was approved,  
25 and then I'm now changing that to 19 feet.

1                   So the side setback, after the lots are  
2 merged, will be 38 feet for the next --

3                   MS. TOMPKINS-WRIGHT: Can you describe the  
4 reason for the additional 3 feet? Like what's the  
5 need for that?

6                   MR. RYON: It was kind of originally what I  
7 wanted, and I kind of scaled it back due to money. So  
8 I just kind of went back to the original spec, but  
9 it's more -- I kind of want the, like, traditional two  
10 bay.

11                  My existing two bay, it's -- they did an  
12 addition on the house, and you can't really pull --  
13 you can't pull a car into the one bay. So with this  
14 additional single bay, I will have a true kind of  
15 two-car garage. That's kind of the main reason.

16                  I travel a lot for work, and I kind of want  
17 to tuck all my stuff into the garage. That's kind of  
18 the main kind of -- the security side of it. It's  
19 also kind of my profession, so...

20                  MR. DiSTEFANO: Just for the record, the  
21 original -- this request is 90 square feet larger than  
22 the one we approved originally.

23                  CHAIRMAN MIETZ: 90?

24                  MR. DiSTEFANO: 90. 9-0.

25                  MR. RYON: It's 30 foot deep. I wanted to

1 go deeper on it just to limit -- just kind of the way  
2 you look at it, it doesn't look as large kind of the  
3 deeper you go. I know that's oftentimes a concern.  
4 So the structure is, I think, 30 foot deep, and then I  
5 added 3 foot, so -- yeah, that makes sense.

6 CHAIRPERSON MIETZ: Any questions?

7 Okay. Thanks.

8 Is there anyone in the audience that would  
9 like to speak regarding this?

10 Okay. There being none, the public hearing  
11 is closed.

12 **Application 1A-04-25**

13 Application of John Glynn, applicant, and  
14 The Country Club of Rochester, owner of property  
15 located at 2935 East Avenue, for a temporary and  
16 revocable use permit pursuant to Section 219-4 to  
17 allow for a fireworks display on the evening of July  
18 26, 2025, in a RLA residential district. All as  
19 described on application and plans on file.

20 MR. GLYNN: Thank you very much. John  
21 Glynn, 8 Nature View, Pittsford, New York. I'm here,  
22 similar to Scott, requesting a temporary and revocable  
23 use permit for a fireworks display on July 26, '25.

24 It is my daughter's wedding, and we are  
25 celebrating that at The Country Club of Rochester, and

1       we are looking to have celebratory fireworks performed  
2       by Young Explosives probably in the dusk time frame.  
3       That time of year, it would be probably about 9, 9:15,  
4       again less than a 10-minute display, and we would be  
5       working with CCR to make sure all of the neighbors are  
6       notified appropriately.

7                   And here is the form for the display.

8                   MS. BEARDSLEY-COMERER: Again, Amy  
9       Beardsley-Comerer, assistant general manager at  
10      Country Club of Rochester, 2935 East Avenue.

11                  CHAIRPERSON MIETZ: Can you talk to the  
12       summer of '25 because we've had over the years  
13       numerous requests for fireworks for special events  
14       that are, as you know, at CCR? Is this the extent of  
15       what we're going to hear for this year?

16                  I realize this is one application and you're  
17       asking for one night, but do you have any other  
18       thoughts that there will be additional shows that you  
19       would be -- you or one of your members is going to  
20       come back and ask for?

21                  MS. BEARDSLEY-COMERER: The Country Club of  
22       Rochester always does their two annual shows: one  
23       being the annual fireworks, which is the last Thursday  
24       in June, and then New Year's Eve, which just occurred.  
25       Other than that, we've had no other weddings inform us

1 that they're interested at this point.

2 CHAIRPERSON MIETZ: That's fine. I'm just  
3 inquiring as to what you know.

4 MS. BEARDSLEY-COMERER: And I would have  
5 thought by now someone would have come forward in  
6 looking for that.

7 CHAIRPERSON MIETZ: Okay. So you'll have  
8 the winner.

9 MR. DiSTEFANO: I guess, Amy, the concern is  
10 that we're -- as these come in, we're just piling up  
11 fireworks displays at the country club, and there's  
12 got to be a cap on this. I think the country club  
13 needs to understand that if somebody approaches them  
14 that maybe you need to stop them before they even get  
15 to us.

16 MS. BEARDSLEY-COMERER: Yes.

17 MR. DiSTEFANO: Because, you know, it's  
18 tough for somebody to come in and us denying the  
19 application. You know, it should be coming from you  
20 guys that, you know, we've already done two, plus our  
21 own two, that's four. You know, the neighbors have  
22 got to start getting a little, you know --

23 MS. BEARDSLEY-COMERER: If that was a  
24 contingency of this ruling, that we would stop for the  
25 year at the four total, we would be more than willing

1 to say that.

2 CHAIRPERSON MIETZ: Okay. Very fine. Very  
3 fine. Okay. We can discuss that.

4 MR. DiSTEFANO: Yes, we can discuss that.

5 It will be a little hard --

6 CHAIRPERSON MIETZ: Any other questions for  
7 these folks?

8 MS. TOMPKINS-WRIGHT: Is it Young Explosives  
9 as well?

10 MR. DiSTEFANO: Yes.

11 CHAIRPERSON MIETZ: Okay. Good. Thank you  
12 very much.

13 Is there anyone who would like to speak on  
14 this application?

15 Then the public hearing is closed.

16 (The public hearing concluded at 7:30 p.m.)

17 (Beginning of deliberations)

18 \* \* \*

19

20

21

22

23

24

25

1

REPORTER CERTIFICATE

2

3 I, KIMBERLY A. BONSIGNORE, do hereby certify  
4 that I did report the foregoing pages, which was taken  
5 down by me in a verbatim manner by means of machine  
6 shorthand.

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

11

12 Dated this 3rd day of February 2025  
13 at Brighton, New York

14

15



19

KIMBERLY A. BONSIGNORE  
Court Reporter and  
Notary Public No. 01B06032396  
in and for Monroe County, New York

21

22

23

24

25

1

2

---

**BRIGHTON**  
**ZONING BOARD OF APPEALS**  
**DELIBERATIONS AND DECISIONS**

---

5

6

7

January 2, 2025  
At approximately 7 p.m.  
Brighton Town Hall  
680 Westfall Road  
Rochester, New York 14620

8

9

10

PRESENT:

11

12

DENNIS MIETZ  
Chairperson

13

14

15

KATHLEEN SCHMITT ) Board Members  
HEATHER MCKAY-DRURY )  
ANDREA TOMPKINS-WRIGHT )  
JUDY SCHWARTZ )  
MATTHEW D'AUGUSTINE )

16

17

LAUREN BARON, ESQ.  
Attorney for the Town

18

19

RICK DiSTEFANO  
Secretary

20

21

22

23

24

25

ABSENT: EDWARD PREMO

REPORTED BY: KIMBERLY A. BONSIGNORE, Court Reporter  
FORBES COURT REPORTING SERVICES, LLC  
21 Woodcrest Drive  
Batavia, New York 14020

1                   **Application 1A-01-25**

2                   Application of Brenton Hall, agent, and 140  
3                   Metro LLC, owner of property located at 140 Metro  
4                   Park, for a sign variance from Sections 207-32A(5) and  
5                   207-32B(1) to allow for a freestanding business  
6                   identification/directory sign where not allowed by  
7                   code. All as described on application and plans on  
8                   file.

9                   MS. MCKAY-DRURY: I move we deny Application  
10                   Number 1A-01-25 based on the following findings of  
11                   fact.

12                   **Findings of Fact**

- 13                   1. The proposed sign would create a substantial  
14                   change to the character of this neighborhood.
- 15                   2. The difficulty in necessitating the variance  
16                   requests can be solved by other means, such as clear  
17                   number address signs and then directory signs not  
18                   visible from the road within the property.
- 19                   3. The variance request is substantial, particularly  
20                   the request for it to be three times the square  
21                   footage that would be allowed for a permissible sign  
22                   located in the appropriate place on the property.
- 23                   4. The variance is not the minimum necessary to grant  
24                   relief from the difficulty, again relating to the  
25                   availability of number address signs or anyone who

1       needs to locate the property.

2       5. The variance is not consistent with the  
3       surrounding properties so as to have a negative impact  
4       on the physical perhaps not environmental conditions,  
5       but again visibility of the sign is pretty  
6       unprecedented in the area.

7       6. The difficulty is self-created. However, that  
8       factor itself would not be dispositive.

9                    MR. D'AUGUSTINE: Second.

10                  MR. DiSTEFANO: The motion is to deny.

11                  (Ms. Schwartz, yes; Ms. Tompkins-Wright,  
12                  yes; Mr. Mietz, yes; Ms. Schmidt, abstain;  
13                  Mr. D'Augustine, yes; Ms. McKay-Drury, yes.)  
14                  (AUpon roll, motion to deny carries.)

15                  Application 1A-02-25

16                  Application of Denis Jeffries, applicant,  
17        and The Country Club of Rochester, owner of property  
18        located at 2935 East Avenue, for a temporary and  
19        revocable use permit pursuant to Section 219-4 to  
20        allow for a fireworks display on the evening of  
21        February 8, 2025, in a RLA residential district. All  
22        as described on application and plans on file.

23                  MS. SCHWARTZ: I move that we approve  
24        Application 1A-02-25 based on the following findings  
25        of fact.

1        **Findings of Fact**

2        1. This fireworks display is for the celebration of  
3        the Brighton Fire Department's 100th anniversary. It  
4        is only on the night of February 8, 2025. The display  
5        will last for less than 10 minutes. It will be after  
6        dinner, between 8 and 8:30 p.m.  
7        2. The Country Club of Rochester has had several  
8        fireworks displays over the years without any issues.  
9        3. The display will be done by Young Explosives, the  
10       company that the town uses annually for July 4th.

11       **Conditions**

12       1. This approval only applies to the written  
13       application and testimony presented.  
14       2. All necessary fire marshal approvals and/or  
15       permits must be obtained.  
16       3. CCR and the applicant must communicate with the  
17       neighbors in advance regarding this event.  
18       4. CCR shall display no more than four firework  
19       displays this calendar year, 2025.

20                    MS. TOMPKINS-WRIGHT: I'll second.

21                    MR. DiSTEFANO: The motion is to approve  
22       with conditions.

23                    (Ms. Schmitt, abstain; Ms. McKay-Drury,  
24       yes; Mr. Mietz, yes; Mr. D'Augustine, yes;  
25       Ms. Tompkins-Wright, yes; Ms. Schwartz, yes)

1 (Upon roll, motion to approve with  
2 conditions carries.)

**Application 1A-03-25**

4 Application of Alan Ryon, owner of property  
5 located at 111 Bastian Road, for 1) an area variance  
6 from Section 203-2.1B(2) and 203-9A(4) to allow a  
7 detached garage to be 1,078 square feet in size, after  
8 construction of a 575 square feet addition; and 2) an  
9 area variance from Section 207-6A(1) to allow said  
10 garage addition to be 16.5 foot in height in lieu  
11 of the maximum 16 feet allowed by code. All as  
12 described on application and plans on file.

13 MS. TOMPKINS-WRIGHT: I move to approve  
14 Application 1A-03-25 of Alan Ryon, owner of property  
15 located at 111 Bastian Road, et cetera, all as  
16 described on application and plans on file based on  
17 the following findings of fact.

## 18 Findings of Fact

19       1. The request herein is not substantial given that  
20       the garage will appear as a two-car garage from the  
21       right-of-way, as part of the original garage sits  
22       behind the existing home, thus the additional square  
23       feet will not be overly noticeable by passersby.  
24       Further, the height of the addition is consistent with  
25       the height of the existing garage and home.

1       2. No other alternative can alleviate the difficulty  
2       and produce the desired result. Applicant's desire is  
3       for two vehicles in their garage, which the maximum  
4       garage size in Brighton is meant to accommodate. They  
5       are currently unable to do so in the current garage  
6       due to in part its location behind the existing home  
7       and would not be able to do so without a garage  
8       addition, adding necessary square feet.

9       3. No unacceptable change in the character of the  
10      neighborhood and no substantial detriment to nearby  
11      properties is expected to result from the approval of  
12      this variance. Following subdivision of the property,  
13      this garage will be right-sized for the size of the  
14      combined lot and 38 feet away from the side lot lines.  
15      The design of the garage is consistent with the  
16      current garage and will appear in line with the  
17      neighborhood.

18       4. There is no evidence that the health, safety, or  
19      welfare of the community will be adversely affected by  
20      the approval of this variance.

21      **Conditions**

22       1. The variances apply only to the garage addition as  
23      described in the application and testimony provided  
24      and will not apply to any future projects.

25       2. All necessary building permits shall be obtained.

1       3. Prior to the issuance of a building permit, proof  
2       of a subdivision plat shall be submitted to the Town  
3       of Brighton Building Planning Department for review  
4       and approval and filed with Monroe County.

5           MS. SCHWARTZ: Second.

6           MR. DiSTEFANO: Motion is to approve with  
7       conditions.

8                   (Ms. McKay-Drury, yes; Mr. Mietz, yes;  
9                   Ms. Schmidt, abstain; Mr. D'Augustine, yes;  
10                  Ms. Schwartz, yes; Ms. Tompkins-Wright, yes)  
11                  (AUpon roll, motion to approve with  
12                  conditions carries.)

13           **Application 1A-04-25**

14                  Application of John Glynn, applicant, and  
15       The Country Club of Rochester, owner of property  
16       located at 2935 East Avenue, for a temporary and  
17       revocable use permit pursuant to Section 219-4 to  
18       allow for a fireworks display on the evening of July  
19       26, 2025, in a RLA residential district. All as  
20       described on application and plans on file.

21                  MR. D'AUGUSTINE: I move to approve  
22       Application 1A-04-25 based on the following findings  
23       of fact.

24           **Findings of Fact**

25       1. The fireworks display will be one evening as part

1 of a wedding celebration on the property of The  
2 Country Club of Rochester on July 26, 2025, and will  
3 start at approximately 9:00 p.m. and last  
4 approximately 10 minutes.

5 2. Young Fireworks has a history of putting fireworks  
6 displays at CCR and has had no negative effects on the  
7 character of the neighborhood and anticipate there  
8 will be no further negative effects.

9 **Conditions**

10 1. All fire marshal approvals and/or permits shall be  
11 obtained.

12 2. The fireworks display is limited to the event as  
13 described in the testimony given and in the  
14 application materials.

15 3. CCR will notify neighboring property owners prior  
16 to the event.

17 4. CCR shall have no more than four firework displays  
18 for the 2025 calendar year.

19 MS. TOMPKINS-WRIGHT: Second.

20 MR. DiSTEFANO: Motion is to approve with  
21 conditions.

22 (Ms. Schwartz, yes; Chairperson Mietz, yes;  
23 Ms. McKay-Drury, yes; Ms. Schmidt, abstain;  
24 Ms. Tompkins-Wright, yes;  
25 Mr. D'Augustine, yes)

1 (Upon roll, motion to approve with  
2 conditions carries.)

3 CHAIRPERSON MIETZ: Okay. Good luck, folks.

4 (Proceedings concluded at 7:57 p.m.)

\* \* \*

6

7

8

9

10

11

10

1

17

18

19

20

21

22

23

24

25

REPORTER CERTIFICATE

3 I, KIMBERLY A. BONSIGNORE, do hereby certify  
4 that I did report the foregoing pages, which was taken  
5 down by me in a verbatim manner by means of machine  
6 shorthand.

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

12      Dated this 3rd day of February 2025  
13      at Brighton, New York

21 KIMBERLY A. BONSIGNORE  
Court Reporter and  
Notary Public No. 01B06032396  
22 in and for Monroe County, New York