

A G E N D A  
BOARD OF APPEALS - TOWN OF BRIGHTON  
FEBRUARY 5, 2025

Written comments may be submitted to Rick DiStefano, Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to [rick.distefano@townofbrighton.org](mailto:rick.distefano@townofbrighton.org).

**Meeting location - 680 Westfall Road, Empire State University (temporary home of the Brighton Town Hall), Rochester, New York, 14620**

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.

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approve the minutes of the November 6, 2024 meeting.  
Approve the minutes of the December 4, 2024 meeting.  
Approve the minutes of the January 2, 2025 meeting. **To be done at the March 5, 2025 meeting.**

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of January 30, 2025 will now be held.

\*\*\*\*\*

[11A-01-24](#) Application of Essie Spawn-Cox, owner of property located at 270 South Landing Road, for an Area Variance from Section 203-2.1B(3) to allow a detached garage to be 1,000 sf in size, after construction of a 400 sf addition, in lieu of the minimum 600 sf allowed by code. All as described on application and plans on file. **TABLED AT THE NOVEMBER 6, 2024 MEETING - PUBLIC HEARING REMAINS OPEN-POSTPONED TO THE FEBRUARY 5, 2025 MEETING AT APPLICANTS REQUEST**

[2A-01-25](#) Application of David and Rochelle Lempert, owners of property located at 39 Sutton Place, for a Temporary and Revocable Use Permit pursuant to Sections 219-4 and 203-2.1(5) to allow for the open storage of a 31 ft. enclosed auto transport trailer in a front yard where not allowed by code. All as described on application and plans on file.

[2A-02-25](#) Application of Janna Hartfield, owner of property located at 95 Branchwood Lane, for an Area Variance from Section 207-2A to allow a front yard fence (French Road frontage) to be 6 ft. in height in lieu of the maximum 3.5 ft. allowed by code. All as described on application and plans on file.

[2A-03-25](#) Application of Amanda Costanza, architect, and Greg Griffo, owner of property located at 89 Greenaway Road for 1) an Area Variance from Section 205-2 to allow

an attached garage addition to extend 3.5 ft. into the 40 ft. front setback (Greenaway Road) required by code; and 2) an Area Variance from Section 205-2 to allow a front porch roof overhang to extend 5.5 feet into the 20.3 ft. front setback (Walden Place) where a 40 ft. front setback is required by code. All as described an application and plans on file.

2A-04-25 Application of Andrew Hintenach, architect, and Tom Firmani, owner of property located at 230 Ambassador Drive, for an Area Variance from Section 209-10 to allow livable floor area, after construction of a 554 +/- sf second floor addition, to be 4,085 sf in lieu of the maximum 3,589 sf allowed by code. All as described on application and plans on file.

2A-05-25 Application of Paul Morabito, architect, and Ashley Amalfi, owner of property located at 2369 East Avenue, for 1) an Area Variance from Section 207-11A to allow an in-ground swimming pool to be partially located in a front yard where not allowed by code; and 2) an Area Variance from Section 207-2A to allow a front yard fence to be 4 ft. in height in lieu of the maximum 3.5 ft. allowed by code. All as described on application and plans on file.

2A-06-25 Application of Paul Morabito, architect, and Ashley Amalfi, owner of property located at 2369 East Avenue, for Area Variances from Sections 203-2.1B(2) & (3) to 1) allow for the construction of a 1,232 sf detached garage in lieu of the maximum 600 sf allowed by code, 2) to allow said garage to extend into a front yard where not allowed by code, 3) construct a 410 sf pool cabana in lieu of the maximum 250 sf allowed by code, and 4) allow said cabana to extend into a front yard area where not allowed by code. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Thomas Hack, 71 Greenaway Road, dated January 31, 2025, with comments regarding application 2A-03-25, 89 Greenaway Road.

PETITIONS:

NONE

11A-01-24  
ADDITIONAL INFO

01/10/2025

To the planning Board

I Essie Spann-Cox is asking for a variance for and addition 400 sq ft pole barn. I would like the board to give me a variance with conditions that the tress will be planted by May 15, 2025 if weather permits. At that time, I can send photos of the finished job, or the board is welcome to come out and confirm that the job is completed. I have quotes from three different landscapers which is attached for the board to view.

P.S. I am waiting for the plans from Blake Miller to be submitted.

Sincerely,

Essie Spann-Cox

585-734-3841



**Garden Center and Florist**

775 Ridge Road • Webster, NY 14580  
(585) 671-8476 • Fax: (585) 671-0540  
www.thomaslandscape.com

December 16, 2024

Proposal Submitted To:  
Ms. Essie Cox  
270 Landing Rd. South  
Rochester, NY 14610

The following is an estimate for requested Evergreen planting along the northside of the garage.

**2025 Landscape Improvement Agreement**

☐ **Evergreen Planting**

- Planting (6) 5ft. Emerald Green Arborvitae in a slightly staggered pattern along 20ft. of the side of the garage, single staking each evergreen and mulching

Price: \$1699.00 Plus Tax

50% Deposit: \$849.50 Plus Tax

- ☐ **NOTE:** Planting would be done in late April or May when the weather allows. After the first year these Arborvitae can grow an average of 1ft. a year and normally provide a nice barrier.

**If this estimate is acceptable, please sign and return the copy now and we will contact you in the spring for your 50% deposit.**

**"We're more than just landscaping."**

## Little Violets Landscape & Hardscape

6 Larchwood Dr  
Pittsford, N.Y. 14534  
(585) 867-2164

1/19/25

### Estimate

Essie  
270 South Landing Rd

### Payable to

Little Violets  
Landscape & Hardscape

### Estimate#

1

### TBD

Arborvitae Trees

Description	QTY/HRS	Unit price	Total price
arborvitae trees	4		800
compost			50
delivery/haul away soil/dug up grass			200
labor			450
mulch??			100
tax			exempt
Total			\$1,600.00

**Blake Miller Lawn & Landscape**

2343 Penfield Road  
Penfield, NY 14526

**Estimate #13546**

Sent on 12/18/2024

Phone (585) 223-2891

Email [Info@BlakeMillerGroup.com](mailto:Info@BlakeMillerGroup.com)

Website [www.BlakeMillerGroup.com](http://www.BlakeMillerGroup.com)

Client Phone 585-734-3841

**Essie Spann-Cox**

270 South Landing Road  
Rochester, New York 14610

**Notes Continued...**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Waiting for  
Drawing/  
Plans





5ft tall 7 total

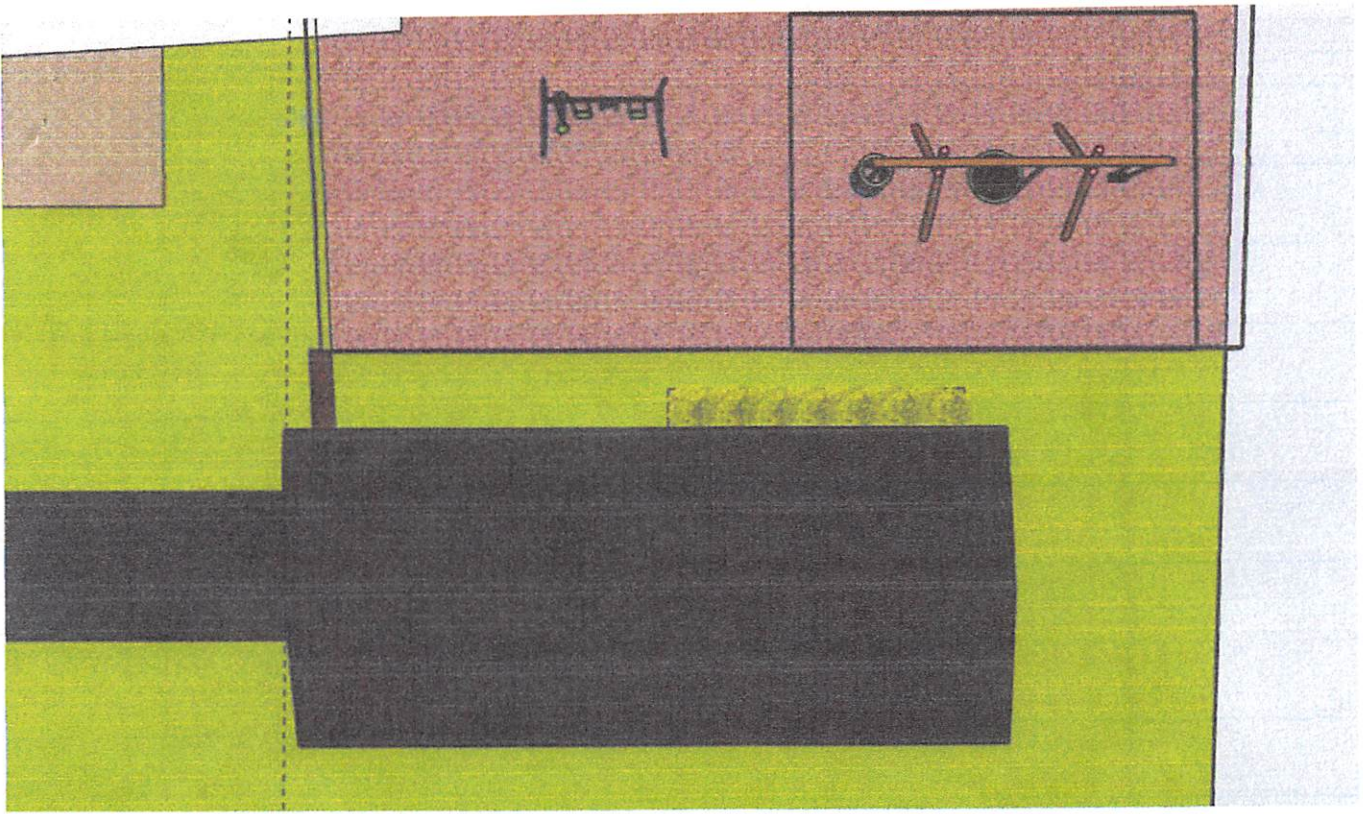
24' space (side) of garage

Mature 4' wide & 10-15 tall

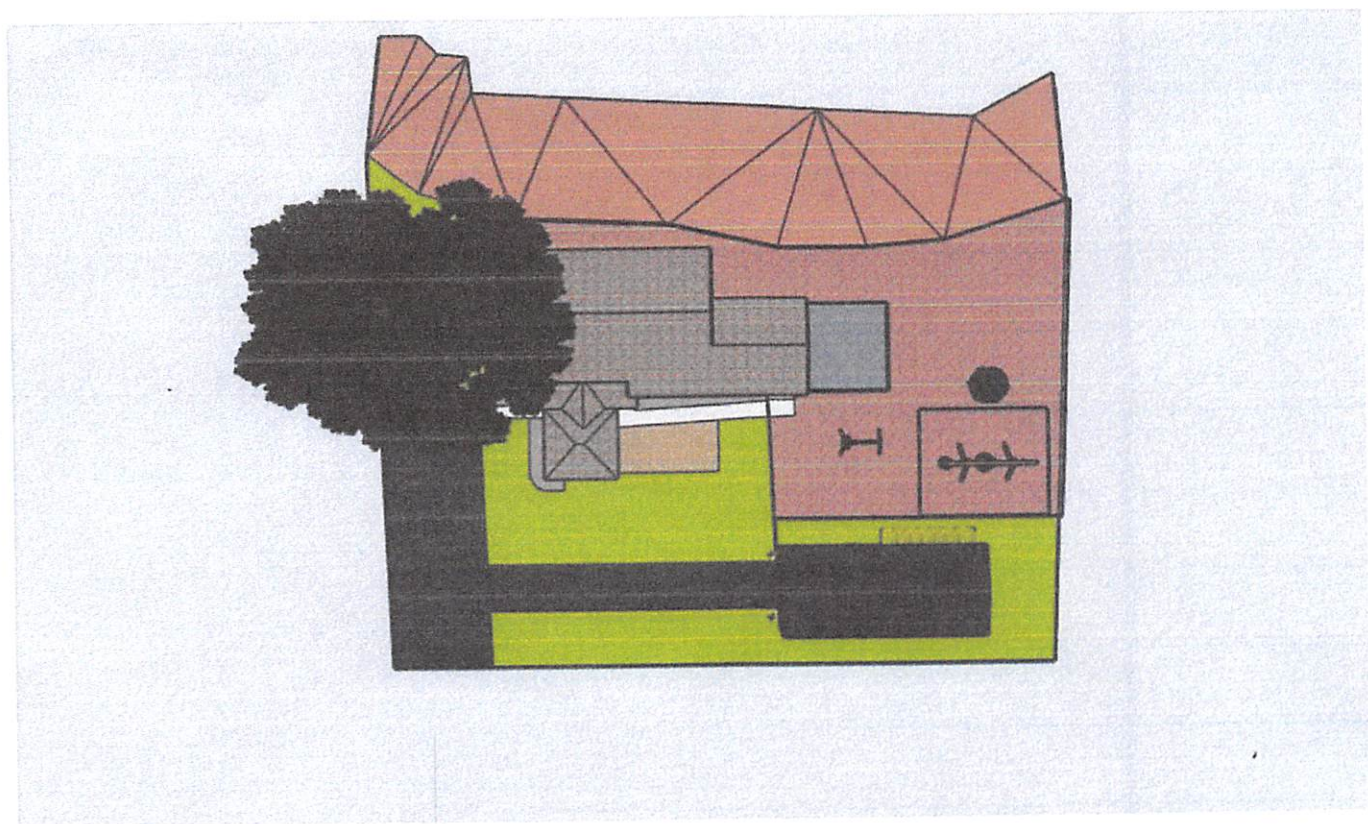


24' space to coverage of the garage  
7 - 5' Emerald Green Arborvite  
mature 4' wide & 10-15' tall.





3D





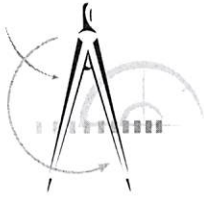


8 ft  
 tall  
 mature  
 7 total Emerald Green <sup>AB</sup>  
 Arborvitae  
 4" wide ; 10-15' tall  
 24' Space (side) of garage





24' Space (side) of Garage



**THOMAS C. HACK, P.E.**

71 Greenaway Road  
Rochester, New York 14610  
(585) 355-1004  
thomashack1957@gmail.com



TOWN OF BRIGHTON  
BUILDING & PLANNING

January 31, 2025

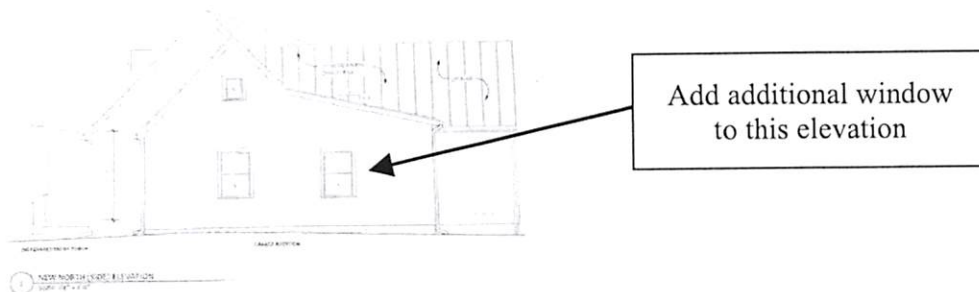
Mr. Rick DiStefano, Secretary  
Zoning Board of Appeals  
Brighton Town Hall  
2300 Elmwood Avenue  
Rochester, New York 14618

Re: Zoning Board of Appeals /Feb 5, 2025  
Application Number 2A-03-25  
Area Variance from Section 205-2  
89 Greenaway Road

Dear Secretary DiStefano:

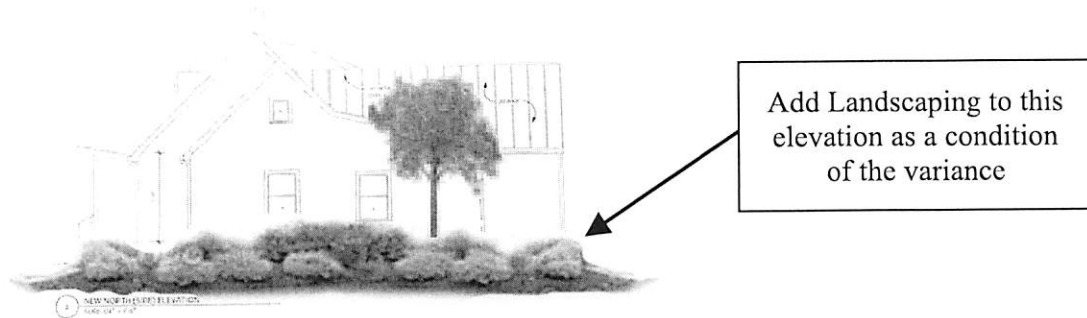
We are writing to you to offer our support for the above subject application regarding an Area Variance from Section 205-2 of the Town Code (40 feet property offset). We offer this support Conditional upon three minor adjustments being made to the North side Elevation (Dwg 3.0) and the Driveway Details.

- 1) The northside elevation of the garage will be encroaching upon the setback zone and will be over 20 feet closer to the public sidewalk than its current location. This area of the property is relatively open and exposed to the public for which we feel could benefit from the following adjustments:
  - a) Installation of two windows (in lieu of one singular window) on the north elevation. This change would help alleviate the "Billboard" effect caused by the starkness of this relatively blank wall. This is somewhat critical given the proximity of the garage to the roadway (Greenaway Road). As second window on the lower level would help reduce the overall scale and size appearance of the garage itself.



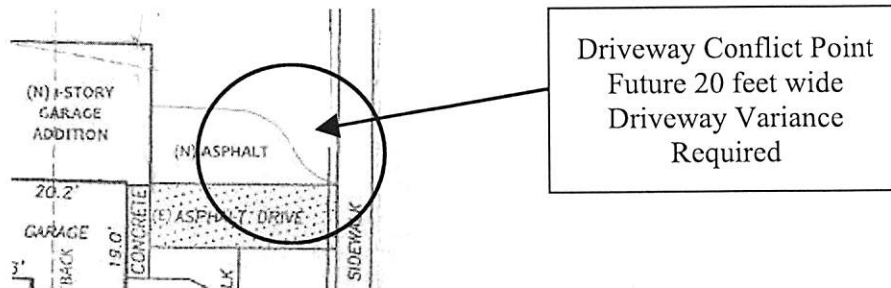
- b.) Landscaping is warranted along the north elevation for the same reason cited in item 1. above. Moving this structure 25 feet closer to the primary street (Greenaway Road) distracts from the neighborhood character and alters the sight lines in and around the intersection of Greenaway Road and Walden Place. It is imperative that this structure be softened with landscaping materials. While normally not shown during an area variance, this aspect of the plan is critical and should not be lost to further review





- 2) On Dwg A0.0, the proposed driveway is shown as being widened from 9'-0" at the street to 22'-6" at the garage. It is extremely doubtful that it will stay this way on the final plans or in real life. Turning into a driveway with such an awkward geometric configuration only strengthens the need to widen the proposed entire driveway to 22'-6". Greenaway Road and Walden Place are both low volume local urban streets with an average width of 18'-9". These streets consist of oil stone surfaces and are posted for 25 MPH with a 5-ton weight limit. The single lane width along these local roads is 9'-4", which is consistent with ASSHTO and ITE Guidelines.

Having a driveway width greater than the adjacent street is not consistent with current highway design manuals, creates an unsafe environment and is not conducive to the character of the neighborhood. The majority of all driveways in the neighborhood are 9-10 feet wide. Perhaps there is some mitigating design that the Zoning Board could introduce that would help reshape the driveway in order to prevent such an awkward geometry.



We thank you for the opportunity to comment on the proposed Area Variance.

Sincerely

*Thomas Hack*

Thomas Hack, P.E.

Mr. Rick DiStefano, Secretary  
Zoning Board of Appeals  
Page 2 of 3

Application Number 2A-03-25  
Area Variance from Section 205-2  
89 Greenaway Road

CC: Willam Moehle, Town Supervisor  
Christine Corrado  
Robin Wilt  
Christopher Werner  
Smarlin Espino  
Andrew Spencer  
Stuart Mackenzie