

A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
MARCH 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.

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 January 2, 2025 meeting.
Approve the minutes of the February 5, 2025 meeting. **To be done at the April 2, 2025 meeting**

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of February 27, 2025 will now be held.

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. **TABLED AT THE FEBRUARY 5, 2025 MEETING - PUBLIC HEARING REMAINS OPEN - POSTPONED TO THE APRIL 2, 2025 MEETING AT APPLICANTS REQUEST**

3A-01-25 Application of Kirk Wright, Sign and Lighting Services LLC, agent, and CRE JV Mixed Five NY 4 (Citizens Bank), owner of property located at 2000 Monroe Avenue, for a Sign Variance from Section 207-32 to allow for the installation of a freestanding sign where not allowed by code. All as described on application and plans on file.

3A-02-25 Application of Serge Tsvasman, agent, and Paul Henry, owner of property located at 482 Antlers Drive, for an Area Variance from Section 205-2 to allow the reconstruction of an attached garage and construction of a building addition to extend 1.5 ft. into the 12.75 ft. side setback required by code. All as described on application and plans on file.

3A-03-25 Application of Jack Savage, Passero Associates, agent, and the University of Rochester, owner of property located at 250 East River Road, for renewal of a Temporary and Revocable Use Permit (7A-06-23) pursuant to Section 219-4 to allow a new mobile PET/CT scanner (trailer) to be on site until April 30, 2026. All as described on application and plans on file.

3A-04-25 Application of Betsy Brugg, Woods Oviatt Gilman LLP, agent, and 3108 East Avenue LLC, owner of property located at 3108 East Avenue, for a Use Variance from Section 203-44 to allow a gas station with convenience store to be located in a BE-1 Office and Office Park District where not allowed by code. All as described on application and plans on file.

3A-05-25 Application of Betsy Brugg, Woods Oviatt Gilman LLP, agent, and 3108 East Avenue LLC, owner of property located at 3108 East Avenue, for Area Variances from Section 205-18 to 1) allow parking of vehicles to within 2 ft. of a side lot line (north) where a 10 ft. setback is required by code, and 2) to allow paved areas / drive aisles up to the front lot line where a 20 ft. setback is required by code. All as described on application and plans on file.

3A-06-25 Application of Betsy Brugg, Woods Oviatt Gilman LLP, agent, and 3108 East Avenue LLC, owner of property located at 3108 East Avenue, for an Area Variance from Section 207-6B to allow an accessory structure (gas pump canopy) to be located in a front yard in lieu of the rear yard as required 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 Paul Morabito, dated March 4, 2025, requesting postponement of application 2A-06-25, 2369 East Avenue, to the April 2, 2025 meeting.

PETITIONS:

NONE



April 2nd ZBA

From Paul Morabito <paul@morabitoarchitects.com>

Date Tue 3/4/2025 8:28 AM

To Rick DiStefano <rick.distefano@townofbrighton.org>; Ashley Amalfi <ashley.amalfi@gmail.com>; Thomas Frye <thomaspfrye@gmail.com>; Gaetano Abbate <gaetanoabbate@yahoo.com>

CAUTION: This email originated from an external source. Use caution when replying, clicking links, or opening attachments.

Rick- I am requesting **confirmation** that my request for postponement made yesterday is sufficient for the town. If this needs to be on company letterhead and/or hand delivered please advise immediately.

For the record, the decision letter you directed my attention to as having resubmittal "clearly indicated" does not make mention of the need for additional hard copies. This could have easily been done if it was requested in the decision letter.

--
Paul Morabito, A.I.A.

585.264.1330o

585.944.8977c

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed project deals only with the request for a free standing sign to be placed at the front of the property having no short-term, long-term or cumulative environmental impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Brighton Zoning Board of Appeals

March 5, 2025

Name of Lead Agency

Date

Rick DiStefano

Secretary

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer



Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)