
BRIGHTON

PLANNING

BOARD

March 19, 2025
At approximately 7 p.m.
Empire State University
680 Westfall Road, Room 159
Rochester, New York 14620

PRESENT:

RICK DiSTEFANO, PLANNER

WILLIAM PRICE, CHAIRPERSON

JOHN OSOWSKI)	BOARD MEMBERS
CLARA SANGUINETTI)	
JASON BABCOCK-STINER)	
SERGE TSVASMAN)	

LAUREN BARON, ESQ.
Attorney for the Town

ABSENT:

KAREN ALTMAN
DAVID FADER

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

1 CHAIRPERSON PRICE: I'd like to welcome
2 everybody to the March 19th meeting of the Town of
3 Brighton Planning Board. We are in a temporary
4 location here for, I guess, as long as it takes to
5 renovate Town Hall.

6 But in any -- in all cases, if you have a
7 comment about an application tonight, you're welcome
8 to submit those comments to the Town. Rick DiStefano
9 is our planner. We also have Jason Haremza. Both of
10 them are happy to take any comments that you may think
11 of or if you have any questions after hearing the
12 applications tonight.

13 In the unlikely event of any kind of
14 emergency tonight, there are doors to your right, our
15 left. And there are doors behind you.

16 I'd like to start -- we do start our
17 meetings with a brief meeting between the staff and
18 ourselves. We review each of the applications. So
19 you can hear our conversation. We'll do that now.
20 Yes. We'll do that first and then we'll call the
21 roll.

22 Rick, I assume we're going to go with --
23 talk to us a little bit about 3P-01-25. That's 1530
24 Brighton Henrietta Townline Road.

25 MR. DiSTEFANO: Yes. I don't know how many

1 are familiar with JK Jewelry. They're located right
2 at the corner of Town Line and Western Drive.

3 They purchased this property a few years ago
4 and want to remove the existing house, which is
5 abandoned and in poor shape. Nothing is planned at
6 this point in time to be constructed there. So at
7 this point it should be a basic demo with modification
8 to the site in terms of seeding, grading, very minor
9 modifications, restoration.

10 The one issue that we have is unfortunately,
11 this house has not yet been reviewed by the Historic
12 Preservation Commission. They'll be reviewing it at
13 their meeting next week. So I have talked to the
14 applicant. She understands that we will have to table
15 it according to the Code until we have a determination
16 by the Historic Preservation Commission that they are
17 not seeking landmark status for the property.

18 CHAIRPERSON PRICE: JK has been in a few
19 times over the years.

20 MR. DiSTEFANO: Over the years they've
21 done -- they've acquired properties. They've done
22 some other demos. They have added parking, an
23 addition -- a large addition on the back of the
24 building.

25 CHAIRPERSON PRICE: Yeah. I remember those.

1 Okay.

2 MR. OSOWSKI: The application mentioned
3 abandoning existing utilities. And that word kind of
4 bothered me. Is that what we do with utilities is we
5 just abandon them? Or do we cut them off and
6 deactivate them, for instance?

7 MR. DiSTEFANO: Yeah. I think it was just
8 the wording that was used. That's something we can
9 certainly ask of the applicant, but I'm sure it's on
10 septic, which basically septic systems do get
11 abandoned.

12 And any electric or water that's coming into
13 the site would have to be taken care of in accordance
14 with the utility companies.

15 CHAIRPERSON PRICE: Any questions? We'll
16 have a chance to talk more with the applicant.

17 All right. The next one is 3P-02-25. This
18 is 27 Tower Drive. Thomas Pschierer and Tom Terry.

19 MR. DiSTEFANO: Yeah. Real basic -- you
20 guys did a number of these -- standby emergency
21 generator. That's going to be located on the
22 property.

23 Unfortunately, they don't meet the
24 residential requirements, therefore, making them have
25 to come before this Board. And what makes them not

1 meet the residential characteristics is that it's
2 going to be in a side yard.

3 It's still going to be natural gas. It's
4 going to be a home-sized generator, not a large diesel
5 generator. So it's really just the fact of its
6 location in the side yard. That's why they're coming
7 to us.

8 CHAIRPERSON PRICE: All right. And then our
9 third public hearing tonight is 3P-03-35.

10 MR. DiSTEFANO: 25.

11 CHAIRPERSON PRICE: Should that be "dash
12 25?"

13 MR. DiSTEFANO: Should be 25. My fault.

14 CHAIRPERSON PRICE: This is the application
15 for 2250 Brighton Henrietta Townline Road, Mike
16 Ritchie.

17 MR. DiSTEFANO: This is kind of a "after the
18 fact" application. Those parking spaces have already
19 been added. These were added about a year ago.

20 We kind of caught them through another
21 review and approval process and told them that they
22 had to come in and clear everything with this Board,
23 show to us that stormwater is working as part of it.
24 They also removed a number of trees along the west
25 property line, which they have not re-established.

1 The plans do show them putting additional
2 trees back where ones were removed. And the
3 Conservation Board had comments that they'd like to
4 see more trees added to the site, especially along the
5 east property line. That's something to consider by
6 this Board.

7 The question I think -- the important
8 question is why do you need this additional parking?
9 It's a pretty big parking field now. And they have
10 shared parking with the property to the north, which
11 is 85 Metro Park.

12 So they met code when it was Dial America,
13 which was a large call center. So that's -- why do
14 you guys need this parking?

15 CHAIRPERSON PRICE: Okay. All right. Then
16 we have -- I thought we had two signs. Looks like we
17 have three.

18 MR. DiSTEFANO: Yeah. I added on the agenda
19 a third sign, which, going through last month's
20 agenda, I think you looked at this sign but never made
21 a determination on the sign because they were going to
22 the Zoning Board for a variance for a freestanding
23 sign. I believe they were all packaged together. So
24 you decided to hold the review.

25 And as you can see, it's just for the

1 building face sign because the freestanding sign was
2 denied by the Zoning Board.

3 CHAIRPERSON PRICE: Okay.

4 MR. DiSTEFANO: So we have to look at that
5 part of the packet.

6 CHAIRPERSON PRICE: All right. Any
7 questions? Comments? All right.

8 At this point, Rick, do you mind calling --
9 I'm calling the meeting to order. Would you call the
10 roll, please?

11 (Whereupon the roll was called.)

12 MR. DiSTEFANO: Please let the record show
13 that Member Altman and Member Fader are not present.

14 CHAIRPERSON PRICE: I personally don't
15 recall receiving 2/19 meeting minutes. I could be
16 wrong.

17 MR. DiSTEFANO: I thought they were attached
18 to the email that I sent you. I attached both the
19 January and February because I didn't know if you
20 received January for your last meeting.

21 CHAIRPERSON PRICE: I think we had, but we
22 might not have.

23 MR. DiSTEFANO: That's all right. We can
24 push them off to the March meeting -- or your May
25 meeting.

1 CHAIRPERSON PRICE: Is everybody okay with
2 that? We'll push them off. I'm sorry. I'll look for
3 those.

4 MR. DiSTEFANO: Did you approve the January
5 meeting minutes?

6 CHAIRPERSON PRICE: Let's --

7 MR. DiSTEFANO: I don't think you did. So
8 you might want to --

9 CHAIRPERSON PRICE: I'm drawing a blank.
10 Sorry. I don't think so. Let's get a motion to
11 approve the meeting minutes for January 15th, 2025,
12 meeting. Motion?

13 MS. SANGUINETTI: I make a motion to approve
14 the minutes from the January meeting.

15 CHAIRPERSON PRICE: Is there a second?

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

17 CHAIRPERSON PRICE: Was there any edits or
18 comments? Rick, please call the roll.

19 MR. DiSTEFANO: The motion is to approve
20 January 15th, 2025, minutes.

21 (Mr. Price, aye; Mr. Osowski, aye;
22 Mr. Tsvasman, aye; Mr. Babcock-Stiner, aye;
23 Ms. Sanguinetti.)

24 (Upon roll motion to approve carries.)

25 CHAIRPERSON PRICE: Okay. Before we go to

1 our public hearings, I do want to mention that tonight
2 is John Osowski's last night after -- 14 years?

3 MR. OSOWSKI: Yes, sir. 14 years.

4 CHAIRPERSON PRICE: 14 years serving the
5 Town. Thank you for your service and your guidance.

6 MR. OSOWSKI: Welcome.

7 CHAIRPERSON PRICE: We appreciate it very
8 much.

9 MR. OSOWSKI: It was a pleasure and an
10 honor.

11 CHAIRPERSON PRICE: And we welcome Serge
12 as -- actually, he's not filling your spot. He's
13 filling another vacant spot. And we have one other
14 vacancy that we do need to fill at some point.

15 So welcome, Serge; bye, John.

16 MR. TSVASMAN: Nice working with you.

17 CHAIRPERSON PRICE: Been a pleasure, John.
18 Thank you.

19 Rick, at this point we're going to have the
20 public hearings. Have these been properly advertised?

21 MR. DiSTEFANO: Yes, Mr. Chairman. These
22 were advertised in the Daily Record of March 13th,
23 2025.

24 CHAIRPERSON PRICE: Thank you. First
25 application tonight is 3P-01-25. This is 1530

1 Brighton Henrietta Town Line Road.

2 **Application 3P-01-25**

3 Application of Thomas Fitzgerald, MRB Group,
4 agent, and JK Findings, owner, for Demolition Review
5 and Approval to raze a single-family home on property
6 located at 1530 Brighton Henrietta Town Line Road.

7 CHAIRPERSON PRICE: Good evening. All you
8 do is tell us your name and address. You can give us
9 your business address or your home address, whatever
10 works for you. Just so we know where to find you.

11 MR. FITZGERALD: Can everybody see this?

12 CHAIRPERSON PRICE: Yup. Thank you. Sorry,
13 folks. We haven't quite worked out the orientation of
14 the board so you can see it and we can see it.

15 MR. FITZGERALD: Okay. I'm Tom Fitzgerald.
16 I'm with MRB Group. The address is 145 Culver Road.

17 I'm here on behalf of JK Findings as a
18 representative for them for review of final approval
19 for 1530 Brighton Henrietta Townline Road.

20 As Rick mentioned, this home -- this
21 property was previously bought by JK Findings many
22 years ago. The house was built in the 1950s, located
23 in the industrial district.

24 They're looking to -- JK Findings is looking
25 to demolish the house itself for regrading for future

1 developments, which will be set for a later time.

2 As of right now, the utilities -- there is
3 no water services that are going into the house. It's
4 all been disconnected. Sanitary has been disconnected
5 as well. There is a clean-out located outside. And
6 same with the gas and electric.

7 We did provide an asbestos report that JK
8 Findings did back in 2023. I believe we sent that to
9 Jason a few weeks ago.

10 As for the site plan itself, we are going to
11 remove -- sorry about that. Remove the house itself,
12 filling it with a septic fill, Green Fill. The
13 overall site itself is only 0.066 acres, which is
14 roughly 3,000 square feet. So it will be way under an
15 acre.

16 (There was a discussion off the record.)

17 We're going to be providing a silted fence
18 around the site and fill in with a selected clean
19 fill, about one foot, 95 percent compaction. And like
20 I said, a silt fence around the area.

21 Drainage-wise, it will be just sort of a
22 mound at the high point right there and will just
23 drain into those existing catch basins here. There's
24 a swale over here. So it will mostly drain down this
25 way and then drain to the back of the property as

1 well.

2 And like Rick mentioned, we will be seeding
3 and grading it once it's all complete.

4 CHAIRPERSON PRICE: So the utilities --
5 these aren't, you know, laterals coming from the
6 street. There aren't service laterals coming from the
7 street that you're capping at the main --

8 MR. FITZGERALD: Right. Yeah.

9 CHAIRPERSON PRICE: Okay.

10 MR. DiSTEFANO: So I understand it, it is on
11 sewer, not septic?

12 MR. FITZGERALD: We did take a look at it
13 and -- on the property it did say it was septic. I
14 think we reached out and said, "Is this on septic or
15 is this on service?" And for some reason it said it
16 wasn't. And we looked at it and there was a clean-out
17 located on the site.

18 MS. LUCAS: The owner confirmed to us that
19 there was no septic. And it's on the seller's -

20 MR. DiSTEFANO: Can you just state your name
21 for the record?

22 MS. LUCAS: I'm Joni Lucas with JK Findings.

23 MR. DiSTEFANO: So we don't believe -- we
24 believe there's a septic on the site.

25 MS. LUCAS: You do?

1 MR. DiSTEFANO: Okay.

2 MS. LUCAS: We'll take care of it.

3 MR. DiSTEFANO: Yeah. It will be a
4 condition.

5 MS. LUCAS: Yeah.

6 CHAIRPERSON PRICE: Any other questions?

7 MR. OSOWSKI: No. My question was about the
8 septic and you just took care of it. Thank you.

9 CHAIRPERSON PRICE: Rick, does this driveway
10 constitute a formal curb cut? Is that -- when they do
11 something like a demolition, does the curb cut go
12 away? Or does that --

13 MR. DiSTEFANO: Usually, no. Because if it
14 goes away, it's hard to get it back. But once it's
15 there, it's there.

16 My question to the applicant would be is
17 there need to keep the driveway on the site. Say you
18 might have the curb cut and that part of pavement
19 that's in the right-of-way to the front property line,
20 can you remove the entire driveway to make it
21 basically a clean lot except for -- while maintaining
22 just the curb cut.

23 MR. FITZGERALD: If we were to remove the
24 curb cut, we'd have to get --

25 MR. DiSTEFANO: I'm not saying remove the

1 curb cut. I'm saying keep the curb cut but remove the
2 driveway from the front property line back to the
3 house.

4 MR. FITZGERALD: Yeah. Yeah.

5 MR. DiSTEFANO: And you're showing that it's
6 staying there.

7 MR. FITZGERALD: We can remove it if we have
8 to. I don't see --

9 MR. DiSTEFANO: I'm just asking what need --
10 is there a need for it?

11 MR. FITZGERALD: There is no need.

12 MS. LUCAS: I believe it's just really dirt.

13 MR. FITZGERALD: Yeah. It's mostly just
14 dirt.

15 MR. DiSTEFANO: Because on the plan it
16 basically says retain driveway. So I'm just curious.

17 MR. FITZGERALD: Yeah. It's just for a
18 construction entrance for the most part.

19 MR. DiSTEFANO: Okay.

20 CHAIRPERSON PRICE: Yeah. If you don't mind
21 topsoiling and seeding that on your way out the door.

22 MR. FITZGERALD: Sure.

23 MR. DiSTEFANO: Yeah. We're not asking you
24 to close the curb cut.

25 CHAIRPERSON PRICE: Serge, any questions?

1 John, you're all set?

2 Jason?

3 MR. BABCOCK-STIENER: I'm good.

4 CHAIRPERSON PRICE: Clara?

5 MS. SANGUINETTI: So you mentioned this is
6 zoned for industrial use.

7 MR. FITZGERALD: It's in the industrial
8 district.

9 MS. SANGUINETTI: Okay. Any plans or any
10 idea of what it's going to be later on designed for?
11 Are there -- any interest in the property?

12 MR. FITZGERALD: That would be more of --

13 MS. LUCAS: We have no plans for the
14 property. It's just speculative. We did not want
15 somebody else to purchase it and us not be able to
16 expand 20 years from now.

17 MS. SANGUINETTI: Okay.

18 CHAIRPERSON PRICE: All set, Clara?

19 MS. SANGUINETTI: Yup.

20 CHAIRPERSON PRICE: Lauren?

21 THE COURT: No questions.

22 MR. DiSTEFANO: Good.

23 MR. TSVASMAN: This is more a question for
24 you, but does that change the tax base of the property
25 or --

1 MR. DiSTEFANO: Use the mic.

2 MR. TSVASMAN: Does it change the tax base
3 of the property if the building is removed?

4 MR. DiSTEFANO: Yes, but probably in a minor
5 way because I'm sure there wasn't a great assessed
6 value on that house.

7 So now it just becomes land assessment
8 instead of land and structure.

9 MR. TSVASMAN: Okay. Because I know in
10 residential you want something to replace the property
11 that's being removed.

12 MR. DiSTEFANO: Yeah. But I think the
13 change is going to be pretty minor.

14 I would doubt that the house structure has
15 got a fairly high assessment on it. And the land is
16 still going to be vacant. You know, industrial land
17 might actually go up in value because there is no
18 structure on it. That's an assessor question though.

19 CHAIRPERSON PRICE: Okay. So we're waiting
20 on Historic Commission.

21 MS. BARON: Yeah. So --

22 CHAIRPERSON PRICE: How long off are we?

23 MS. BARON: So their meeting is next
24 Thursday the 27th at 7:15. And this is -- this
25 demolition is on their agenda for that meeting.

1 CHAIRPERSON PRICE: Do they -- do they act
2 the same day?

3 MS. BARON: Yup. Yeah. Especially for
4 something like this where -- I would be very surprised
5 if they were considering this property -- this
6 particular property for landmark designation.

7 CHAIRPERSON PRICE: Let's talk about how we
8 handle an approval pending that determination from
9 them.

10 MR. DiSTEFANO: Now or -

11 CHAIRPERSON PRICE: When we do --

12 MR. DiSTEFANO: Okay.

13 CHAIRPERSON PRICE: Thank you. Okay. Tom,
14 thank you.

15 MR. FITZGERALD: Thank you.

16 CHAIRPERSON PRICE: This is a public
17 hearing. Is there anyone that cares to address this
18 application?

19 All right. We're going to move on to
20 application 3P-02-25, 27 Tower Drive.

21 **Application 3P-02-25**

22 Application of Thomas Pschierer, agent, and
23 Tom Terry, owner, for Site Plan Modification to
24 install a standby emergency generator on property
25 located at 27 Tower Drive.

1 MR. PSCHIERER: I'm Tom Pschierer. I
2 represent Tom Terry. 999 Rush-Henrietta Townline Road
3 is my address.

4 CHAIRPERSON PRICE: Thank you.

5 MR. PSCHIERER: We want to put a
6 generator -- just a small home generator to pick up
7 some heat and some lights for this building.

8 The street's basically a dead end. There is
9 one building past this building on the right-hand
10 side, but it's a commercial building.

11 So the building is about 100 feet long.
12 It's about 180 feet off the road. We're planning on
13 putting the generator back about 50 feet. So it would
14 be 230 feet from the road.

15 And the reason we don't want to put it in
16 the back is the back is kind of really rough terrain
17 and there's a gully back there that fills with water.
18 And so it just didn't make sense to actually put it
19 back there. Plus, the gas service and the electrical
20 service is all up towards the fronts and, you know, we
21 would increase the job probably four times what it was
22 worth by trying to go a hundred feet back.

23 CHAIRPERSON PRICE: Okay. Usually, we talk
24 about things like decibel levels and how we're gonna
25 screen it from adjacent residents and make sure --

1 does this get tested typically once a week? These
2 come on and run for 15 minutes.

3 MR. PSCHIERER: It comes on for five minutes
4 per week.

5 The decibel level is 68 decibels at 20 feet.

6 There are no houses to the north. It's all
7 just land that's owned by the same person.

8 So it's -- nobody would ever hear it and not
9 even the people in the building would hear it because
10 there's no window. It's a block building. I don't
11 know what used to be there, but it's basically just --
12 a guy stores cars and stuff there.

13 CHAIRPERSON PRICE: Any other improvements?
14 Any lighting --

15 MR. PSCHIERER: No.

16 CHAIRPERSON PRICE: -- on that side of the
17 building?

18 MR. PSCHIERER: No. We're not going to do
19 anything but put the generator in and pick up a few --
20 like I said, some lighting circuits and some heating
21 circuits just for heating ability.

22 CHAIRPERSON PRICE: Okay. That's all I had.
23 Do you have any questions?

24 MR. TSVASMAN: Does the Board care about
25 like if it's on a pad or --

1 CHAIRPERSON PRICE: Sometimes we do if
2 there's grading issues or anything.

3 Do you mount it to a pad or is it just
4 sitting on gravel?

5 MR. PSCHIERER: No. We use a pad. It's
6 about 3 inches thick. It's made for the generator.

7 So we're kind of gonna come off of the
8 building about -- anywhere between 18 inches and 2
9 foot, set the pad, set the generator. So we'll be
10 within 4 foot of the building.

11 MR. OSOWSKI: The letter that you wrote to
12 Tom Terry at 27 Tower Drive, the subject was an
13 18-kilowatt automatic standby generator proposal for
14 the Terry residence. This isn't a residence; is that
15 right?

16 MR. PSCHIERER: No. It's not a residence.
17 It's a building that he uses just for storage.

18 In fact, the person to the left, I think
19 that's Raymour & Flanigan. So it's all just
20 industrial buildings or commercial.

21 MR. OSOWSKI: Thank you. There's a big
22 pile, looks like crushed stone, just to the north on
23 the north side of the building site. Do you know why
24 that's there or if there's any use for that? Is there
25 a crushed stone parking lot or crushed stone driveway

1 on the site?

2 MR. PSCHIERER: I don't know what pile
3 you're talking about. So there's the building. Then
4 from the building to an asphalt walkway is about 4
5 feet. That's all filled with stone, which is where
6 we're gonna put the generator. And then that asphalt
7 walkway goes back to a handicap ramp that, you know,
8 you can get into the building.

9 MR. OSOWSKI: Okay. All right. Thank you.

10 CHAIRPERSON PRICE: All set, Clara? All
11 set?

12 Lauren?

13 MS. BARON: I was just going to -- just to
14 go off John's question about the reference to the
15 residence. They might have put that -- that looks
16 like it's from the actual seller of the generator
17 system itself. And since it is a residential-size
18 generator, they might just have assumed it was going
19 to be used for a residence.

20 MR. DiSTEFANO: And just for the Board, the
21 Conservation Board did look at this and did not feel
22 that any screening was necessary due to its location.

23 CHAIRPERSON PRICE: Thank you. All right.
24 We're good. Thank you.

25 MR. PSCHIERER: All right. So do you

1 send --

2 CHAIRPERSON PRICE: What we do is we'll make
3 a decision tonight. You're more than welcome to stick
4 around. I don't think it's going to take very long.
5 You'll have an answer.

6 If you don't stick around, you're welcome to
7 call Rick, probably in the morning or midday.

8 MR. DiSTEFANO: Yeah. Morning or midday.
9 However, you will get a letter, you know, or even --
10 it might be posted on the open gov page.

11 MR. PSCHIERER: Okay. I'll stick around.
12 There's only one more thing. Thank you.

13 CHAIRPERSON PRICE: Okay. Our third public
14 meeting tonight -- or public hearing tonight is
15 application 3P-03-25, 2250 Brighton Henrietta Town
16 Line Road.

17 **Application 3P-03-25**

18 Application of Mike Ritchie, Costich
19 Engineering, agent, and 2250 Brighton Henrietta LLC,
20 owner, for Site Plan Modification to install 15
21 additional parking spaces on property located at 2250
22 Brighton Henrietta Town Line Road.

23 MR. RITCHIE: Good evening. Mike Ritchie,
24 Costich Engineering, 217 Lake Avenue, Rochester. I'm
25 here representing Flaum Management for the property

1 2250 Brighton Henrietta Town Line Road. I'm
2 requesting site plan modification approval.

3 So I think, as was stated when the meeting
4 first started, at least 15 parking spaces are
5 existing. With me is Mike Palumbo from Flaum
6 Management who can kind of talk to the history and the
7 need for those spaces.

8 But the brief history, I think a year, maybe
9 longer, they've been put in there. I think they were
10 put in there for a previous medical tenant who wanted
11 spaces closer to the building. Although there are a
12 lot of spaces on the site, these are kind of the
13 closest, most convenient, especially for the medical
14 use.

15 People are using these spaces now. Flaum
16 would like to keep them. We did submit a site plan
17 and we received comments from the Town Engineer. The
18 comments were related to adding some trees, which we
19 proposed six maple trees along the western property
20 line.

21 They asked us to look at the stormwater and
22 we've proposed a stone diaphragm on the back edge of
23 the pavement because right now, runoff just sheets off
24 and goes to the property to the west. So we have a
25 stone diaphragm with an underdrain that will capture

1 whatever sheet runoff comes onto it and convey it to
2 the pond, which is 50 feet away.

3 And some other, you know, minor technical
4 details -- we provided some photos showing that
5 there's an existing light pole that was in the drive
6 aisle. It's kind of protected by striping and it is
7 kind of on a large concrete base.

8 So we did send responses to Mr. Hurley's
9 comments and revised plans back to his office today.
10 So, yeah. The applicant is seeking to get permission
11 to keep those parking spaces. And Mr. Palumbo, I
12 think, is available to answer questions more related
13 to the need and the history.

14 CHAIRPERSON PRICE: I think since you're
15 begging forgiveness, we might as well hear the
16 history.

17 MR. PALUMBO: Good evening. Thank you for
18 allowing us to be here tonight. Mike Palumbo, 400
19 Andrews Street, Suite 500, Rochester, New York.

20 CHAIRPERSON PRICE: This to me does seem
21 like a tenant asking to get parking spaces closer
22 because tenants, employees do not want to walk the
23 distance that -- where the spaces are available.

24 MR. PALUMBO: When we put Rochester Regional
25 in there -- actually, let me back up. After Dial

1 America left, the vacant -- the building had been
2 vacant for a good four or five years. We've been
3 struggling to get tenants there. It's a beautiful
4 building. I don't know why it was -- that was the
5 case.

6 We were able to put Rochester Regional
7 Health on the second floor with doctors offices. When
8 we did that, they wanted parking closer to the front
9 for not only their employees but more for the people
10 that were coming in, the patients. It was just more
11 convenient for some of the handicap people.

12 Anyways. It was put in. We haven't had any
13 issues with drainage. And we were wrong. Apologize
14 for that. But we're here tonight seeking approval to
15 allow those spots to stay.

16 We are adding the State Civil Service office
17 in on the first floor after another long term of
18 vacancy. So the building will be fully occupied.
19 There will be state workers in there. They'll have
20 people coming in to take the civil service exam. So
21 this would allow for that.

22 Additionally, we own 85 Metro, which
23 connects to the backside. We have Healthcare of
24 Rochester in there and they do use quite a bit of
25 parking. It does spill over into our side.

1 I think when we got approval for that, we
2 had to come for approval to allow it to spill over.
3 So there's some commonality between the two buildings.
4 We think those 15 spots with this new tenant moving in
5 would help support the building and the needs we have.

6 CHAIRPERSON PRICE: Mike Ritchie, you're
7 talking about stone and, you know, some diaphragm. Is
8 that -- I have another thought, but what I want to
9 know is that solving a problem that's really there? I
10 mean, if the runoff goes through grass, is that any
11 worse than if we go out there and put in stone?

12 I think when you throw in stone along the
13 edge of a parking lot, with plowing and all of that,
14 it ends up looking crappy.

15 MR. RITCHIE: It was more an intent for
16 conveyance, I guess, you know, to get -- direct water
17 over to the pond, even though everything kind of
18 drains to a swale, which drains to a shared stormwater
19 pond. It all ends up being collected into the County
20 system on the neighbor's property.

21 So that seemed like a more -- an easier
22 approach than maybe putting up curbing because then
23 you have to cut back the pavement. Those spaces would
24 be out of commission. This can be an easy way to kind
25 of direct any runoff there.

1 But, again, like you mentioned, there
2 doesn't seem to be an issue.

3 MR. PALUMBO: We've been there about three
4 years. We've never had an issue.

5 CHAIRPERSON PRICE: Right.

6 MR. PSCHIERER: Maybe some fine grading,
7 kind of swale it over to that --

8 CHAIRPERSON PRICE: Are we going to create a
9 problem where one doesn't exist?

10 MR. PSCHIERER: Right.

11 CHAIRPERSON PRICE: The tree thing is a
12 thing. This is spitballing, but what about taking out
13 15 parking spaces of asphalt?

14 MR. PALUMBO: We are adding more trees than
15 we took out.

16 CHAIRPERSON PRICE: Okay.

17 MR. PALUMBO: I think we took two trees out
18 maybe.

19 MR. DiSTEFANO: There were a lot more than
20 that. There's like six or eight that went along that
21 property line that's shown on the aerials.

22 MR. PALUMBO: I wasn't there, but really,
23 we're adding --

24 MR. RITCHIE: They're proposing six trees
25 along the west and --

1 CHAIRPERSON PRICE: So you're in on the west
2 side. I guess, what's that doing for anybody on the
3 west side?

4 MR. DiSTEFANO: Well, the west side, it is
5 screening off that parking lot or at least adding some
6 shade to that parking lot between them and the
7 immediate neighbor.

8 And on the eastern side, that parking lot is
9 pretty close to the lot line. So they're trying to
10 get some kind of vertical greenspace in there. That's
11 what the Conservation Board was thinking, get some
12 vertical greenspace.

13 CHAIRPERSON PRICE: I guess, Mike --

14 MR. PALUMBO: We're happy to do whatever
15 they ask.

16 CHAIRPERSON PRICE: Could you -- I'm
17 thinking about taking out some asphalt.

18 MS. SANGUINETTI: So you're using permeable
19 parking materials?

20 MR. RITCHIE: We have not. That would
21 require some soil testing. I don't know if the native
22 underlying soils would support infiltration.

23 And I think the intent was that they're
24 existing and they're working the way they are now. So
25 our request was to kind of ask for permission to leave

1 it as it is.

2 CHAIRPERSON PRICE: I'm saying there's got
3 to be a point in the back between the two properties
4 where people don't park, on the perimeter, you know...

5 MR. DiSTEFANO: You're talking about along
6 the back line between 85 Metro and them?

7 CHAIRPERSON PRICE: I would talk maybe on
8 the back of this property but off of 85 Metro. Things
9 like where there's curved -- there's parking in curved
10 areas, just remove a similar amount of asphalt where
11 people are not using it.

12 And then maybe the furthest point from both
13 buildings. Am I making any sense?

14 MR. RITCHIE: I think I understand the
15 request. That's up to you, Mike.

16 CHAIRPERSON PRICE: I'm saying cut out the
17 asphalt. You don't have to haul the stone away. Put
18 topsoil over it and re-seed it.

19 MR. PALUMBO: I just -- I think I'd like to
20 spend a day or two in order to see how many visitors
21 park over there and see how much space is being used.

22 CHAIRPERSON PRICE: Yeah.

23 MR. PALUMBO: The other thing is we got --
24 like I said, we got the State of New York moving in
25 with the civil service group. They're going to bring

1 a fair amount of people on a daily basis for their
2 testing for civil service exams. So we want to make
3 sure we have enough parking to accommodate everyone.

4 MR. DiSTEFANO: Yeah. According to their
5 certificate of compliance application, they're -- may
6 need to -- according to the State, 95 parking spaces.
7 So the 95, then you add in the dermatologist and then
8 you also add in the crossover parking between this
9 property and 85 Metro, they could be parked out. You
10 know, they might -- you might actually cause an issue
11 by reducing any of the parking.

12 I mean, this parking may have been needed
13 for -- you know, if they did put the testing center in
14 there, they may have been coming to us to add parking.

15 CHAIRPERSON PRICE: The dermatologist is
16 still there?

17 MR. PALUMBO: Yeah. Oh, yeah. They're
18 there on a long-term lease.

19 CHAIRPERSON PRICE: Okay. I'm sorry. I
20 thought --

21 MR. PALUMBO: Yup. They haven't left.
22 They're still there.

23 CHAIRPERSON PRICE: And that's a pretty high
24 turnover -- they come and go pretty --

25 MR. PALUMBO: They have a lot of people

1 coming in. They have a lot of doctors up there.

2 CHAIRPERSON PRICE: That's my only thought
3 that -- you know, to -- reducing impervious surface as
4 a way to increase greenspace and get it back -- if
5 you're code compliant and -- I guess, being code
6 compliant, we're not -- we don't want to end up with
7 people parking on the grass.

8 MR. PALUMBO: Right.

9 CHAIRPERSON PRICE: I'm not sure that's not
10 something we just watch over time. How do we track it
11 and --

12 MR. DiSTEFANO: I guess the question is, do
13 you meet coverage requirements now?

14 MR. RITCHIE: We do. We checked the Code in
15 terms of the lot coverage and they're not exceeding
16 even with these --

17 MR. DiSTEFANO: Do you know what that is off
18 the top of your head?

19 MR. TSVASMAN: I think it was 65 percent.

20 MR. DiSTEFANO: Greenspace? Or impervious?

21 MR. TSVASMAN: I thought that was the
22 coverage --

23 MR. DiSTEFANO: Because 65 percent is right
24 at the max number for the Town.

25 MR. TSVASMAN: Yeah. So I think they

1 referenced they were below that.

2 MR. RITCHIE: Yeah. We're at 55.3
3 percent -- and that's lot coverage -- where max
4 coverage is 65. And that's with the spaces that are
5 there today.

6 CHAIRPERSON PRICE: With the additional
7 spaces.

8 MR. RITCHIE: Correct.

9 CHAIRPERSON PRICE: So by doing it, you
10 didn't exceed. You just didn't get permission.

11 MR. PALUMBO: Yes. We're actually below it,
12 but we did not ask -- we did not get permission,
13 that's correct.

14 CHAIRPERSON PRICE: I'm looking for help.

15 MR. OSOWSKI: If they came here asking for
16 permission three years ago, we probably would have
17 given it to them with some landscaping trees and
18 whatnot. They are below the lot coverage. We are --

19 CHAIRPERSON PRICE: Yeah. But --

20 MS. BARON: I think another thing to
21 consider during the deliberations, didn't you mention
22 the Conservation Board asked for additional trees on
23 the east side not just the west side? So that's
24 something else you can consider as -- requiring as
25 well.

1 MR. DiSTEFANO: Yeah. I think --

2 MR. PALUMBO: We've already agreed to put in
3 all the trees that you're requesting.

4 MS. BARON: Okay. At the Conservation
5 Board?

6 MR. PALUMBO: Yes.

7 MS. BARON: Okay.

8 MR. DiSTEFANO: Yeah. I think we'll need to
9 see a revised landscaping plan with that in mind.

10 And, again, I think providing the vertical
11 greenspace will at least help the front and sides of
12 that building and the property.

13 CHAIRPERSON PRICE: All right. Any other
14 questions? Comments?

15 MR. TSVASMAN: It's not really my expertise,
16 but I was wondering the caliper of the trees, will
17 it -- you know, 15 years from now will that have an
18 impact on the parking spaces based like the root
19 growth?

20 MR. RITCHIE: So, I mean, the trees right
21 now are proposed to be planned to be 7 or 8 feet off
22 from the edge of the pavement.

23 I'm not a landscape architect. So I don't
24 know mature like spread as well. The plans say it'll
25 be about 30 to 40 feet, but I think that's kind of a

1 canopy spread. They're proposed to be planted between
2 a 2-and-a-half and a 3-inch caliber.

3 So they're red maple. So I wouldn't
4 imagine, you know, they're gonna -- the trunk won't
5 spread out into the parking lot. Obviously, the
6 branches will go out. And I don't know if red maples
7 are prone to growing really big and wide, but if that
8 is an issue, we can consider a different species.

9 MR. DiSTEFANO: Yeah. I think what would be
10 required is to have them have a landscape architect
11 take a look at it and, you know, pick a tree that's
12 going to work so that we're not tearing up the parking
13 lot. The owner doesn't want the parking lot to be
14 damaged.

15 CHAIRPERSON PRICE: It's a good tree.

16 MR. TSVASMAN: That's why I'm wondering.

17 MR. DiSTEFANO: Yeah. So on a revised
18 landscaping plan, they'll show us that -- you know,
19 their --

20 CHAIRPERSON PRICE: Tell Sarah or Emma that
21 Celebration Maples are good.

22 MR. RITCHIE: Celebration Maple.

23 CHAIRPERSON PRICE: And within five years
24 you'll have impact. You'll have good --

25 MR. RITCHIE: Yeah.

1 CHAIRPERSON PRICE: It will be noticeable
2 and it will provide shade.

3 Okay. Any other questions or comments? You
4 all set? Lauren?

5 MS. BARON: I'm good.

6 CHAIRPERSON PRICE: Okay. Stick around.
7 We'll only be a few minutes.

8 Everybody good time-wise? Okay. Let's go
9 back to the beginning.

10 (Public hearings concluded at 7:42 p.m.)

11 (Begin deliberations and decisions.)

12 **Application 3P-01-25**

13 Application of Thomas Fitzgerald, MRB Group,
14 agent, and JK Findings, owner, for Demolition Review
15 and Approval to raze a single-family home on property
16 located at 1530 Brighton Henrietta Town Line Road.

17 CHAIRPERSON PRICE: First application is
18 3P-01-25. I guess, do we have -- let's start with a
19 motion to close the public hearing.

20 MR. BABCOCK-STIENER: I move the public
21 hearing be closed for application 3P-01-25.

22 MS. SANGUINETTI: Second.

23 CHAIRPERSON PRICE: Moved and seconded.

24 Rick, do you mind calling the roll or --

25 MR. DiSTEFANO: I will call it if I can find

1 my sheet to call it with. There we go.

2 The motion is to close the public hearing.

3 (Mr. Price, aye; Mr. Osowski, aye;

4 Mr. Babcock-Stiner, aye; Ms. Sanguinetti,

5 aye; Mr. Tsvasman, aye.)

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

8 CHAIRPERSON PRICE: Thank you. Okay. Do we
9 have a motion to approve the application?

10 MR. DiSTEFANO: Table.

11 MS. BARON: So this one's to table because
12 we have to wait for HPC.

13 CHAIRPERSON PRICE: Oh.

14 MS. BARON: Yeah. So the Code --

15 CHAIRPERSON PRICE: We have to wait.

16 MS. BARON: The Code language requires you,
17 the Planning Board, to take into account whatever
18 decision the HPC made on the application.

19 MR. DiSTEFANO: Right. So keep the public
20 hearing closed and then just --

21 MS. BARON: I agree. We're not asking for
22 additional information. I don't think you're getting
23 any additional comments. So tabling it is fine.

24 MR. DiSTEFANO: And it will appear as old
25 business next month.

1 MR. BABCOCK-STIENER: I move we table the
2 public hearing for application 3P-01-25. No?

3 CHAIRPERSON PRICE: Can we just --

4 MR. BABCOCK-STIENER: Am I tabling the
5 decision? Because we --

6 MR. DiSTEFANO: You're just tabling the
7 application.

8 MS. BARON: Yeah. You're just tabling the
9 application.

10 MR. BABCOCK-STIENER: I move we table the
11 application 3P-01-25.

12 MS. SANGUINETTI: Second.

13 CHAIRPERSON PRICE: Moved and seconded. Any
14 conversation?

15 MS. SANGUINETTI: I have a question. So was
16 the decision that they were going to remove the
17 driveway and seed it after? I don't remember.

18 CHAIRPERSON PRICE: It's going to have to
19 come back.

20 MS. SANGUINETTI: It's going to have to come
21 back.

22 MR. DiSTEFANO: Yeah.

23 CHAIRPERSON PRICE: You guys will remember
24 that and then you'll include that as a condition.

25 MS. BARON: Yeah. And I think the applicant

1 also represented that it wasn't asphalt. It was a
2 dirt driveway as well. So I don't think --

3 MR. DiSTEFANO: We'll add it to -- have a
4 condition of approval for next --

5 MS. BARON: To topsoil and seed it.

6 MR. DiSTEFANO: We'll also talk about the
7 septic system, the septic tank, that kind of stuff,
8 when it comes back to us.

9 CHAIRPERSON PRICE: Okay. All right.
10 There's a motion and a second to table the
11 application. Rick, please call the roll.

12 (Mr. Price, aye; Mr. Osowski, aye;
13 Mr. Tsvasman, aye; Mr. Babcock-Stiner, aye;
14 Ms. Sanguinetti.)

15 (Upon roll motion to table carries.)

16 CHAIRPERSON PRICE: Thank you. Our next
17 application is 3P-02-25, 27 Tower Drive.

18 **Application 3P-02-25**

19 Application of Thomas Pschierer, agent, and
20 Tom Terry, owner, for Site Plan Modification to
21 install a standby emergency generator on property
22 located at 27 Tower Drive.

23 CHAIRPERSON PRICE: Okay. Let's be clear.
24 We'll just go with a -- do we have a motion to close
25 the public hearing?

1 MR. BABCOCK-STIENER: I move the public
2 hearing be closed for application 3P-02-25.

3 CHAIRPERSON PRICE: I'll second. Is there
4 any conversation?

5 Okay, Rick. Please call the roll.

6 MR. DiSTEFANO: Motion is to close the
7 public hearing.

8 (Mr. Price, aye; Mr. Osowski, aye;
9 Mr. Tsvasman, aye; Mr. Babcock-Stiner, aye;
10 Ms. Sanguinetti.)

11 (Upon roll motion to close the public
12 hearing carries.)

13 CHAIRPERSON PRICE: Thank you. Is there a
14 motion to approve the application?

15 MR. BABCOCK-STIENER: I move that the
16 Planning Board approves application 3P-02-25 for site
17 plan modification based on the testimony given, plans
18 submitted and the five conditions outlined in the
19 Planning Board report.

20 MS. SANGUINETTI: Second.

21 CHAIRPERSON PRICE: Moved and seconded. Is
22 there any discussion?

23 Rick, when you're ready, please call the
24 roll.

25 MR. DiSTEFANO: Yeah. Just one second. I

1 just wanted to make sure I didn't write anything down
2 as an additional condition. I did not.

3 Okay. The motion is to approve with the
4 conditions.

5 **Conditions:**

6 1. Meet all requirements of the Town of Brighton's
7 Department of Public Works.

8 2. All Monroe County comments, if any, shall be
9 addressed.

10 3. The entire building shall comply with the most
11 current New York State Uniform Fire Prevention and
12 Building Code.

13 4. All Town codes shall be met that relate directly
14 or indirectly to the applicant's request.

15 5. All necessary building permits and Fire Marshal
16 approvals shall be obtained.

17 (Mr. Price, aye; Mr. Osowski, aye;
18 Mr. Tsvasman, aye; Mr. Babcock-Stiner, aye;
19 Ms. Sanguinetti.)

20 (Upon roll motion to approve with
21 conditions carries.)

22 CHAIRPERSON PRICE: You're all set.

23 MR. PSCHIERER: Thank you.

24 CHAIRPERSON PRICE: Thank you. Good luck.

25 That brings us to application 3P-03-25, 2250

1 Brighton Henrietta Townline Road.

2 **Application 3P-03-25**

3 Application of Mike Ritchie, Costich
4 Engineering, agent, and 2250 Brighton Henrietta LLC,
5 owner, for Site Plan Modification to install 15
6 additional parking spaces on property located at 2250
7 Brighton Henrietta Town Line Road.

8 CHAIRPERSON PRICE: Okay. Is there a motion
9 to close the public hearing?

10 MR. BABCOCK-STIENER: I move the public
11 hearing be closed for application 3P-03-25.

12 MS. SANGUINETTI: Second.

13 CHAIRPERSON PRICE: Moved and seconded. Any
14 discussion? Rick, please call the roll.

15 (Mr. Price, aye; Mr. Osowski, aye;
16 Mr. Tsvasman, aye; Mr. Babcock-Stiner, aye;
17 Ms. Sanguinetti.)

18 (Upon roll motion to close the public
19 hearing carries.)

20 CHAIRPERSON PRICE: Okay. Want to make a
21 motion to approve the application?

22 MR. BABCOCK-STIENER: I move that the
23 Planning Board approves application 3P-03-25 for site
24 plan modification based on the testimony given, plans
25 submitted and the five conditions outlined in the

1 Planning Board report.

2 MS. BARON: So the only -- yeah. I was
3 going to say --

4 MR. DiSTEFANO: Do you want to say it? Did
5 you take it down?

6 MS. BARON: No, I didn't.

7 MR. DiSTEFANO: I would say to add condition
8 number 6, that a revised landscaping plan shall be
9 submitted to the Town Planning Department depicting
10 additional tree plantings as discussed.

11 MR. BABCOCK-STIENER: I add that sixth
12 condition as noted in the record.

13 MS. BARON: Do you want to add as proposed
14 by the Conservation Board.

15 MR. DiSTEFANO: I think just as discussed.

16 MS. BARON: Okay. That's fine.

17 CHAIRPERSON PRICE: All right. We have the
18 motion. Was that seconded?

19 MS. SANGUINETTI: Second.

20 CHAIRPERSON PRICE: All right. Now
21 seconded.

22 MR. DiSTEFANO: I'm sorry. You had the
23 motion to approve --

24 CHAIRPERSON PRICE: He made the motion.

25 MR. DiSTEFANO: Jason.

1 CHAIRPERSON PRICE: Clara seconded.

2 MR. DiSTEFANO: Okay. Motion to approve
3 with the conditions.

4 **Conditions:**

5 1. Address the comments of the Town of Brighton's
6 Department of Public Works.

7 A. Applicant shall respond in writing to
8 all comments of the Planning Board, Town
9 Engineer, and Building and Planning
10 Department

11 2. The applicant shall satisfy the requirements of
12 the Town Engineer including, but not limited to,
13 issues related to stormwater and drainage. For
14 specifics, please refer to the attached letter dated
15 3-13-2025.

16 3. Proposed trees shall be planted at 2.5 to 3 inches
17 in diameter and shall be a native species.

18 4. Monroe County comments, if any, shall be
19 addressed.

20 5. All Town codes shall be met that relate directly
21 or indirectly to the applicant's request.

22 6. A revised landscaping plan shall be submitted to
23 the Town Planning Department depicting additional tree
24 plantings as discussed.

25 (Mr. Price, aye; Mr. Osowski, aye;

1 Mr. Tsvasman, aye; Mr. Babcock-Stiner, aye;

2 Ms. Sanguinetti.)

3 (Upon roll motion to approve with conditions
4 carries.)

5 MR. RITCHIE: Thank you.

6 MR. PALUMBO: Thank you very much.

7 CHAIRPERSON PRICE: Good night. Thank you.

8 Okay. Let's hit the signs real quick.

9 **Signs:**

10 **Application Number: SN-25-7**

11 2747 West Henrietta Road

12 A 53 square foot LED internally illuminated sign
13 cabinet for Chick Magnet Fried Chicken

14 ARB Recommended approval as presented

15 **Application Number: SN-8-25**

16 1690 Monroe Avenue

17 An 8.47 square foot externally illuminated flat cut
18 .25" aluminum letter signs that are painted Spanish
19 gold for Redd Wood.

20 ARB Recommended approval as presented

21 MR. DiSTEFANO: I added a sign to your
22 agenda that you have in front of you, which was the
23 Citizens Bank -- do you want me to come up with these?

24 CHAIRPERSON PRICE: If you don't mind.

25 I move to approve applications SN5-25,

1 SN7-25, SN8-25 as recommended by the ARB.

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

3 CHAIRPERSON PRICE: Moved and seconded. We
4 just do an all-in-favor on this one, Rick.

5 MR. DiSTEFANO: Do you? All those in favor?

6 ALL BOARD MEMBERS: Aye.

7 MR. DiSTEFANO: Opposed?

8 All three signs have been approved.

9 (Proceedings concluded at 7:56 p.m.)

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REPORTER CERTIFICATE

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

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

Dated this 19th day of March, 2025
at Brighton, New York.



Holly E. Castleman ACR,
Official Court Reporter