

TOWN OF BRIGHTON PLANNING BOARD
AGENDA
MEETING OF APRIL 16, 2025
Temporary Location of Brighton Town Hall
680 Westfall Road (Empire State University), Room 159

Please Note: As of November 15, 2024, Town Hall is closed for renovation. Town offices and public meetings will take place at 680 Westfall Road during the approximately 18 month renovation project. Police, courts, and library will remain at 2300 Elmwood Avenue. Mail should continue to be addressed to 2300 Elmwood Avenue

Written comments may be submitted to Rick DiStefano, Senior Planner, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to rick.distefano@townofbrighton.org

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.

7PM Agenda Review with Town Staff and Planning Board Members

CHAIRPERSON: Call the meeting to order

SECRETARY: Call the roll

Approval of 3-19-2025 minutes

CHAIRPERSON & SECRETARY: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of 4-10-2025 will now be held.

PUBLIC HEARINGS:

Application Number: [4P-01-25](#)

OpenGov reference no: PB-25-6

2021 Winton Road South

Application of JSL / Jewish Home of Rochester, owner and Marathon Engineering, agent, for Site Plan Modification / Site Plan Approval to construct a 500 +/- sf fitness addition to an approved 90 unit apartment building on property located at 2021 Winton Road South.

Application Number: [4P-02-25](#)

OpenGov reference no: PB-25-8

Elmwood Avenue

Application of 293A Alden Road LLC, owner, Home Leasing, project agent, and Bryan Burri, Bergmann Engineers, for Final Site Plan Approval and Final EPOD (woodlot) Permit Approval to construct 120 units of affordable and supportive housing consisting of 7 Townhouse buildings (40 units) and a four story apartment building (80 units) on property located on the south side of Elmwood Avenue, adjacent to the City of Rochester municipal line, known as Tax ID #136.14-1-1.2 and #136.14-1-1.3.

Application Number: [4P-03-25](#)

OpenGov reference no: PB-25-10

2077 South Clinton Avenue

Application of Creative Ability Development, owner, and Landtech Surveying and Planning, agent, for Preliminary/Final Site Plan Approval to construct a 4,187 +/- sf building addition on property located at 2077 South Clinton Avenue.

NEW BUSINESS:

Application Number: [4P-NB1-25](#)

OpenGov reference no: PB-25-9

1285 East Henrietta Road

Application of Royal Group REM, LLC, owner, Birnbaum Companies, contract vendee, and MRB Group, agent, for Preliminary Site Plan Approval to construct a 3,200 +/- sf commercial building for use as a cannabis dispensary on property located at 1285 East Henrietta Road, known as Tax ID #149.18-2-2.

OLD BUSINESS:

Application Number: [3P-01-25](#)

OpenGov reference no: PB-25-1

1530 Brighton Henrietta Town Line Road

Application of Thomas Fitzgerald, MRB Group, agent, and JK Findings, owner, for Demolition Review and Approval to raze a single family home on property located at 1530 Brighton Henrietta Town Line Road. **TABLED AT THE MARCH 19, 2025 MEETING – PUBLIC HEARING CLOSED**

COMMUNICATIONS: NONE

PETITIONS: NONE

SIGNS:

The sign review application was reviewed by the ARB which recommended approval as presented

Application Number: [SN-9-25](#)

1900 South Clinton Road

3" deep individual Internally Illuminated LED channel letters for *Rochester Top Team*
ARB Recommended approval as presented

PLANNING BOARD REPORT

HEARING DATE: 4-16-2025

APPLICATION NO: 4P-01-25
OpenGov reference no: PB-25-06

LOCATION: 2021 Winton Road South

APPLICATION SUMMARY: Application of JSL / Jewish Home of Rochester, owner and Marathon Engineering, agent, for Site Plan Modification / Site Plan Approval to construct a 500 +/- sf fitness addition to an approved 90 unit apartment building on property located at 2021 Winton Road South.

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. The property hand 90 unit apartment building was reviewed and approved under application 9P-03-24.

The site is zoned Residential High Density 1 (RHD-1) and is subject to an Incentive Zoning agreement dating back to 1996, most recently modified by the Town Board on 7-10-2024.
2. A site plan drawing set and stormwater and utility memo (engineer's report) have been submitted.
3. The project was reviewed by the Architectural Review Board (ARB) on 3-25-2025 and approved as presented.
4. The project requires an area variance for the proposed carport structure, determined to be located in the front yard. The ZBA reviewed the variance application and granted the variance on 9-4-2024.
5. The project was referred to Monroe County. Monroe County provided comments dated 3-24-2025 (attached).

TOWN ENGINEER:

Ken Hurley, PE (ken.hurley@townofbrighton.org 585-784-5225)

1. The Town Engineer has reviewed the project. See attached comment letter.

SEWER DEPARTMENT:

Tim Jason (tim.jason@townofbrighton.org 585-784-5289)

No Comments

CONSERVATION BOARD:

Advisory comments

No comments.

ENVIRONMENTAL REVIEW/SEQR

Pursuant to the State Environmental Quality Review Act (SEQRA), the Town Board conducted an environmental review and adopted a negative declaration associated with the Incentive Zoning modification on 7-10-2024. No further environmental review is required.

BOARD ACTION/DECISION

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Assistant Town Engineer, Building and Planning Department, and Fire Marshall.
2. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
3. All Town codes shall be met that relate directly or indirectly to the applicant's request.
4. Monroe County comments shall be addressed.
5. The project shall be constructed in accordance with the design approved by the ARB and the final site plan drawing set.
6. All necessary building permits and other required Town permits shall be obtained prior to construction.



Public Works Department

Ken Hurley, P.E.
Town Engineer

April 14, 2025

Marathon Engineering
Attention: Matt Tomlinson
39 Cascade Drive
Rochester, NY 14614

RE: Jewish senior Life – Moderate Income IL Modified Site Plan
2021 S. Winton Road

Dear Mr. Tomlinson,

The Engineering Department has reviewed the above reference Site Plan submitted for approval. We have found your submission to satisfactorily address the engineering requirements of the Town of Brighton.

Our engineering review is completed. Upon completion of the following, the Town will provide signatures on the plans.

- All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
- Completion of all Town of Brighton Department reviews and requirements to be obtained, including Planning, Architectural, Fire, Building Inspector, and the Sewer Departments.

Upon receipt of the above approval notifications, mylar drawings shall be submitted to the Town of Brighton DPW for signature. Once the drawings are signed, the Town will notify the applicant or project engineer who will then be required to provide three paper copies of the signed plans to the Town for their records.

In addition, the following information must be completed prior to starting construction.

- The applicant shall request and attend a preconstruction meeting to be held at the Town of Brighton DPW.
- All fees must be paid in full.

Please direct any questions or comments to my attention.

Sincerely,

Ken Hurley, P.E.
Department of Public Works
Cc: Rick DiStefano, Town of Brighton
Jason Haremza, Town of Brighton



Department of Planning & Development Monroe County, New York

Adam J. Bello
County Executive

Ana J. Liss
Director

To: Town of Brighton Planning Board
From: Yixuan Lin, Senior Planner *yl*
Date: March 24, 2025
Subject: JSL Moderate Income Fitness Addition
2021 S Winton Rd, Rochester 14618
MCDP&D Response to Development Review Referral (BH25006)

RECEIVED
APR 11 2025

**TOWN OF BRIGHTON
BUILDING & PLANNING**

Review Authority and Response:

General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment
 Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment

County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval
 Section C5-4.C (Advisory Review)
 Comment No Comment

Previously Reviewed by MCD&P (if yes, previous referral response applies to this referral):

Yes No

Referred to the Development Review Committee (DRC)(If yes, DRC Project Review Report attached):

Yes No

MCDP&D Comments:

1. The Monroe County Department of Planning and Development has reviewed this application and does not have any comment. Please refer to the attached Project Review Report for the complete list of Development Review Committee comments.

If you have any questions regarding this review, please contact me at 585-753-2026 or YixuanLin@monroecounty.gov.

xc: Development Review Committee
Carly Zecher, Jewish Senior Life
Matt Tomlinson, Marathon Engineering
Monroe County Planning & Development

Subject: Attachment to File BH25006
JSL Moderate Income Fitness Addition
2021 S Winton Rd, Rochester 14618

The Monroe County Development Review Committee (DRC) has reviewed the subject application and have the following comments that need to be addressed prior to submission of final plans for approval.

Monroe County Department of Health (MCDOH), Contact Brett Gobe (585-753-5459) with questions.

1. Plan Approval by the Monroe County Department of Public Health NOT required.

Monroe County Department of Transportation (MCDOT), Contact John Raymond (753-7711) with questions.

1. MCDOT has reviewed this application and does not have any comment.

Monroe County Department of Environmental Services (MCDES), Division of Pure Waters, Contact Richard Bianchi (753-7614) with questions.

1. Please be advised that Monroe County Pure Waters (MCPW) must review and approve plans for any site development / new construction in the **"Irondequoit Bay South Central Pure Waters District"**.
2. Plan resides within our **'Irondequoit Bay South Central Pure Waters District'** - formal Plans to be sent to MCPW. Engineer to complete the PW-2 abbreviated form. Monroe County Industrial Waste Division will need to see that grease trap or oil/water separator is included within the design of this project - *(if deemed necessary)*. They will ask for - A.) Interior plumbing plans. B.) Manufacturer cut-sheet(s) for separator. C.) Sizing calculations for any grease trap or oil/water separator.

PW-2 Forms can be downloaded at:

<https://www.monroecounty.gov/des-pw2-forms>

3. Once the plans are received from the Engineer, it will be logged and reviewed by Pure Waters as a Master Plan / Capacity Stamp review. The stamp block must be added to the utility plan. The block must be minimum 4.0" tall by 3.5" wide to accommodate the stamp. The title outside of the block should be **"Irondequoit Bay South Central Pure Waters District."**
4. This project falls within the **"Irondequoit Bay South Central Pure Waters District"**. The applicant will need to submit a PW-2 application with their submittal (PW-2 form attached).

PW-2 Forms can be downloaded at:

<https://www.monroecounty.gov/des-pw2-forms>

Please send the filled PW-2 form to Rich Bianchi via email at RBianchi@MonroeCounty.gov

New York State Department of Transportation (NYSDOT), Contact Zachary Starke (272-3472) with questions.

1. NYSDOT has reviewed this application and does not have any comment.

PLANNING BOARD REPORT

HEARING DATE: 4-16-2025

APPLICATION NO: 4P-02-25

OpenGov reference no: PB-25-08

LOCATION: Elmwood Avenue, adjacent to the City of Rochester municipal line, known as Tax ID #136.14-1-1.2 and #136.14-1-1.3

APPLICATION SUMMARY: Application of 293A Alden Road LLC, owner, Home Leasing, project agent, and Bryan Burri, Bergmann Engineers, for Final Site Plan Approval and Final EPOD (woodlot) Permit Approval to construct 120 units of affordable and supportive housing consisting of 7 Townhouse buildings (40 units) and a four story apartment building (80 units) on property located on the south side of Elmwood Avenue, adjacent to the City of Rochester municipal line, known as Tax ID #136.14-1-1.2 and #136.14-1-1.3.

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. The parcels under review make up the Brighton portion of the former Rochester Psychiatric Center site, sold by the State of New York to the applicant sometime between 2010 and 2015.

The bulk of the former state hospital site, including the 16-story Terrence Building, immediately to the west of the project site, is located over the town line in the City of Rochester.

2. The internal private (although publicly accessible) road network, including the street that will serve this project under review by the Town of Brighton, were approved by the City of Rochester as incremental development within Planned Development (PD) #18 on 9-14-2023 (attached for reference). This approval expired 9-14-2024 but was extended so the 9-14-2023 approval remains valid.

Careful and ongoing coordination between the Town of Brighton review processes and the City of Rochester review processes is necessary to create an efficient, cohesive development. This is especially critical since substantial vehicular traffic and nearly all the pedestrian access for the 9.88 acre Brighton portion will pass through the City.

3. The site is zoned Residential High Density 2 (RHD-2) and is subject to an Incentive Zoning agreement adopted by the Town Board on 10-9-2024. The Planning Board issued an advisory report to the Town Board dated 6-20-2024.
4. A survey map, site plan drawing set, architectural drawing set, tree survey, lighting spec sheet, project monument sign, and preliminary stormwater pollution prevention plan (SWPPP) have been submitted.
5. All dwelling units (apartments and town houses) will be rental units. The applicant

should provide information on the disposition of the two current parcels. Will they be combined or have the line between them adjusted?

6. The applicant should provide more information on project phasing, both the Brighton portion under this review and the relevant portions of the city portion, including but not limited to the phasing as it pertains to the road network construction and access to the Brighton portion.
7. The project was reviewed by the Architectural Review Board (ARB) on the 2-25-2025. The Board approved the projects with conditions.
8. The applicant is encouraged to work with Town planning staff regarding the refinement of the proposed landscaping (see also Conservation Board advisory comments). There is a balance between buffering the trail from the adjacent residential uses and allowing some visibility so that trail users do not feel completely isolated.

Regarding landscaping on the city side of the line: the proposed new street visually aligns with the southern end of Goodman Street, but requires a sharp turn to the right for vehicles to connect to Elmwood Avenue. A recommendation to the applicant and our colleagues and neighbors in the City of Rochester is to require suitable landscaping/hardscaping at this location to prevent inattentive or errant motorists, either north or southbound, from following the visual continuation of the street and mounting the curb and sidewalk.

9. Preliminary Site Plan and EPOD Permit approval was granted for this project on February 19, 2025.
10. Additional mitigation was provided for the loss of trees within the Woodlot Environmental Protection Overlay District (EPOD).
11. The permanent project sign will require ARB and Planning Board approvals and may also require zoning variances.
12. The playground area has been detailed on the site plans.

TOWN ENGINEER:

Ken Hurley, PE (ken.hurley@townofbrighton.org 585-784-5225)

1. The Town Engineer has reviewed the project. See attached comment letter.

SEWER DEPARTMENT:

Tim Jason (tim.jason@townofbrighton.org 585-784-5289)

1. Sewer permit required = must be obtained by a licensed plumber
2. Check depths for sewer/water crossings
3. Maintain a minimum of 4 ft of coverage throughout
4. Town of Brighton detail sheets
5. Garage drainage must tie into the sanitary sewer
6. Must maintain 18" separation between sewer and water

CONSERVATION BOARD:*Advisory comments*

1. Consider planting a native species of tree which is larger at maturity than what is proposed in the area adjacent to Elmwood Avenue and the playground area.
2. All other previous comments appear to have been adequately addressed.

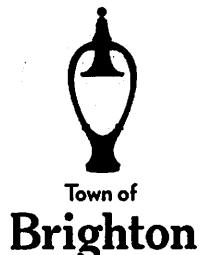
ENVIRONMENTAL REVIEW/SEQR

Environmental Review pursuant to the New York State Environmental Quality Review Act was conducted by the City of Rochester in 2017 and a Negative Declaration was issued. As the Brighton portion of the project remains substantially the same, it is consistent with the 2017 Environmental Determination.

BOARD ACTION/DECISION

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Town Engineer, Building and Planning Department, and Fire Marshal.
2. The applicant shall satisfy the requirements of the Town Engineer. For a complete list of specific requirements, please refer to the attached memo dated 2-16-2024.
3. The applicant shall abide by all conditions set forth in the Incentive Zoning Resolution adopted on October 24, 2024.
4. Monroe County comments, if any, shall be addressed.
5. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
6. All Town codes shall be met that relate directly or indirectly to the applicant's request.
7. The project shall be constructed in accordance with the drawings submitted to date or any subsequent revisions to reflect final town staff requirements.



Public Works Department

Ken Hurley, P.E.
Town Engineer

April 14, 2025

Bergmann
Attention: Brian Burri
280 East Broad Street, Suite 200
Rochester, NY 14604

RE: Proposed Townhouse Development
0 Elmwood Avenue

Dear Mr. Burri,

The Engineering Department has reviewed the above reference Site Plan and support data submitted for approval. We have found your submission to satisfactorily address the engineering requirements of the Town of Brighton.

Our engineering review is completed. Upon completion of the following, the Town will provide signatures on the plans.

- All easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. The liber and page must be noted on the site plans prior to final signature. If appropriate, all easements will have to be noted upon the resub map (with ownership, purpose and liber/page) prior to the site or subdivision plans being signed by the DPW.
- A letter of credit estimate shall be submitted to the Town for review and approval. The letter of credit estimate must be approved by the Town before the Town signs the plans.
- The owner of the site must execute a maintenance easement agreement that shall be binding on all subsequent owners of land served by the stormwater management facility. The agreement shall be filed at the Monroe County Clerk's office. Proof of filing must be provided.
- All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
- The proposed access road located in the City of Rochester shall be constructed prior to issuance of building permits for all buildings located within the Town of Brighton that require access to said road.
- Completion of all Town of Brighton Department reviews and requirements to be obtained, including Planning, Architectural, Fire, Building Inspector, and the Sewer Departments.

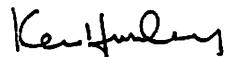
Upon receipt of the above approval notifications, mylar drawings shall be submitted to the Town of Brighton DPW for signature. Once the drawings are signed, the Town will notify the applicant or project engineer who will then be required to provide three paper copies of the signed plans to the Town for their records.

In addition, the following information must be completed prior to starting construction.

- The applicant shall request and attend a preconstruction meeting to be held at the Town of Brighton DPW.
- An original Letter of Credit must be received by the Town prior to construction and the issuance of a building permit.
- All applicable required permits from the jurisdictional agencies including but not limited to: the Town Highway Department, Town Sewer Department, MCWA, MCPW, New York State Department of Transportation, Monroe County Department of Transportation and NYSDEC, (SWPPP) shall be obtained prior to starting work.
- All fees must be paid in full.

Please direct any questions or comments to my attention.

Sincerely,



Ken Hurley, P.E.
Department of Public Works

Cc: Rick DiStefano, Town of Brighton
Jason Haremza, Town of Brighton



Department of Planning & Development Monroe County, New York

Adam J. Bello
County Executive

Ana J. Liss
Director

To: Town of Brighton Planning Board

From: Steven Olufsen, Planner 2 *SO*

Date: January 8, 2025

Subject: Brighton Townhouses
0 Elmwood Avenue, Brighton 14618
MCDP&D Response to Development Review Referral (BH24025)

RECEIVED
JAN 14 2025
TOWN OF BRIGHTON
BUILDING & PLANNING

Review Authority and Response:

General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment
 Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment

County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval
 Section C5-4.C (Advisory Review)
 Comment No Comment

Previously Reviewed by MCD&P (if yes, previous referral response applies to this referral):

Yes No

Referred to the Development Review Committee (DRC)(If yes, DRC Project Review Report attached):

Yes No

MCDP&D Comments:

1. As the population of older adults increases, it is important to design age-friendly spaces that preserve safety and dignity for all. Age-friendly design supports a healthier community by promoting independence and equitable access to services and community spaces.

Creating an age-friendly environment helps people navigate their communities more comfortably and safely and is good for local economies. According to an AARP study (2019), Americans aged 50 and older contributed \$8.3 trillion to the U.S. economy in 2018. The contribution was so significant that Americans 50 and older would be the world's third-largest economy if they were counted as their own country.

When designing indoor and outdoor spaces, it is important to consider the perspective of individuals of all ages, disabilities, and backgrounds to create a more inclusive space. Please consider including these age-friendly design elements wherever possible:

1. Signage: Concise, clear messaging positioned at short intervals is a good practice, whenever possible. Usage of visual supports, such objects, photographs, or pictures help individuals with limited literacy skills and cognitive disabilities.
2. Rest areas: Provide ample seating for those who need to rest. Add age-friendly seating with appropriate seat heights, angles, and armrests, both indoors and outdoors, wherever possible.
3. Other age-friendly considerations include:

CityPlace 50 West Main Street • Suite 1150 • Rochester, New York 14614
(585) 753-2000 • fax: (585) 753-2002 • www.monroecounty.gov • e-mail: mcplanning@monroecounty.gov

- Non-slip walking surfaces
- Escalators and elevators, and adequate stairway railings
- Entry ramps for mobility devices, such as wheelchairs and walkers
- Safe pedestrian crossings for navigating traffic, including well-timed crosswalks
- Inclusive public parks and recreation spaces that support physical, social, and educational activities for people of all ages and abilities
- Support for healthy eating and nutrition through farmers' markets and community gardens
- Well-lit, predictably designed spaces, including walkways, trails, and buildings, to enhance navigation, wayfinding, and safety for individuals with visual and cognitive impairments

2. As Monroe County drivers' transition to electric vehicles ("EV") there is increasing need for charging facilities. EVs drivers currently need a mix of at home charging and on-the-go charging facilities - these come in the form of different level chargers that correspond with charging speed. Site developers of commercial spaces, both private and open to the public should consider whether EV chargers are complementary additions to new developments or redevelopments. Site developers can make investments in charging facilities ranging from ev-capable (lowest cost), ev-ready, to ev-installed (highest cost). for more information, visit: www.epa.gov/statelocalenergy/introduction-electric-vehicle-ready-buildings. Retrofitting the same ev-investments costs 4-6-times as much. Rochester Gas & Electric recognizes the need to grow charging facilities across the region and has a program to help property owners add EV charging facilities. Their EV Charger Make Ready Program can help property owners cover costs related to installation of EV chargers. Learn more at: <https://www.rge.com/smarterenergy/electricvehicles/ev-charger-make-ready-program>. For information on charging best-practices for EV owners and property owners' visit: <https://www.nyserda.ny.gov/All-Programs/ChargeNY/Charge-Electric>.

3. The subject parcel is within 500 feet of the City of Rochester's municipal boundary. The clerk of the board should provide written notice to the neighboring municipality in accordance with General Municipal Law 239-nn.

4. The subject parcel is located adjacent to Highland Park - Canalway Trail Connection. The board may wish to consider the site's relationship to the trail, the potential impact of the development on the trail, whether this would be an appropriate location for a connection to the trail, or landscaping that screens the site from the trail.

5. Applicants are encouraged to contact other County Departments and non-county agencies to ensure all permitting requirements for this project have been satisfied.

6. According to the New York State Department of Environmental Conservation (NYS DEC) and the United States Geological Survey National Hydrography Dataset (USGS NHD) it appears a portion of a stream is located on the subject property. Streamside, sometimes called riparian zones or stream corridors, are the link between land and water, and the health of streams depends in large part on the condition of the streamside. Research has shown that naturally vegetated corridors along streams provide numerous benefits essential for human health and welfare. Healthy stream corridors can reduce flooding downstream; trap sediment; remove dissolved contaminants; provide shade; contribute leaf matter (important for insect food and fish habitat); provide wildlife habitat; offer recreational opportunities; and increase aesthetic value and desirability of a property.

In order to protect the stream corridor, mitigate potential flood impacts on downstream properties and prevent contaminants from entering the stream consider the following:

- Maintain a healthy, vegetated streamside buffer by preserving trees and shrubs along the stream edge.
- Limit tree cutting to removal of large branches that fall into the stream and divert streamflow and cause erosion.
- Minimize channelized storm flows through the streamside buffer to filter contaminants and reduce erosion.
- Reduce impervious areas near the streamside and, where necessary, use stone or brick instead of pavement and concrete for driveways and walkways.
- Exclude vehicles, livestock, or excessive pedestrian traffic.
- Reduce or eliminate buffer area exposure to fertilizer, herbicides, pesticide, animal waste, household and automotive chemicals, trash, debris, and piles of leaf litter.
- Maintain septic systems.

7. According to the New York State Department of Environmental Conservation (NYS DEC) classification of fresh surface waters the segment of 846-59 located on this site is a protected waterway. The Protection of Waters Program regulates the following activities: disturbance of the bed or banks of a protected stream or other watercourse, construction and maintenance of dams, excavation and/or filling in navigable waters, and construction of docks and other moorings. Any disturbance of the streambed or banks may require an Article 15 Permit from the DEC. For additional information regarding the need for a permit, the applicant should contact: NYS DEC Permit Administrator, (585) 226-5400

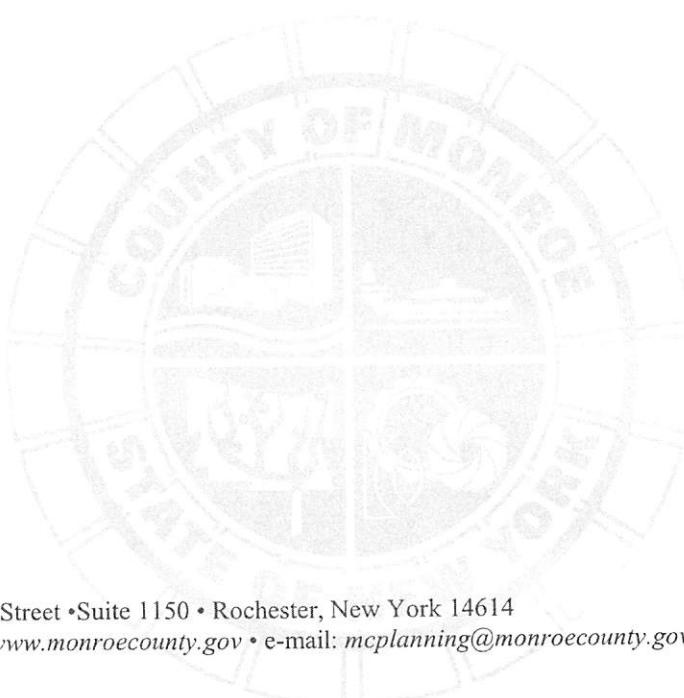
8. According to the New York State Department of Environmental Conservation (NYS DEC) Freshwater Wetland Map this site may contain a portion of Wetland BR-10 or its adjacent area. The official wetland boundary must be determined by the NYS DEC due to the fact that the Freshwater Wetland Map indicates the approximate location of the freshwater wetland boundary. The applicant may need to obtain an Article 24 Permit from the NYS DEC. For further information regarding the need for a permit, the applicant should contact: NYS DEC Permit Administrator, (585) 226-5400

9. According to the National Wetland Inventory (NWI) maps prepared by the United States Department of Interior, this site appears to contain a portion of a federal wetland that is classified as PFO1E. Although a buffer area is not required, it is

beneficial to the wetland if a natural buffer of 100 feet is left around it. In addition, please note that, while the NWI maps are based upon aerial photography and not field data, they are a strong indicator that wetlands regulated by the U.S. Army Corps of Engineers (Corps) may exist on your project site. Final verification of the location of federal wetlands can only be determined through an on-site delineation. The applicant may need to obtain a permit from the Corps. For further information regarding the need for a permit, the applicant should contact: Buffalo District Regulatory Office, (716) 879-4330

If you have any questions regarding this review, please contact me at 585-753-2027 or SOlufsen@monroecounty.gov.

xc: Development Review Committee
293 A Alden Road, LLC
Bergmann - Brian Burri
New York State Department of Environmental Conservation
Buffalo District Regulatory Office, United States Army Corps of Engineers
Monroe County Planning & Development



CityPlace 50 West Main Street • Suite 1150 • Rochester, New York 14614
(585) 753-2000 • fax: (585) 753-2002 • www.monroecounty.gov • e-mail: mcplanning@monroecounty.gov

Subject: Attachment to File BH24025
Brighton Townhouses
0 Elmwood Avenue, Brighton 14618

The Monroe County Development Review Committee (DRC) has reviewed the subject application and have the following comments that need to be addressed prior to submission of final plans for approval.

Monroe County Department of Health (MCDOH), Contact Brett Gobe (585-753-5459) with questions.

1. The proposed project may require a backflow preventer. An engineer's report shall be submitted to the supplier of water to determine the degree of hazard and the need for backflow prevention.
2. Plans for proposed backflow preventer(s) must be submitted to and approved by the supplier of water and the Monroe County Department of Public Health prior to installation.
3. Plans for any extension or relocation of water main or sanitary sewer must be submitted to and approved by the Monroe County Department of Public Health.

Monroe County Department of Transportation (MCDOT), Contact John Raymond (753-7711) with questions.

1. The Monroe County Geodetic Survey Monumetation Network provides the framework for all positioning activities (latitude, longitude, elevation) in Monroe County. In order to preserve geodetic survey monuments, the location of monuments in the vicinity of the project should be evaluated. It is the responsibility of the Developer to see if a monument is in or near the work area by utilizing the [Monroe County GIS Interactive Map Gallery GPS Base Stations & Survey Monuments map](#); plotting the location of any monuments within the proposed construction area and by e-mailing full site plans and a request for review to the County Surveyor, at gregorybly@monroecounty.gov. A security deposit and a survey monument monitoring report may be required to protect any monumentation located in or near the work area. Contact Gregory D. Bly, PLS, at (585) 753-1156 if you have questions.

Confirm there will be no construction in the Monroe County ROW by calling John Raymond at 753-7711.

Monroe County Department of Environmental Services (MCDES), Division of Pure Waters, Contact Richard Bianchi (753-7614) with questions.

1. Please be advised that Monroe County Pure Waters (MCPW) must review and approve plans for any site development / new construction in the **"Irondequoit Bay South Central Pure Waters District"**.
2. Once the plans are received from the Engineer, it will be logged and reviewed by Pure Waters as a Master Plan / Capacity Stamp review. The stamp block must be added to the utility plan. The block must be minimum 4.0" tall by 3.5" wide to accommodate the stamp. The title outside of the block should be **"Irondequoit Bay South Central Pure Waters District."** All easements to The District to be pursued & no encroachment upon said easement to be tolerated by The District.
3. This project falls within the **"Irondequoit Bay South Central Pure Waters District"**. The applicant will need to submit a PW-2 application with their submittal (PW-2 form attached).

PW-2 Forms can be downloaded at:

<https://www.monroecounty.gov/des-pw2-forms>

Please send the filled PW-2 form to Rich Bianchi via email at RBianchi@MonroeCounty.gov

New York State Department of Transportation (NYSDOT), Contact Zachary Starke (272-3472) with questions.

1. This project was not sent to New York State Department of Transportation for review. Applicants should verify with this agency that they do not have jurisdictional requirements for this project.

PLANNING BOARD REPORT

HEARING DATE: 4-16-2025

APPLICATION NO: 4P-03-25

OpenGov reference no: PB-25-10

LOCATION: 2077 South Clinton Avenue

APPLICATION SUMMARY: Application of Creative Ability Development, owner, and Landtech Surveying and Planning, agent, for Preliminary/Final Site Plan Approval to construct a 4,187 +/- sf building addition on property located at 2077 South Clinton Avenue.

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. The property consists of a 3,345 sf music school with 47 parking spaces. The property is zoned BE-1 Office and Office Park, a use variance was granted in 1999 allowing for the use as a music school.
2. The proposed addition (long with along with a parking lot expansion and subdivision approval was granted in 2016. The construction of the parking lot as a standalone project was approved in 2018.
3. The proposed addition is virtually the same as was previously approved.
4. Front setback and side setback variances are required to approve the project. The applicant received ZBA approval at the April 2, 2025 meeting.
5. A site plan drawing set has been submitted.
6. The project was referred to Monroe County. Monroe County provided comments dated 4-08-2025 (attached).
7. The project was reviewed by the Architectural Review Board (ARB) on 2-25-2025 and was approved with conditions.

TOWN ENGINEER:

Ken Hurley, PE (ken.hurley@townofbrighton.org 585-784-5225)

1. The Town Engineer has reviewed the project. See attached comment letter.

SEWER DEPARTMENT:

Tim Jason (tim.jason@townofbrighton.org 585-784-5289)

- Sewer permit required = must be obtained by a licensed plumber
- Maintain a minimum of 4 ft of coverage throughout
- Town of Brighton detail sheets

CONSERVATION BOARD:

Advisory comments

1. Add additional Autumn Blaze tree plantings to the southwest portion of the property along Havens Road.

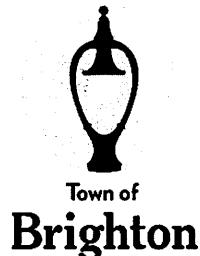
ENVIRONMENTAL REVIEW/SEQR

This project has been classified by the Town of Brighton as an Unlisted Action. A short Environmental Assessment Form (EAF) was submitted. Review of the EAF is ongoing and a draft environmental determination is pending.

BOARD ACTION/DECISION

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Assistant Town Engineer, Building and Planning Department, and Fire Marshall.
2. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
3. All Town codes shall be met that relate directly or indirectly to the applicant's request.
4. Additional street trees shall be planted along Havens Road as recommended by the Conservation Board.
5. Monroe County comments shall be addressed.
6. The project shall be constructed in accordance with the design approved by the ARB and the final site plan drawing set.
7. Any business identification signage shall require all necessary town review and approvals. The monument sign shown on the plans will require variances from the Zoning Board of Appeals.
8. All necessary building permits and other required Town permits shall be obtained prior to construction.



Public Works Department

Ken Hurley, P.E.
Town Engineer

April 14, 2025

Land Tech Surveying & Planning
Attention: John Sciarabba
1105 Ridgeway Avenue
Rochester, NY 14615

RE: Kanack Music Site Plan
2077 South Clinton Road

Dear Mr. Sciarabba,

The Engineering Department has reviewed the above referenced Site Plan dated 3/07/25 for approval. We have compiled a list of comments from our review and have provided as follows:

Site Plan

- Please provide an additional 18" width for the proposed sidewalk (6.5' min.) or utilize parking bumpers for the parking spaces that are adjacent to the proposed sidewalk in order to allow for vehicle overhang along the sidewalk. Please note or dimension the proposed sidewalk width.
- The Town of Brighton does not allow for open cutting for utility service installations. Please provide a note that states, "No open cutting of Havens Road is permitted" and note that sanitary service installation shall be by directional drilling or boring.

Demolition Plan

- No comments

Grading/ESC Plan

- Please shift the proposed silt fence along the western property line to include all of the proposed uphill grading.
- Show construction entrance location or note that existing pavement will be utilized as a construction entrance and that the Contractor shall be responsible for daily maintenance/cleaning and to ensure that no sediment/dirt/debris is tracked off of the property.
- Please show the proposed sanitary lateral and associated erosion/sediment controls.
- Please show the location of the proposed concrete washout.

Construction Details

- It does not appear that the site plan proposes new pavement. Please remove parking section detail if applicable.

- Please remove the lawn parking detail or indicate that this work is proposed on the site plan.
- Please provide a sidewalk detail to the plans.

This concludes the engineering comments for the materials submitted. Additional comments may be forthcoming based on review of the provided responses.

Please direct any questions or comments to my attention.

Sincerely,



Ken Hurley, P.E.

Department of Public Works

Cc: Rick DiStefano, Town of Brighton

Jason Haremza, Town of Brighton



Department of Planning & Development Monroe County, New York

Adam J. Bello
County Executive

Ana J. Liss
Director

To: Town of Brighton Zoning Board

From: Yixuan Lin, Senior Planner *yl*

Date: April 8, 2025

Subject: Kanack School of Music
2077 S Clinton Ave, Rochester 14618
MCDP&D Response to Development Review Referral (BH25007)

RECEIVED
APR 11 2025

TOWN OF BRIGHTON
BUILDING & PLANNING

Review Authority and Response:

General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment
 Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment

County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval
 Section C5-4.C (Advisory Review)
 Comment No Comment

Previously Reviewed by MCD&P (if yes, previous referral response applies to this referral):

Yes No

Referred to the Development Review Committee (DRC)(If yes, DRC Project Review Report attached):

Yes No

MCDP&D Comments:

1. This site is located within the approach-departure corridor of Runway 28 but is outside the area designated as having high aircraft crash hazard potential. Airport approval has been granted for this application.
2. This site is located within the (one mile or approach / departure corridor) of the Greater Rochester International Airport. Airport approval has been granted for this application with the following condition: As per Federal Aviation Administration requirements, the proposed project should develop stormwater management measures including positive edge detail (examples large stone or wire) designed to minimize the congregation of birds from stormwater basins. The applicant should contact Allison Lia at the Greater Rochester International Airport if they have any questions or would like additional information.

Allison Lia
Greater Rochester International Airport
1200 Brooks Avenue
Rochester NY, 14624
Phone: 585-753-7109
Email: allisonlia@monroecounty.gov

3. Applicants are encouraged to contact other County Departments and non-county agencies to ensure all permitting requirements for this project have been satisfied.
4. According to the New York State Department of Environmental Conservation (NYS DEC) and the United States CityPlace 50 West Main Street • Suite 1150 • Rochester, New York 14614
(585) 753-2000 • fax: (585) 753-2002 • www.monroecounty.gov • e-mail: mcplanning@monroecounty.gov

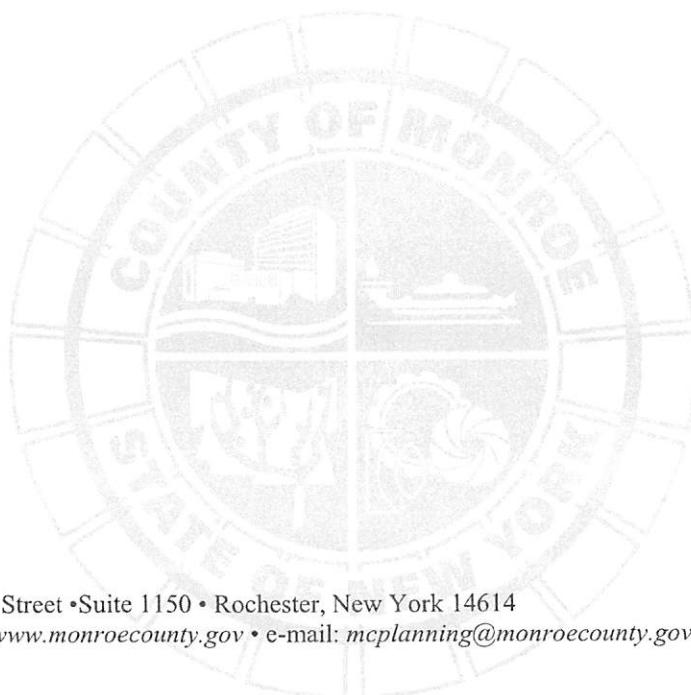
Geological Survey National Hydrography Dataset (USGS NHD) it appears a portion of a stream is located on the subject property. Streamside, sometimes called riparian zones or stream corridors, are the link between land and water, and the health of streams depends in large part on the condition of the streamside. Research has shown that naturally vegetated corridors along streams provide numerous benefits essential for human health and welfare. Healthy stream corridors can reduce flooding downstream; trap sediment; remove dissolved contaminants; provide shade; contribute leaf matter (important for insect food and fish habitat); provide wildlife habitat; offer recreational opportunities; and increase aesthetic value and desirability of a property.

In order to protect the stream corridor, mitigate potential flood impacts on downstream properties and prevent contaminants from entering the stream consider the following:

- Maintain a healthy, vegetated streamside buffer by preserving trees and shrubs along the stream edge.
- Limit tree cutting to removal of large branches that fall into the stream and divert streamflow and cause erosion.
- Minimize channelized storm flows through the streamside buffer to filter contaminants and reduce erosion.
- Reduce impervious areas near the streamside and, where necessary, use stone or brick instead of pavement and concrete for driveways and walkways.
- Exclude vehicles, livestock, or excessive pedestrian traffic.
- Reduce or eliminate buffer area exposure to fertilizer, herbicides, pesticide, animal waste, household and automotive chemicals, trash, debris, and piles of leaf litter.
- Maintain septic systems.

If you have any questions regarding this review, please contact me at 585-753-2026 or YixuanLin@monroecounty.gov.

cc: Development Review Committee
Alice Kanack - Director, Creative Ability Development, Inc
Allison Lia, Monroe County Aviation
Monroe County Planning & Development



PROJECT REVIEW REPORT
Monroe County Development Review Committee

April 8, 2025

Subject: Attachment to File BH25007
Kanack School of Music
2077 S Clinton Ave, Rochester 14618

The Monroe County Development Review Committee (DRC) has reviewed the subject application and have the following comments that need to be addressed prior to submission of final plans for approval.

Monroe County Department of Health (MCDOH), Contact Brett Gobe (585-753-5459) with questions.

1. The proposed project may require a backflow preventer. An engineer's report shall be submitted to the supplier of water to determine the degree of hazard and the need for backflow prevention.
2. Plans for proposed backflow preventer(s) must be submitted to and approved by the supplier of water and the Monroe County Department of Public Health prior to installation.
3. Plans for any extension or relocation of a water main must be submitted to and approved by the Monroe County Department of Public Health.

Monroe County Department of Transportation (MCDOT), Contact John Raymond (753-7711) with questions.

1. MCDOT has reviewed this application and does not have any comment.

Monroe County Department of Environmental Services (MCDES), Division of Pure Waters, Contact Richard Bianchi (753-7614) with questions.

1. This project was not sent to Monroe County Environmental Services for review. Applicants should verify with this agency that they do not have jurisdictional requirements for this project.

New York State Department of Transportation (NYSDOT), Contact Zachary Starke (272-3472) with questions.

1. This project was not sent to New York State Department of Transportation for review. Applicants should verify with this agency that they do not have jurisdictional requirements for this project.



PLANNING BOARD REPORT

HEARING DATE: 4-16-2025

APPLICATION NO: 4P-NB1-25
OpenGov reference no: PB-25-09

LOCATION: 1285 East Henrietta Road, known as Tax ID #149.18-2-2

APPLICATION SUMMARY: Application of Royal Group REM, LLC, owner, Birnbaum Companies, contract vendee, and MRB Group, agent, for Preliminary Site Plan Approval to construct a 3,200 +/- sf commercial building for use as a cannabis dispensary on property located at 1285 East Henrietta Road, known as Tax ID #149.18-2-2.

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. The parcels is zoned IG – Light Industrial District. Previously the site has housed a gas station and an MCC Technology center. The previous building was razed a few years ago.
2. The project site is .92 acres.
3. The parcel has multiple front yards.
4. Proposed for the site is a 3,200 sf building to be used for a cannabis dispensary (adult use) with a 23 space parking lot. Front yard parking is not permitted in the IG zoning district.
5. Existing curb cut(s) will be closed and a new one established further to the east along Brighton Henrietta Town Line Road.
6. The proposed building will be within 500 ft. of a property used for residential purposes and therefore will need to obtain a waiver from the Zoning Board of Appeals, pursuant to Section 202-5, to operate as a cannabis dispensary.
7. Existing utilities service the site and are available for this proposal.
8. A landscaping/lighting plan is required.
9. A Short Environmental Assessment Form has been submitted.
10. The project has been referred to Monroe County Planning and is currently under review.

11. Architectural Review Board review and approval is required.
12. Sprinklers are required.

Questions

1. Has Monroe County DOT reviewed the proposed curb cut and traffic impacts?
2. What is the current condition of the site? Are there any environmental issues (spills, tanks, oil, etc.)?
3. What form or type of security will be in place?
4. What are the hours of operation?
5. Will this be for retail purposes only?
6. Will you have a lounge?
7. What type of provisions are you providing for trash? Will there be a trash enclosure?
8. Will there be a need for a stand-by emergency generator?

TOWN ENGINEER:

Ken Hurley, PE (ken.hurley@townofbrighton.org 585-784-5225)

1. The Town Engineer has reviewed the project. See attached comment letter.

SEWER DEPARTMENT:

Tim Jason (tim.jason@townofbrighton.org 585-784-5289)

1. Sewer permit required = must be obtained by a licensed plumber
2. Check depths for sewer/water crossings
3. Maintain a minimum of 4 ft of coverage throughout
4. Town of Brighton detail sheets
5. Garage drainage must tie into the sanitary sewer
6. Must maintain 18" separation between sewer and water

CONSERVATION BOARD:

Advisory comments

1. A robust landscaping plan using native species shall be submitted as plans progress.

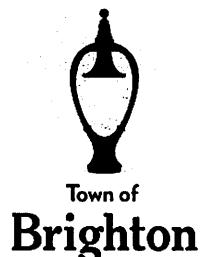
ENVIRONMENTAL REVIEW/SEQR

This project has been classified by the Town of Brighton as an Unlisted Action. A short Environmental Assessment Form (EAF) was submitted. Review of the EAF is ongoing, and a draft environmental determination is pending.

BOARD ACTION/DECISION

If the Planning Board entertains tabling, the following comments are recommended by staff, along with any others added by the Board:

1. Applicants shall respond in writing to all comments of the Planning Board, Department of Public Works, Town Engineer, Building and Planning Department, and Fire Marshal.
2. The Sewer Department comments shall be addressed.
3. The applicant shall satisfy the requirements of the Town Engineer. For a complete list of specific requirements, please refer to the attached letter dated 4-14-2025.
4. Monroe County comments, if any, shall be addressed.
5. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
6. All required variances and waivers shall be obtained.
7. All necessary Architectural Review Board approvals shall be obtained.
8. A complete set of revised drawings inclusive of a lighting/landscaping plan shall be submitted.



Public Works Department

Ken Hurley, P.E.
Town Engineer

April 14, 2025

MRB Group
Attention: Thomas Fitzgerald, P.E.
145 Culver Road, Suite 160
Rochester, NY 14620

RE: 1285 East Henrietta Road Site Plan

Dear Mr. Fitzgerald,

The Engineering Department has reviewed the above referenced conceptual Site Plan dated 3/18/25 for approval. We have compiled a list of comments from our review and have provided as follows:

Existing Site Plan

- No comments

Site and Utility Plan

- Please provide an additional 18" width for the proposed sidewalk (6.5' min.) or utilize parking bumpers for the parking spaces that are adjacent to the proposed sidewalk in order to address vehicle overhang along the sidewalk.
- Please provide dimensions for the proposed bio-retention (BR) area. Provide rim and invert(s) for the BR inlet/catch basin.
- Please provide rim/invert data for existing catch basin located in BHTL Road ROW that is proposed for BR area discharge connection. Verification that the existing structure is deep enough to drain the BR area is needed.
- Grading Plan, Erosion and Sediment Control, Lighting, and Landscaping Plans are required prior to final approval.
- Roof drains should be shown on the plan. It is recommended that the drains discharge to the BR area, to avoid unnecessary drainage runoff across the proposed septic system.
- Grading for the driveway will be needed to verify that minimum cover of the existing water lines has still been provided. If cut occurs over the water lines, the existing water lines may need to be lowered.
- Contour elevations have to be added to the plan.
- Traffic information as requested by the MCDRC shall also be provided to the Town of Brighton.
- Dumpster pad location needs to be shown.

- Health Department approval for the proposed septic system shall be provided to the Town prior to site plan approval by the engineering department.
- ADA access ramp shall be provided along the sidewalk for access. Proposed sign location will have to move to accommodate ramp.

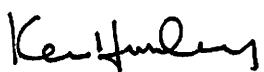
Construction Details

- Silt fence, Bio-retention, sidewalk, dumpster details are required.
- Bio-retention detail is required

This concludes the engineering comments for the materials submitted. Additional comments may be forthcoming based on review of the provided responses.

Please direct any questions or comments to my attention.

Sincerely,



Ken Hurley, P.E.

Department of Public Works

Cc: Rick DiStefano, Town of Brighton

Jason Haremza, Town of Brighton



Department of Planning & Development Monroe County, New York

Adam J. Bello
County Executive

Ana J. Liss
Director

To: Town of Brighton Planning Board

From: Yixuan Lin, Senior Planner *yl*

Date: April 14, 2025

Subject: 1285 Brighton Henrietta Townline Road (Bernard Companies)
1285 E Henrietta Rd, Rochester 14623
MCDP&D Response to Development Review Referral (BH25008)

RECEIVED
APR 14 2025

**TOWN OF BRIGHTON
BUILDING & PLANNING**

Review Authority and Response:

General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment
 Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment

County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval
 Section C5-4.C (Advisory Review)
 Comment No Comment

Previously Reviewed by MCD&P (if yes, previous referral response applies to this referral):

Yes No

Referred to the Development Review Committee (DRC)(If yes, DRC Project Review Report attached):

Yes No

MCDP&D Comments:

1. The subject parcel is within 500 feet of the Town of Henrietta's municipal boundary. The clerk of the board should provide written notice to the neighboring municipality in accordance with General Municipal Law 239-nn.
2. Applicants are encouraged to contact other County Departments and non-county agencies to ensure all permitting requirements for this project have been satisfied.
3. As Monroe County drivers' transition to electric vehicles ("EV") there is increasing need for charging facilities. EVs drivers currently need a mix of at home charging and on-the-go charging facilities - these come in the form of different level chargers that correspond with charging speed. Site developers of commercial spaces, both private and open to the public should consider whether EV chargers are complementary additions to new developments or redevelopments. Site developers can make investments in charging facilities ranging from ev-capable (lowest cost), ev-ready, to ev-installed (highest cost). for more information, visit: www.epa.gov/statelocalenergy/introduction-electric-vehicle-ready-buildings. Retrofitting the same ev-investments costs 4-6-times as much. Rochester Gas & Electric recognizes the need to grow charging facilities across the region and has a program to help property owners add EV charging facilities. Their EV Charger Make Ready Program can help property owners cover costs related to installation of EV chargers. Learn more at: <https://www.rge.com/smarterenergy/electricvehicles/ev-charger-make-ready-program>. For information on charging best practices for EV owners and property owners' visit: <https://www.nyserda.ny.gov/All-Programs/ChargeNY/Charge-Electric>.
4. As the population of older adults increases, it is important to design age-friendly spaces that preserve safety and dignity for all. Age-friendly design supports a healthier community by promoting independence and equitable access to services

CityPlace 50 West Main Street • Suite 1150 • Rochester, New York 14614
(585) 753-2000 • fax: (585) 753-2002 • www.monroecounty.gov • e-mail: mcplanning@monroecounty.gov

and community spaces.

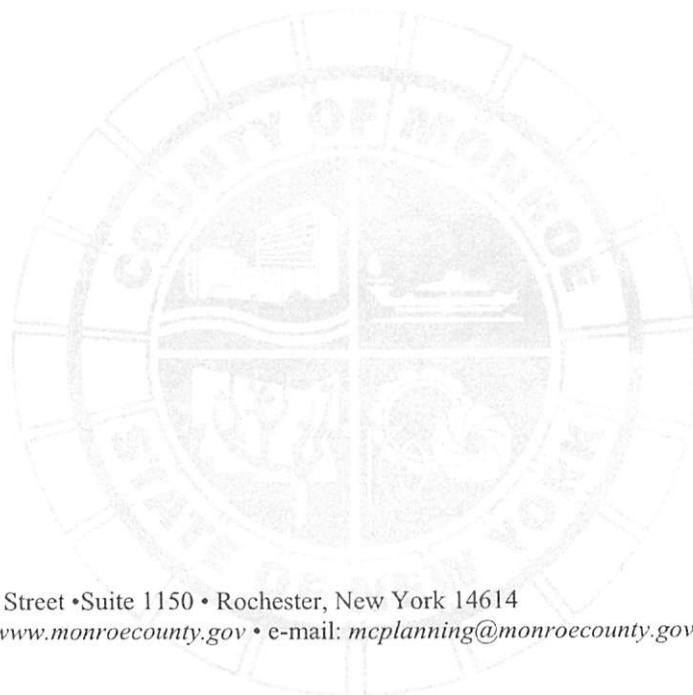
Creating an age-friendly environment helps people navigate their communities more comfortably and safely and is good for local economies. According to an AARP study (2019), Americans aged 50 and older contributed \$8.3 trillion to the U.S. economy in 2018. The contribution was so significant that Americans 50 and older would be the world's third-largest economy if they were counted as their own country.

When designing indoor and outdoor spaces, it is important to consider the perspective of individuals of all ages, disabilities, and backgrounds to create a more inclusive space. Please consider including these age-friendly design elements wherever possible:

1. Signage: Concise, clear messaging positioned at short intervals is a good practice, whenever possible. Usage of visual supports, such objects, photographs, or pictures help individuals with limited literacy skills and cognitive disabilities.
2. Rest areas: Provide ample seating for those who need to rest. Add age-friendly seating with appropriate seat heights, angles, and armrests, both indoors and outdoors, wherever possible.
3. Other age-friendly considerations include:
 - Non-slip walking surfaces
 - Escalators and elevators, and adequate stairway railings
 - Entry ramps for mobility devices, such as wheelchairs and walkers
 - Safe pedestrian crossings for navigating traffic, including well-timed crosswalks
 - Inclusive public parks and recreation spaces that support physical, social, and educational activities for people of all ages and abilities
 - Support for healthy eating and nutrition through farmers' markets and community gardens
 - Well-lit, predictably designed spaces, including walkways, trails, and buildings, to enhance navigation, wayfinding, and safety for individuals with visual and cognitive impairments

If you have any questions regarding this review, please contact me at 585-753-2026 or YixuanLin@monroecounty.gov.

xc: Development Review Committee
Bernard Birnbaum, Birnbaum Companies
Thomas Fitzgerald, MRB Group
Monroe County Planning & Development



Subject: Attachment to File BH25008
1285 Brighton Henrietta Townline Road (Bernard Companies)
1285 E Henrietta Rd, Rochester 14623

The Monroe County Development Review Committee (DRC) has reviewed the subject application and have the following comments that need to be addressed prior to submission of final plans for approval.

Monroe County Department of Health (MCDOH), Contact Brett Gobe (585-753-5459) with questions.

1. The proposed project may require a backflow preventer. An engineer's report shall be submitted to the supplier of water to determine the degree of hazard and the need for backflow prevention.
2. Plans for proposed backflow preventer(s) must be submitted to and approved by the supplier of water and the Monroe County Department of Public Health prior to installation.
3. Plans for any extension or relocation of a water main must be submitted to and approved by the Monroe County Department of Public Health.
4. The proposed project utilizes a private wastewater treatment system and will require approval by the Monroe County Department of Public Health.

Monroe County Department of Transportation (MCDOT), Contact John Raymond (753-7711) with questions.

1. The Monroe County Geodetic Survey Monumentation Network provides the framework for all positioning activities (latitude, longitude, elevation) in Monroe County. In order to preserve geodetic survey monuments, the location of monuments in the vicinity of the project should be evaluated. It is the responsibility of the Developer to see if a monument is in or near the work area by utilizing the Monroe County GIS Interactive Map Gallery GPS Base Stations & Survey Monuments map; plotting the location of any monuments within the proposed construction area and by e-mailing full site plans and a request for review to the County Surveyor, at gregorybly@monroecounty.gov. A security deposit and a survey monument monitoring report may be required to protect any monumentation located in or near the work area. Contact Gregory D. Bly, PLS, at (585) 753-1156 if you have questions.
2. Indicate right-of-way width.
3. A standard County drainage note is required. "Highway drainage along the County highway must be maintained. The applicant will be responsible for all required grading in the County right-of-way."
4. A standard County highway permit note is required. "After MCDOT approves this project, a 136 Highway Permit and a 239F Permit will be required. Inspection of all construction in the right-of-way will be a condition of these permits."
5. A standard County materials note is required. "All materials installed in the County right-of-way shall be in accordance with the MCDOT Standards and Details in effect when installed."
6. Add note: "All utilities must be bored across the County highway, if applicable."
7. Group all MCDOT notes together, under the heading "MCDOT Notes".
8. Indicate driveway width.
9. It appears that a portion of the driveway will be in the NYS right-of-way. Please provide copies of correspondence with NYSDOT that they have no issue.
10. Show MCDOT Figure(s) DRIVEWAY APRON WITH CONCRETE CURB, TEMPORARY CONSTRUCTION ACCESS (rather than the one provided on sheet 3), CONCRETE CURB REPLACEMENT WITH PERFORATED UNDERDRAIN (rather than the ones provided on sheet 3) and PLAN APPROVAL STAMP (all sheets) on the plans. Use current details. Electronic versions (PDF and DWG formats) are available on MCDOT's web site: <https://www.monroecounty.gov/dot-standarddetails>.
11. For the replacement curb at the access to be removed, rather than a specific reveal, call to match reveal of existing adjacent curb. For the reveal at the new driveway, call for it to be 1" (to match driveway detail), rather than flush.
12. Driveway should have tapers (instead of radii) to match MCDOT detail.
13. The maximum allowable plans sheet size for MCDOT Permits is 22" x 34".
14. Show a location sketch map.

15. Provide building use and proposed trip ends during AM and PM peak hours.
16. A review fee of \$150.00 is due to continue our review/approval of this project. Please make checks payable to "Director of Finance, County of Monroe".

Monroe County Department of Environmental Services (MCDES), Division of Pure Waters, Contact Richard Bianchi (753-7614) with questions.

1. Please be advised that Monroe County Pure Waters (MCPW) must review and approve plans for any site development / new construction in the **"Irondequoit Bay South Central Pure Waters District"**.
2. Plan resides within our **"Irondequoit Bay South Central Pure Waters District"**- formal Plans to be sent to MCPW. Engineer to complete the PW-2 abbreviated form. Monroe County Industrial Waste Division will need to see that grease trap or oil/water separator is included within the design of this project - *(if deemed necessary)*. They will ask for – A.) Interior plumbing plans. B.) Manufacturer cut-sheet(s) for separator. C.) Sizing calculations for any grease trap or oil/water separator.

PW-2 Forms can be downloaded at:

<https://www.monroecounty.gov/des-pw2-forms>

3. Once the plans are received from the Engineer, it will be logged and reviewed by Pure Waters as a Master Plan / Capacity Stamp review. The stamp block must be added to the utility plan. The block must be minimum 4.0" tall by 3.5" wide to accommodate the stamp. The title outside of the block should be **"Irondequoit Bay South Central Pure Waters District."**
4. This project falls within the **"Irondequoit Bay South Central Pure Waters District"**. The applicant will need to submit a PW-2 application with their submittal (PW-2 form attached).

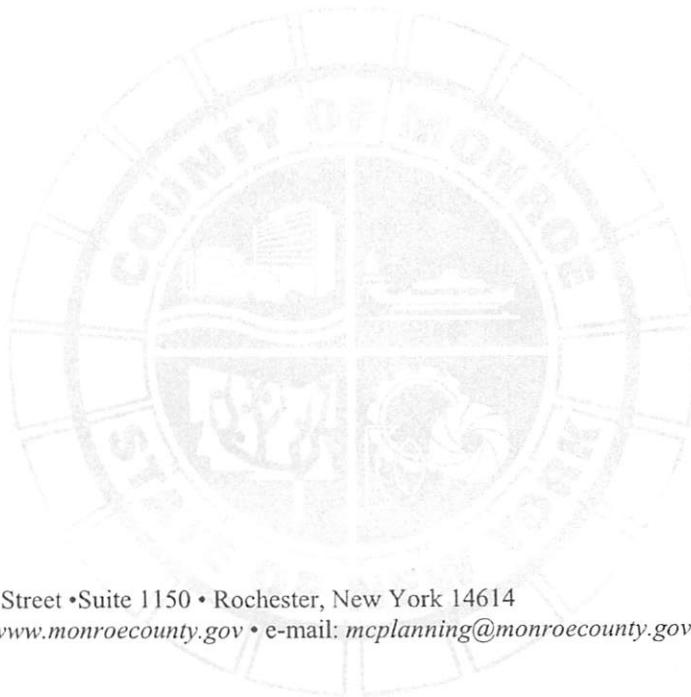
PW-2 Forms can be downloaded at:

<https://www.monroecounty.gov/des-pw2-forms>

Please send the filled PW-2 form to Rich Bianchi via email at RBianchi@MonroeCounty.gov

New York State Department of Transportation (NYSDOT), Contact Zachary Starke (272-3472) with questions.

1. This project was not sent to New York State Department of Transportation for review. Applicants should verify with this agency that they do not have jurisdictional requirements for this project.



PLANNING BOARD REPORT

HEARING DATE: 4-16-2025

APPLICATION NO: 3P-01-25
OpenGov reference no: PB-25-3

LOCATION: 1530 Brighton Henrietta Town Line Road

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

COMMENTS

The Board may wish to consider the following comments when asking questions

BUILDING AND PLANNING:

1. 1530 Brighton Henrietta Town Line Road contains a vacant single-family dwelling.
2. The subject property is presently zoned IG Light Industrial (IG).
3. A demolition plan has been submitted.
4. The Historic Preservation Commission (HPC) has reviewed the structure for landmark status (3-22-25) and will not schedule a public hearing to consider landmark designation.

TOWN ENGINEER: See comments below.

General:

1. A demolition letter of credit shall be provided for this project. An estimate of the cost to demolish and restore the site, including the costs of materials, grading, landscaping, and maintenance until the site is fully restored, shall be submitted to establish the value of the demolition letter of credit. The letter of credit amount must be sufficient to ensure the restoration of the property following demolition and must be submitted to and accepted by the Town prior to the issuance of a permit for demolition.
2. All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
3. The contractor shall obtain all necessary Highway Access, Sewer Construction, Demolition, or other permits from the Town or other agencies prior to starting work.
4. The project must comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the project must comply with Section 56-

3.4(a)(2) regarding on-site maintenance of a project record, Section 56-3.6(a) regarding ten-day notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and the asbestos survey and removal requirements of Section 56-5 are met.

Demolition Plan:

1. If any environmental conditions or issues, not previously identified, are encountered during construction, the owner, and the contractor(s) shall immediately notify the Town, Monroe County Health Department and NYSDEC before continuing the construction process.
2. The location of the existing septic system which is to be demolished should be depicted on the plans.
3. A restoration plan should be developed and submitted for review. The restoration plan must show the proposed grading associated with the restoration of the site should construction of the new house not commence immediately following demolition.
4. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance.
5. Orange construction fencing must be provided to delineate the limits of disturbance and be shown on the plans.
6. All trees to be saved shall be protected with orange construction fencing placed at the drip line.
7. Erosion control measures necessary during demolition/restoration should be determined and depicted on this sheet. Erosion and siltation controls shall be consistent with the New York Guidelines for Urban Erosion and Sediment Control

SEWER DEPARTMENT:

The applicant should contact Tim Jason (tim.jason@townofbrighton.org 585-784-5289) in the Sewer Department with any questions on these comments.

1. Pump out septic tank, drill hole in bottom

CONSERVATION BOARD: NONE

ENVIRONMENTAL REVIEW/SEQR

If the Planning Board finds that the proposed action will not have a significant impact on the environment, Town staff suggests that the Planning Board adopt the prepared negative declaration when considering Demolition Review.

BOARD ACTION/DECISION

The Planning Board may consider tabling the application until the April meeting (close the public hearing) since the Historic Preservation Commission has yet to review the home for possible consideration of Landmark Status.

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Town Engineer, and Building and Planning Department.
2. The applicant shall satisfy the requirements of the Town Engineer noted above.
3. All Town codes shall be met that relate directly or indirectly to the applicant's request.
4. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
5. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
6. Erosion control measures shall be in place prior to site disturbance.
7. The plans shall clearly show all trees proposed to be removed.
8. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
9. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66), Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.
10. The project will comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the applicant shall verify that the project will comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, and Section 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and asbestos survey and removal requirements of Section 56-5 are met.

11. Prior to the issuance of a demolition permit or building permit, asbestos shall be removed according to NYS and the Town of Brighton requirements and verification shall be submitted from a qualified company that asbestos has been removed.
12. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: demolition, restoration, sanitary sewer, water main, stormwater water management facilities, landscaping, and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
13. The contractor shall obtain all necessary Highway Access, Sewer Construction, Demolition, or other permits from the Town or other agencies prior to starting work.
14. Historic Preservation Commission review and subsequent decision not to consider the property for landmark designation is required prior to issuance of any permits.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 3P-01-25

Date: 4-16-2025

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Brighton Planning Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: 3P-01-25

SEQR Status: Unlisted

Conditioned Negative Declaration: No

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

Location: 1530 Brighton Henrietta Town Line Road

Findings and Reasons Supporting this Negative Declaration:

Based on information submitted to the Lead Agency, Short Environmental Assessment Form (EAF) Part 1 this action will not have a significant adverse impact on the environment for the reasons set forth below:

1. Air, Water, Waste, Erosion, Drainage, and Site Disturbance. The Project will not create any significant adverse impact in the existing air quality or water quality, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems. Stormwater runoff from the Project will be adequately collected and treated on site through the stormwater management facility to be constructed on the Property and discharged in accordance with all applicable New York State standards.

2. Noise and Visual Impacts. The Project will not create any adverse noise or visual impacts. The demolition of the existing vacant building will actually improve the visual impact of this property on the surrounding area.

3. Agriculture, Archeology, Historic, Natural, or Cultural Resources, Community or Neighborhood Character. The Project will not adversely impact agricultural, archeological, historical, natural, or cultural resources. The site has been previously developed, so no

significant cultural resources should be disturbed.

4. Vegetation, Fish, Wildlife, Significant, Habitats, Threatened or Endangered Species, Wetlands, Flood Plains. The Project will not have a significant adverse impact on plant or animal life. The Property does not host any threatened or endangered species, and therefore the Project will have no impact on any threatened or endangered species. There are no State or Federal wetlands on the Property. The Property does contain a very small portion of a flood hazard area but this will not be impacted by the demolition.

5. Community Plans, Use of Land, and Natural Resources. The Project is consistent with and in furtherance of the goals set forth in the Town's Comprehensive Plan.

6. Growth, Subsequent Development, etc. The Project will not induce any significant or adverse growth or subsequent development.

7. Long Term, Short Term, Cumulative, or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.

8. Critical Environmental Area. The Project will not have an impact on any designated Critical Environmental Area as set forth in 6 NYCRR Section 617.14(g).

9. Traffic. The Project will not have a significant adverse impact on vehicular traffic.

10. Public Health and Safety. The Project will not have a significant adverse impact on public health or safety.

The Project is subject to all applicable Federal, State, and Local laws, regulations, and code requirements including all requirements of the Town of Brighton, Monroe County Department of Transportation, Monroe County Water Authority, Monroe County Department of Health, and New York State Department of Environmental Conservation.

Pursuant to SEQRA, based on the abovementioned information, documentation, testimony, correspondence, and findings, and after examining the relevant issues, including all relevant issues raised and recommendations offered by involved and interested agencies and Town Staff, the Lead Agency determines that the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration, and, therefore, SEQRA does not require further action relative to the Project.

The Town of Brighton Planning Board, as Lead Agency, has made the following additional determinations:

A. The Lead Agency has met the procedural and substantive requirements of SEQRA.

B. The Lead Agency has carefully considered each and every criterion for determining the potential significance of the Project upon the environment as set forth in SEQRA, and the Lead Agency finds that none of the criteria for determining significance set forth in SEQRA would be implicated as a result of the Project.

C. The Lead Agency has carefully considered (that is, has taken the required "hard look" at) the Project and the relevant environmental impacts, facts, and conclusions in connection with same.

D. The Lead Agency has made a reasoned elaboration of the rationale for arriving at its determination of environmental non-significance, and the Lead Agency's determination is supported by substantial evidence, as set forth herein

E. To the maximum extent practicable, potential adverse environmental impacts will be largely avoided or minimized by the Applicant's careful incorporation in its application materials of measures designed to avoid such impacts that were identified as practicable.

Date Issued: 4-16-2025

For further information:

Contact Person: Rick DiStefano, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Email: rick.distefano@townofbrighton.org
Telephone: 585-784-5228



Department of Planning & Development Monroe County, New York

Adam J. Bello
County Executive

Ana J. Liss
Director

To: Town of Brighton Planning Board

From: Yixuan Lin, Senior Planner *yl*

Date: February 24, 2025

Subject: 1530 Brighton Henrietta Townline Road House Demolition
1530 Brighton Henrietta Town Line Rd, Rochester 14623
MCDP&D Response to Development Review Referral (BH25002)

Review Authority and Response:

General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment
 Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment

County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval
 Section C5-4.C (Advisory Review)
 Comment No Comment

Previously Reviewed by MCD&P (if yes, previous referral response applies to this referral):

Yes No

Referred to the Development Review Committee (DRC)(if yes, DRC Project Review Report attached):

Yes No

MCDP&D Comments:

1. The subject parcel is within 500 feet of the Town of Henrietta's municipal boundary. The clerk of the board should provide written notice to the neighboring municipality in accordance with General Municipal Law 239-nn.
2. Applicants are encouraged to contact other County Departments and non-county agencies to ensure all permitting requirements for this project have been satisfied.

If you have any questions regarding this review, please contact me at 585-753-2026 or YixuanLin@monroecounty.gov.

xc: Development Review Committee
Joni Lucas, JK Findings
Thomas Fitzgerald, MRB Group
Monroe County Planning & Development

Subject: Attachment to File BH25002
1530 Brighton Henrietta Townline Road House Demolition
1530 Brighton Henrietta Town Line Rd, Rochester 14623

The Monroe County Development Review Committee (DRC) has reviewed the subject application and have the following comments that need to be addressed prior to submission of final plans for approval.

Monroe County Department of Health (MCDOH), Contact Brett Gobe (585-753-5459) with questions.

1. Plan Approval by the Monroe County Department of Public Health NOT required.

Monroe County Department of Transportation (MCDOT), Contact John Raymond (753-7711) with questions.

1. A permit may be needed from MCDOT for a temporary construction access. Contact John Raymond at jraymond@monroecounty.gov or 585-753-7711 to discuss.

Monroe County Department of Environmental Services (MCDES), Division of Pure Waters, Contact Richard Bianchi (753-7614) with questions.

1. This project was not sent to Monroe County Environmental Services for review. Applicants should verify with this agency that they do not have jurisdictional requirements for this project.

New York State Department of Transportation (NYSDOT), Contact Zachary Starke (272-3472) with questions.

1. This project was not sent to New York State Department of Transportation for review. Applicants should verify with this agency that they do not have jurisdictional requirements for this project.

