
BRIGHTON
PLANNING
BOARD

April 16, 2025
At approximately 7 p.m.
680 Westfall Road
Rochester, New York 14620

PRESENT:

RICK DiSTEFANO, PLANNER
JASON HAREMZA, PLANNER

WILLIAM PRICE, CHAIRPERSON

CLARA SANGUINETTI) Board Members
JASON BABCOCK-STINER)
SERGE TSVASMAN)
DAVID FADER)

LAUREN BARON, ESQ.
Attorney for the Town

ABSENT:

KAREN ALTMAN

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

1 MR. PRICE: Good evening, everyone. I would
2 like to welcome you all to the April 16th meeting of
3 the Brighton Town Planning Board.

4 In the unlikely event of an emergency
5 tonight, there are exits to your right, our left, and
6 behind you. Also, if there are any comments that you
7 think of after tonight's meeting, please give those
8 comments to Rick DiStefano at
9 rick.distefano@townofbrighton -- I'm sorry --
10 rick.distefano@townofbrighton.org or
11 jason.haremza@townofbrighton.org.

12 Okay. We're going to take a few moments to
13 go through tonight's agenda and talk with staff and
14 our legal counsel about the applications and then
15 we'll bring it back to order.

16 Our first is 2021 Winton Road. This is
17 Application 4P-01-25. This is Jewish Senior Life and
18 Marathon Engineering for site plan modification.

19 MR. DiSTEFANO: Yeah, pretty minor. You
20 guys approved this a few months ago. They have
21 started construction on the apartment building. In
22 the meantime, they have found some additional funding
23 and wanted to add a 500-square-foot fitness room to
24 the end of the -- oh, I'd call it the north wall of
25 the project. It has gone in front of the

1 Architectural Review Board. Again, pretty minor.

2 MR. PRICE: One story?

3 MR. DiSTEFANO: One-story 500-square-foot
4 fitness room, attached by a corridor to the main
5 apartment building.

6 MR. PRICE: It's a corridor, not an
7 attachment --

8 MR. DiSTEFANO: Right.

9 MR. PRICE: -- to the main building?

10 MR. TSVASMAN: Was that in the drawings that
11 were presented?

17 MR. PRICE: You have to look close.

18 MR. TSVASMAN: Okay.

19 MR. PRICE: I'm sure all the stormwater and
20 everything was --

25 MR. PRICE: All right. That was the first

1 application. The second application is 4P-02-25.
2 This is 293A Alden Road and Home Leasing, along with
3 Bryan Burri.

4 MR. BABCOCK-STINER: Do I need to recuse
5 myself from the discussion on this one?

6 ATTORNEY BARON: Yes. Yeah, you need to
7 recuse yourself from this one. So that's okay,
8 because...

9 MR. DiSTEFANO: Basically, the final -- what
10 we've seen twice before, it came in under -- twice
11 under preliminary, got their approvals.

12 Basically, this is -- I think the one thing
13 that we kind of want to concentrate on is the
14 additional landscaping that both this Board and the
15 Conservation Board had issues with originally.

16 They did go to the Conservation Board. The
17 Conservation Board felt comfortable with what they had
18 proposed. They had a couple minor suggestions in
19 regards to that.

20 We can talk about that when the applicant
21 gets up, but for the most part the project, the
22 application and all are in pretty good shape.

23 MR. PRICE: Okay. Yes, all of the plans did
24 show, as part of the city portion of the project, the
25 landscape.

1 ATTORNEY BARON: And that was a lot of the
2 questions, I think, that this Board had last time in
3 terms of what the city side was going to actually look
4 like and how it would be incorporated.

5 MR. DiSTEFANO: And also the screening along
6 the trail to the rear of the townhouses.

7 ATTORNEY BARON: Okay.

8 MR. DiSTEFANO: And moving the townhouses
9 forward too, which I think they addressed at the
10 second preliminary application.

11 MR. PRICE: Right.

12 Okay. Any other questions or comments
13 there?

14 The third application is 4P-03-25. This is
15 2077 South Clinton Avenue, Creative Ability
16 Development and LandTech Surveying & Planning. This
17 is for preliminary and final site plan approval.

18 MR. DiSTEFANO: There is a communication in
19 your folder that came in very, very late this
20 afternoon that I was not able to attach to the final
21 agenda and post it yesterday. So if you have a
22 chance, please take a look at that.

23 This project basically was seen by this
24 Board in 2016. It's basically the exact same things
25 you see in terms of the building addition. They also,

1 back in 2016, proposed the expansion of the parking
2 lot -- subdivision and expansion of the parking lot,
3 which they did go through with that portion of the
4 project.

5 So as you're looking at the plan, you see
6 everything on there, but just concentrate on the fact
7 that it really is just the addition because the
8 parking is already there -- parking and stormwater
9 facility are already there.

10 MR. PRICE: Okay.

11 MR. TSVASMAN: Was there a zoning variance?

12 MR. DiSTEFANO: Yes, there were zoning
13 variances necessary, and they were approved by the
14 Zoning Board at the last meeting two weeks ago.

15 MR. PRICE: Okay. Under New Business, we
16 have Application 4P-NB1-25. This is application of
17 Royal Group REM, LLC and Birnbaum Companies.

18 MS. SANGUINETTI: I'll recuse myself.

19 MR. PRICE: This is for a preliminary site
20 plan approval to construct a 3,200-square-foot
21 building on 1285 East Henrietta Road.

22 MR. DiSTEFANO: I don't know how many are
23 familiar with this project. It used to have a gas
24 station many, many years ago, which turned into a
25 printing shop, which then turned into -- excuse me.

1 It turned into the Monroe Community College Technical
2 Center, then turned into a printing shop, and then
3 eventually was demolished.

4 We did have a concept plan a few years back
5 for a Dunkin' Donuts on the site. The site is
6 basically surrounded by county and state right-of-way.
7 Basically the site is four front yards, and so
8 obviously there's going to be a number of variances
9 that are necessary.

10 The use proposed is for a cannabis
11 dispensary. They have to meet certain distance
12 requirements from certain properties, which they do
13 not meet, which will force them to the Zoning Board in
14 regards to a waiver for those distance requirements.

15 So at this point the application is very
16 preliminary. I don't know how much real engineering
17 has been done on the site at this point just due to
18 the fact that there are so many variances and so many
19 other obstacles that need to be taken care of.

20 I know there's a pretty extensive list of
21 questions, comments from the county, which is included
22 in your packet. I think one of the big ones is
23 traffic. They're moving the closing curb cuts,
24 realigning a curb cut to pretty much match across the
25 street in Henrietta. The name of that road is --

1 MR. PRICE: Clay.

2 MR. DiSTEFANO: Clay Road. So all of that
3 needs to be vetted out. I'm sure this Board will have
4 some traffic questions, which need to be vetted out.

5 So that's where they are. Still, you know,
6 quite a bit of stuff to do with the Zoning Board on
7 this.

8 MR. PRICE: Rick, it might be Austin Street
9 if Clay is the big intersection.

10 MR. DiSTEFANO: Yes.

11 MR. PRICE: Okay. All right. Under Old
12 Business, we have Application 3P-01-25, application of
13 Tom Fitzgerald, MRB Group, and JK Findings for
14 demolition review and approval.

15 MR. DiSTEFANO: Yeah, we basically saw this
16 last month. Unfortunately, we weren't able to make a
17 decision on it because they had not received clearance
18 from the Historic Preservation Commission.

19 Since that time, the Commission has reviewed
20 it and has not scheduled a public hearing to consider
21 landmark status. So pretty much we closed the public
22 hearing, and I think it's just a matter of us making
23 our decision tonight.

24 MR. PRICE: Okay. Rick, do you mind calling
25 the roll tonight, please? Back to our agenda here.

1 (Whereupon the roll was called.)

2 MR. DiSTEFANO: Please let the record show
3 that Member Altman is not present.

4 MR. PRICE: Okay. We did receive the March
5 19th meeting minutes in our packet.

6 Does anybody want to make a motion to
7 approve those minutes?

8 MS. SANGUINETTI: I make the motion to
9 approve the minutes of March 19th.

10 MR. TSVASMAN: I second it.

11 MR. PRICE: Moved and seconded.

12 Any edits or corrections?

13 Rick, you can call the roll.

14 MR. DiSTEFANO: Motion is to approve the
15 March minutes.

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

19 (Upon roll, motion to approve March minutes
20 carries.)

21 MR. PRICE: All right. Thank you.

22 Rick, were tonight's public hearings
23 properly advertised in the Daily Record?

24 MR. DiSTEFANO: Yes, Mr. Chairman. They
25 were advertised in the -- let me get this right -- the

1 April 10, 2025, edition of the Daily Record.

2 MR. PRICE: All right. Thank you.

3 Folks, we're going to move one item around
4 on the agenda for purposes of a quorum for tonight's
5 meeting. We're going to move Application 4P-NB1-25 to
6 the first application.

7 We'll hear that application now, please, and
8 then we'll go back to the original agenda and the way
9 they're laid out. If I could ask you guys to --

10 MS. SANGUINETTI: I'll recuse myself.

11 **Application 4P-NB1-25**

12 Application of Royal Group REM, LLC, owner,
13 Birnbaum Companies, contract vendee, and MRB Group,
14 agent, for preliminary site plan approval to construct
15 a 3,200 plus/minus square foot commercial building for
16 use as a cannabis dispensary on property located at
17 1285 East Henrietta Road, known as Tax ID #149.18-2-2.

18 MR. FROMBERGER: Good evening. Tom
19 Fromberger, MRB Group; Bernard Birnbaum, as well as
20 Tom Fitzgerald from our office. We're here tonight to
21 bring to you the proposed 3,200 square foot building
22 to be constructed on Brighton Henrietta Town Line
23 Road.

24 The property is quite unique. It's located
25 in the Cloverleaf. It's surrounded by all streets on

1 all sides. The actual permitted square footage to be
2 constructed is only 1,600 square feet. So as you can
3 see, it's a very tight proposal.

4 We are proposing a 3,200-square-foot
5 building to be used as a potential cannabis
6 dispensary. As part of this project, it includes
7 parking up front and stormwater management that's also
8 parallel to Brighton Henrietta Town Line Road.

9 The utilities would be extended that are
10 already on-site or connected into it. It would be
11 water and gas and electric.

12 The sanitary sewer connection is still the
13 unknown, but we have vetted that and also spoken with
14 the Monroe County Department of Health in regard to
15 installing the septic system at this location. They
16 said that would be acceptable.

17 We did some preliminary investigations into
18 it. We looked at potentially crossing Brighton
19 Henrietta Town Line Road, also going further north on
20 East Henrietta Road. Both of those were not very
21 feasible options, and so the health department said
22 that we could potentially proceed with a septic system
23 at this location.

24 So in regard to our application, there are a
25 number of things going on. I'm just going to grab the

1 plan here for a second.

2 So our buildable area is the smallest square
3 here. We're looking at constructing it here. There
4 are setbacks from East Henrietta Road over to here.
5 As you can see, we're -- if this were our lot line,
6 100 feet is here, 100 feet is here.

7 We meet the front setback on Brighton
8 Henrietta Town Line Road. We don't meet it on this
9 side, but we actually -- we kind of do in green space.
10 East Henrietta Road over here, we definitely have a
11 lot of green space area. This is the former
12 right-of-way of Balta Drive.

13 We have had some discussions with New York
14 State DOT and Monroe County DOT. As they're
15 resurfacing this road, we submitted some conceptual
16 plans to them. They liked the idea of relocating the
17 curb cut. They were actually going to do that as part
18 of that project, but they held off until we had more
19 of a formal application into you guys. The State is
20 also in favor of this relocation.

21 We have some challenges to look into more.
22 There's some water infrastructure over here. There's
23 some utility poles. We want to make sure that we have
24 enough site distance with the guide rail on the side.

25 With Clay Road and Cloverleaf moving up to

1 East Henrietta Road, there is some challenges with
2 that. The slope does drop off. We've got to make
3 sure that we have enough room for a septic system.

4 The setback is 60 foot. Being the front
5 setback is from Clay Road, we're just over that
6 approximately 45 feet. So 45 feet from Clay Road is
7 what we're looking for relief. From East Henrietta
8 Road, we're about 49 feet and we should be 100 feet,
9 if those are correct.

10 In regard to the cannabis use, we did
11 provide discussions on those. Bernard went around to
12 all of the residential residents in the area, which
13 included -- I'll slide over this map.

14 There's a residential home over here,
15 there's another home over here, there's another
16 structure over here, and then there's an actual
17 commercial business. But from these we did get
18 positive support for that, and those are in your
19 packet for review as well.

20 In our discussions with New York State DOT,
21 they tentatively said that there may be some
22 additional property available, but that would be
23 long-term that we would have to work through. As a
24 long-term, there may be a triangle wedge that could be
25 available. Again, that's much, much further down the

1 road.

2 Our goal and intent is to proceed from this
3 Board to the Zoning Board and do the same thing:
4 review our proposed application with them and see what
5 their comments and thoughts are as well.

6 So we're here tonight to answer any
7 questions that you have and turn it back to you.

8 MR. PRICE: Thanks.

9 Did you look at -- now that I'm hearing some
10 of your explanations on why the curb cut is where it
11 is, I did want to know if you considered any other
12 site layouts or -- again, if I had my way, we would
13 put parking in the back or on the side, not in the
14 front.

15 And I understand everything around you has
16 parking in the front, understood, but are there other
17 options that you looked at?

18 MR. FROMBERGER: We did look at other
19 options, being parking on the side. You know, it
20 depends on accessibility over here. We didn't want to
21 request too much relief or shift the building, rotate
22 it this way.

23 With our septic system, this seems to be a
24 natural area that could be used as per -- the DOT
25 really liked us shifting the entrance. With our new

1 road that occurred out front, it allows for more
2 cueing and access onto the site. So...

3 MR. BABCOCK-STINER: So is the concern
4 for -- having a different layout, there's some zoning,
5 potential zoning, and what you're asking for is
6 driving the layout?

7 MR. FROMBERGER: Some of that. That would
8 be --

9 MR. BABCOCK-STINER: I'm sorry. Go ahead.

10 MR. FROMBERGER: No, you're correct. Some
11 of it was driven by zoning. Some of it was driven by
12 setbacks and the other requirements, trying not to get
13 too close in our buffers as well. We're basically
14 right in the middle of that crosshatch between
15 residential areas.

16 MR. TSVASMAN: What's the setback
17 requirement for Brighton Henrietta Town Line?

18 MR. FROMBERGER: It's a hundred feet.

19 MR. TSVASMAN: Which is where on the --

20 MR. FROMBERGER: Our proposed front of the
21 building.

22 MR. TSVASMAN: Would the Zoning Board allow
23 for variance for that, if the parking was to be behind
24 the building, to become more in line with the, you
25 know --

1 MR. DiSTEFANO: Well, what's interesting
2 about this lot is that no matter where they put the
3 parking, it's going to require a variance because
4 parking is not permitted in the front yard in the IG
5 district. But obviously, if they can put the parking
6 to the rear, it would probably be an easier variance
7 to get than variance up by Town Line Road.

8 I am sure that's one of the questions that
9 the Zoning Board will entertain. You know, "Why are
10 you putting it on the most impactful portion of the
11 property?" I think Tom kind of explained why. In
12 terms of the septic, that's the way they have to go.

13 MR. TSVASMAN: That septic couldn't go in
14 the front?

15 MR. DiSTEFANO: I'm sorry?

16 MR. TSVASMAN: There would be no room for
17 the septic to go in the front yard?

18 MR. FROMBERGER: Not really. This whole
19 area has been really disturbed. There is some bio
20 retention. We were hoping to sheet drain our parking
21 lot to address this in the back. You know, I guess
22 the building would be to move forward is what you guys
23 are indicating?

24 MR. PRICE: You know, Tom, the only thing
25 I've thought about was rotating it and putting almost

1 the back to the ramp and then -- so the parking would
2 look like it's in front of the building, but the front
3 of the building faces East Henrietta.

4 MR. FROMBERGER: Got it.

5 MR. PRICE: So it's 90 degrees, not a flip.

6 MR. FROMBERGER: More like this?

7 MR. PRICE: Yes. And still utilize -- I
8 know you've got a grade out there that you've got to
9 deal with, but that way -- I would see it as pulling
10 the building -- you know, the amount of relief on the
11 front setback from Brighton Henrietta is a larger
12 percentage of relief, but I think it's a better design
13 if you're able to...

14 MR. FROMBERGER: Parking over on this side?

15 MR. PRICE: Yeah.

16 MR. FROMBERGER: Yeah, we can look at that.
17 I think some of the thoughts were visibility. I mean,
18 there is a lot traffic at this intersection now coming
19 through Clay Road. It really presents it as the back
20 of a building as opposed to kind of the frontage of
21 the building.

22 MR. PRICE: If you turn the building, you
23 know, could that end wall look -- you know, that's
24 where your signage is, and you would still have the
25 same curb cut.

1 Is the concern over the curb cut the left
2 turns in coming from Clay?

3 MR. FROMBERGER: It's both the cue distance,
4 yes, off --

5 MR. PRICE: And the amount of cue that's
6 trying to go --

7 MR. FROMBERGER: Correct. The DOT really
8 doesn't want us to access this.

9 MR. BABCOCK-STINER: It's a rough turn.

10 MR. FROMBERGER: And you've got a lot of
11 people just kind of spinning off down here too.

12 MR. PRICE: Is there anything about the use
13 itself that -- is there a variance required for the
14 use?

15 MR. DiSTEFANO: No. The use is considered
16 an adult use per our code. Adult uses do not need
17 conditional use permit, use variances. They are a
18 permitted use of right.

19 However, the thing that kind of constrains
20 them is the distance requirements. Distance from
21 residential properties, distance from churches,
22 distance from schools, distance from other cannabis or
23 adult uses, actually. So all of that is basically
24 what kind of pigeon holes the adult uses.

25 So not all of our industrial property can

1 support an adult use. As a matter of fact, when you
2 start applying all of these requirements, distance
3 requirements, the number of available lots in the town
4 really does shrink down.

5 ATTORNEY BARON: Which is why there's the
6 waiver option that Rick was talking about at the
7 beginning of the meeting. So it's a waiver process,
8 not a variance process from the Zoning Board that's
9 specifically under the adult use section of the code.

10 MR. DiSTEFANO: You don't need to approve
11 the same things that you need to do to approve for a
12 variance. It basically lays out what the applicant
13 needs to do to approve the waiver.

14 And that's one thing Tom was talking about,
15 was going around and talking to all the neighbors. I
16 think it's 51 percent or more of the properties within
17 that buffer zone that are basically saying that they
18 do not have an issue with this property being used for
19 adult use.

20 MR. PRICE: And do we know that all of the
21 places that you've gone to that you think are
22 residents are in fact residents?

23 MR. BIRNBAUM: Yeah, I was able to talk with
24 the building owner as well as the residents, and they
25 all gave us approval.

1 MR. BABCOCK-STINER: There's been a lot of
2 development of this site. Are there any concerns
3 about historic or environmental issues or anything
4 like that?

5 MR. FROMBERGER: It's all been addressed and
6 closed out. Obviously, if there are issues, those
7 would be brought up and addressed. We hope there
8 aren't any.

9 MR. PRICE: Okay. Thank you, guys.

10 MR. FROMBERGER: Thank you.

11 MR. PRICE: Technically this would probably
12 be tabled and then the hearing would remain open, but
13 if anybody cares to address this application, please
14 come on up.

15 Okay. Great. Thank you.

16 Ask Clara to come back in.

17 MR. DiSTEFANO: I think we want to make the
18 decision, because then Jason can leave.

19 MR. PRICE: We're going to vote now.

20 Make the motion.

21 MR. BABCOCK-STINER: I move that we table
22 Application 4P-NB1-25.

23 MR. PRICE: I'll second.

24 Any discussion?

25 ATTORNEY BARON: And you're leaving the

1 public hearing open as well?

2 MR. PRICE: Yes.

3 Please call the roll.

4 MR. DiSTEFANO: Who had the second?

5 MR. PRICE: I seconded it.

6 MR. DiSTEFANO: Okay. Thank you.

7 The motion is to table Application 4P-NB1-25
8 and leave the public hearing open.

9 (Mr. Price, aye; Mr. Babcock-Stiner, aye;
10 Mr. Fader, aye; Mr. Tsvasman, aye.)

11 (Upon roll, motion to table and keep the
12 public hearing open carries.)

13 MR. FROMBERGER: Just as a question for
14 process, next steps, what are you envisioning?
15 Tabling the application or are we --

16 MR. DiSTEFANO: I think your next steps
17 would probably be figuring out everything that needs
18 to be done with the Zoning Board. And then once you
19 have those variances and come back to this Board,
20 redoing your preliminary and start addressing all the
21 comments of the town engineer.

22 MR. FROMBERGER: Yes.

23 MR. DiSTEFANO: And then get through that
24 process, and then after that you'll probably have to
25 come back under a final application.

1 MR. FROMBERGER: Great. Thank you.

2 (Mr. Babcock-Stiner is not present.)

3 MR. PRICE: Rick, do you know if we still
4 have a copy of the application for Dunkin' Donuts when
5 they came through on this?

6 MR. DiSTEFANO: Well, I'll be honest with
7 you, Bill, it's probably packed away in Iron Mountain
8 somewhere. I can look to see if there's a digital
9 copy. Probably don't, but...

10 MR. PRICE: Just curious. I don't even
11 know if it made it.

12 MR. DiSTEFANO: It might not have even made
13 it to us, because they were looking at doing some
14 zoning and that kind of stuff and...

15 MR. PRICE: I'm just curious, because I
16 think we talked about the same things with them.

17 MR. DiSTEFANO: It was a much bigger
18 building, though, the Dunkin' Donuts. It was over
19 5,000 square feet and a drive-thru.

20 MR. HAREMZA: Rick, do you remember what
21 year that was?

22 MR. DiSTEFANO: No, not off the top of my
23 head. Bring up Municity, it will show you.

24 MR. PRICE: Okay. Let's return to the
25 agenda. Go back to number 1, which is 4P-01-25. This

1 is JSL, Jewish Senior Home of Rochester, Marathon
2 Engineering, for a site plan modification.

3 ATTORNEY BARON: And I would just like the
4 record to show also that Board Member Babcock-Stiner
5 has left the meeting and Board Member Sanguinetti is
6 back.

7 **Application 4P-01-25**

8 Application of JSL/Jewish Home of Rochester,
9 owner, and Marathon Engineering, agent, for site plan
10 modification/site plan approval to construct a 500
11 plus/minus square foot fitness addition to an approved
12 90-unit apartment building on property located at 2021
13 Winton Road South.

14 MR. TOMLINSON: Good evening. Matt
15 Tomlinson, Marathon Engineering. We've been before
16 this Board on this project several times before, as
17 Bill mentioned. I am joined by Liz Reynolds with the
18 architects SWBR, and Barry Engles would be
19 representing the owner as well.

20 As mentioned in the discussion, we're
21 looking to add 500 square feet. If the Board
22 remembers, we went through an incentive zoning
23 modification process with this project, and there were
24 specific limits as it relates to the square footage of
25 the overall building, as well as the total number of

1 units, the height, and some other things. So we have
2 taken all of that into consideration.

3 When we got the incentive zoning
4 modification approved at the Town Board level, a total
5 of 90,000 gross square feet of the building is what
6 was approved. The original was somewhere in the 75 to
7 78,000.

8 We left ourselves a little bit of leeway,
9 because at the time we were still working through the
10 northeast -- excuse me -- the northwest corner of the
11 building, which is the community building, and hadn't
12 fully right-sized that yet.

13 So this 500 square feet for the fitness
14 addition brings us right up to that 90,000 gross
15 square feet and we're still in compliance with the
16 incentive zoning approval that we received.

17 The real driving force for this is through
18 discussion with prospective residents, as well as some
19 of the marketing and further research that they have
20 done, as well as having some dollars in the budget to
21 do it.

22 Having a small fitness in-house versus
23 having residents potentially share fitness that's
24 elsewhere on the campus and not having to leave the
25 building on cold, snowy days, et cetera, was a big

1 draw or a good selling point, and so that's really why
2 we've added that.

3 As mentioned, we're attaching at the end of
4 where the previous corridor was, and we're just
5 rearranging the sidewalk for an entry on the south
6 side of that, which will act as a vestibule area kind
7 of between the new fitness addition and the corridors
8 within the previously approved building.

9 We have gone to ARB, and should be good with
10 stormwater, all the utilities, everything else. It's
11 a pretty minor update to the site plan that the Board
12 has seen and approved before.

13 So if there are any questions, I'm sure we
14 can answer them.

15 MR. PRICE: Because your architect made it
16 all the way out, might as well ask for a presentation
17 of what this looks like.

18 MR. TOMLINSON: Sure. Absolutely.

19 MS. REYNOLDS: So we did already go to the
20 ARB --

21 MR. DiSTEFANO: When you start talking over
22 here, then introduce yourself. Thank you.

23 MS. REYNOLDS: Hi. I'm Liz Reynolds. I'm
24 with SWBR.

25 So we have already gone to ARB, and it's

1 been approved kind of conditional, obviously, with
2 Planning Board approval. So what we have here is a
3 one-story addition that is on the opposite wing of the
4 community room, but it will have a very similar look
5 to the community room.

6 It's a one-story addition with a pitched
7 roof and some similar siding details that were on the
8 community room. It will be all the same materials
9 that are being used on the building. So it will
10 essentially be kind of completed with the rest of the
11 project. There won't be any, you know, difference
12 with the materials. It will all just be sided at the
13 same time.

14 And then within the building, it's really
15 just, like you said, a very small fitness center and
16 just a vestibule, where people could exit from the
17 corridor at the end of the building or go into the
18 fitness room.

19 So this was really the only place on the
20 site that worked with stormwater and, like, up against
21 some other -- like the site boundaries on the, I
22 think, east side of the site. So this is kind of the
23 best place that we could locate it without losing any
24 unit space within the building.

25 Any questions?

1 MR. PRICE: Ever see this conflicting with
2 expansion of the building, adding units in the future?

3 MR. TOMLINSON: We don't anticipate any.
4 The incentive zoning is pretty specific for the totals
5 allowed. So we would have to go back through that
6 whole process if we were to do it in the future.

7 MR. PRICE: It was easy. Come on.

8 MR. TOMLINSON: Also, we're about to start
9 construction on the IL units on The Summit as well.
10 So this is, again, part of the overall campus design
11 and expansion.

12 MR. PRICE: Okay. Thank you.

13 Any questions?

14 MR. TSVASMAN: You've been to the
15 Architectural Review Board for this?

16 MS. REYNOLDS: Yes.

17 MR. TSVASMAN: Did they have comments or
18 anything?

19 MS. REYNOLDS: Nothing that they submitted
20 formally, just in the meeting itself.

21 ATTORNEY BARON: I just have one quick
22 question. Can you remind me, in terms of your
23 previous plans, was there any landscaping located in
24 that particular area where the 500 square feet is
25 going that you're no longer installing?

1 MR. TOMLINSON: We are still installing it.
2 We've just shifted it to go around the perimeter of
3 the building.

4 ATTORNEY BARON: Okay. Thanks.

5 MR. TOMLINSON: All the tree counts,
6 everything else is the same as the original.

7 MR. PRICE: Rick, are you all set?

8 MR. DiSTEFANO: I'm all set.

9 MR. PRICE: Thank you.

10 Is there anyone in the audience that cares
11 to address this application?

12 Okay. Let's move on to the next
13 application. It's 4P-02-25, application of 293A Alden
14 Road LLC, Home Leasing, and Bryan Burri. The final
15 site plan approval and final EPOD permit approval.

16 **Application 4P-02-25**

17 Application of 293A Alden Road LLC, owner,
18 Home Leasing, project agent, and Bryan Burri, Bergmann
19 Engineers, for final site plan approval and final EPOD
20 Permit approval to construct 120 units of affordable
21 and supportive housing consisting of 7 townhouse
22 buildings (40 units) and a four-story apartment
23 building (80 units) on property located on the south
24 side of Elmwood Avenue, adjacent to the City of
25 Rochester municipal line, known as Tax ID

1 #136.14-1-1.2 and #136.14-1-1.3.

2 MR. BURRI: Good evening. Bryan Burri with
3 Colliers Engineering.

4 So if it's okay, we'll just pick up where we
5 left off at the preliminary.

6 MR. PRICE: Thank you.

7 MR. BURRI: What we did -- we made the
8 revisions based on preliminary approval, which
9 primarily were related to some additional landscaping,
10 and that was at the northern part of the road where it
11 connects to brick stone.

12 We had plant beds before. We swapped that
13 out with street trees. We added some more canopy
14 trees around the playground area, and then we revised
15 the foundation planters that's at the apartment
16 building to the south.

17 Those are really the only plan changes we've
18 made. We did detail the playground a little bit
19 better, or more finalized with the shape, fencing
20 shape.

21 We have town engineer approval. He provided
22 a letter. There's just some miscellaneous cleanup
23 stuff at the end before our signatures.

24 The sewer department is all set.

25 ARB approved the building elevations in

1 February. Those elevations are in the packet.

2 And we went to the Conservation Board last
3 week, and they were acceptable to all of our additions
4 that we made, with the exception of maybe swapping out
5 the canopy trees primarily at the playground area with
6 larger shade trees. I think we have maples, and they
7 were thinking maybe oaks, something that would be
8 bigger.

9 MR. PRICE: They grow larger. You're not
10 planting them larger.

11 MR. BURRI: Correct, final product.

12 MR. PRICE: Were the renderings -- the
13 architectural elevations in the packet, did they
14 reflect ARB comments?

15 MR. DiSTEFANO: Yes, they do.

16 MR. McNINCH: The only conditional
17 approval -- Joe McNinch with SWBR. The only -- this
18 is not the right one.

19 The updated rendering has glass in these
20 doors. Sorry. I didn't check that after it came from
21 the printer. That was the only condition of their
22 approval.

23 We also eliminated some wall sconces on the
24 fronts of the garages per their recommendations.

25 MR. PRICE: I hate to bring this up at the

1 eleventh hour, but just curious, why does the road go
2 all the way around the multifamily building?

3 MR. BURRI: For fire access.

4 MR. PRICE: Does there need to be a road?

5 MR. DiSTEFANO: The fire marshal would want
6 to see at least 20 feet.

7 MR. PRICE: Of pavement?

8 MR. DiSTEFANO: Yes.

9 MR. PRICE: We did this at MCC years back,
10 where we put in reinforced grass surface. It was the
11 first MCC housing project, not the second one.

12 MR. DiSTEFANO: I think the biggest question
13 is wintertime, you know. So, yeah, does it get
14 maintained in the wintertime? And the key -- the 20
15 feet really is so that a fire truck does not have to
16 back up.

17 So if you have two fire trucks coming
18 around, meeting each other, they can pass each other
19 and not have to back out of and around to get off the
20 site.

21 MR. BURRI: And outriggers.

22 ATTORNEY BARON: One of the incentives here
23 was also the height of that particular building. So I
24 think in terms of fires, if they're putting ladders up
25 and stuff like that, to stabilize.

1 MR. DiSTEFANO: It will be sprinklered.

2 MR. PRICE: It will be what?

3 MR. DiSTEFANO: It will be sprinklered, but
4 still...

5 MR. PRICE: It was just where the stormwater
6 ended up was kind of a logical place for kids to play
7 or people to go outside, but...

8 MR. BURRI: Yeah, we're limited with that
9 wetland in the buffer.

10 MR. PRICE: Yes, you have the wetland.

11 MR. BURRI: I mean there is a central
12 area -- well, that's a bio area. It's not watery.

13 MR. PRICE: You're not retaining --

14 MR. BURRI: Well, it's a quick-hitter. It's
15 meant to just filter it through.

16 MR. PRICE: Okay. Told you you would be
17 sorry I brought it up.

18 Any questions?

19 Lauren, are you good?

20 ATTORNEY BARON: No, I don't have any other.

21 MR. DiSTEFANO: I think they're in pretty
22 good shape.

23 MR. PRICE: Did you guys advance the
24 playground design at all, or is that kind of going
25 to --

1 MR. BURRI: Well, we have -- the shape is
2 what it's set at. The equipment is kind of up in the
3 air just because -- yeah.

4 MR. PRICE: It would probably be next summer
5 before you would be putting that in, wouldn't it, or
6 would it be late this year?

7 MR. DiSTEFANO: Why don't you just explain
8 what the time frame is for the project, because you
9 might be back here for --

10 MR. BURRI: For extensions.

11 MR. DiSTEFANO: For extensions.

12 MR. BURRI: Well, the intent is to get
13 started next spring/summer on something.

14 MR. PRICE: Okay. There will be new
15 playgrounds by then, so -- okay.

16 Rick, are you all set?

17 MR. DiSTEFANO: I'm all set.

18 MR. PRICE: Okay. Thank you, guys.

19 This is a public hearing. Is there anyone
20 that cares to address this application?

21 Let's go to Application 4P-03-25. This is
22 application of Creative Ability Development, who's
23 owner; LandTech Surveying & Planning, as agent.
24 Preliminary and final site plan approval for building
25 at 2077 South Clinton.

1 Application 4P-03-25

2 Application of Creative Ability Development,
3 owner, and LandTech Surveying & Planning, agent, for
4 preliminary/final site plan approval to construct a
5 4,187 plus/minus square foot building addition on
6 property located at 2077 South Clinton Avenue.

7 MR. PRICE: Hi, John.

8 MR. HOTTO: Hi.

9 Good evening, everyone. My name is John
10 Hotto of LandTech Surveying & Planning, 1105 Ridgeway
11 Avenue, Rochester. I'm here representing Ms. Alice
12 Kanack of Kanack School of Music, 2077 South Clinton
13 Ave., seeking final site plan approvals for the
14 proposed 4,485-square-foot addition as shown on the
15 site plans.

16 We have been granted the two area variances
17 for the project: front yard setback from 50 required
18 to 25 proposed, and a side yard setback from 30 foot
19 required to 13 foot proposed from the Zoning Board of
20 Appeals.

21 So I did receive some comments from Mr. Ken
22 Hurley, town engineer. He was concerned with
23 providing a wide enough sidewalk here that was flush
24 with the pavement so that bumpers of the cars would
25 not invade the sidewalk space. So we went from 5 foot

1 to 6 1/2, as he requested.

2 He was also concerned about our open cut
3 proposal for the sanitary lateral across Havens Road.
4 He directed us to do a boring or directional drill,
5 which we did indicate on the plans with a note that no
6 open cut is required -- or allowed. So that was a big
7 one.

8 Erosion control, there's some fine
9 stuff on -- sediment fences for the directional
10 drilling along Havens Road and on this westerly
11 boundary line. He wanted a stabilized construction
12 entrance and a concrete washout area with the
13 appropriate details to do that.

14 And he was also concerned about the proposed
15 lawn parking. He wanted some detailing on that. He
16 wanted us to be a little bit clearer on what we were
17 intending to do there.

18 So these lawn spaces will be for, like,
19 special events, overflow parking specifically, but not
20 really required that often. And we'll reinforce the
21 soil with some geogrid system.

22 MS. KANACK: It's already done.

23 MR. HOTTO: In fact, the detention basin
24 over here, the stormwater management basin, was also
25 installed previously as part of the original

1 approvals.

2 MR. PRICE: When was that? Do you recall?

3 MR. HOTTO: 2016.

4 MR. DiSTEFANO: Yes, 2016, when they came
5 back with this original plan. And then after that got
6 approved, then they went back to -- this Board
7 modified it to just do the parking lot and the
8 retention, which was I think 2018, actually.

9 MR. PRICE: Now, John and Alice, this
10 proposed expansion is the same building expansion?

11 MS. KANACK: Exactly.

12 MR. PRICE: For some reason, I remembered
13 something toward the front of the building, on the
14 South Clinton elevation. That was never part of the
15 plan?

16 MS. KANACK: No.

17 MR. PRICE: Okay. How are you proposing to
18 go about building this? Are you going to stay
19 operational while this is --

20 MS. KANACK: We are working with our
21 builders to figure out how that's going to look based
22 on the timeline and what's going to be done when.

23 So if it's not safe to run the school
24 through -- during certain portions of that, we will go
25 to, you know, outside sources. And the Board has been

1 discussing places, possible places, to have classes if
2 we are not able to use it.

3 We have an immediate plan, if we are able to
4 start this summer, to just move to -- we have our big
5 lawns. In the past, like during COVID, we ran our
6 camps under tents. So there are ways to work around
7 it.

8 A lot of the building is -- the interior of
9 the building is not being touched.

10 MR. PRICE: Some of the concerns are that
11 you have enough space on-site to stage the
12 construction as well as, you know, operate the
13 facility and offer the parking that's necessary
14 without relying on adjacent streets and properties to
15 serve that.

16 Rick, is on-street parking allowed?

17 MR. DiSTEFANO: On-street parking is
18 allowed. Basically during good weather months, you
19 know, 24/7 on-street parking is permitted.

20 I do have some reservation, Alice, in
21 regards to having outdoor activities while
22 construction is going on. I mean, you would need a
23 temporary revocable use permit from the Zoning Board.
24 So keep that in mind.

25 MS. KANACK: Okay.

1 MR. DiSTEFANO: I think the Zoning Board
2 might have some issues with possible -- it's a very
3 active site, and you don't have a lot of room to put
4 these tents up without possibly having some safety
5 issues.

6 MS. KANACK: Sure. Well, obviously safety
7 is our highest priority.

8 MR. DiSTEFANO: I want you to keep that in
9 mind that, you know, you might not be able to do that
10 while construction is going on, doing any outdoor
11 activities.

12 MS. KANACK: I just want to address the
13 parking as well. Before we put our parking lot in, we
14 were using street parking quite a bit because we
15 needed --

16 MR. PRICE: I remember that, yeah.

17 Okay. Anything else on the site?

18 I know, John, you've aligned the sidewalk to
19 address bumper overhang. Is the sidewalk and the
20 asphalt flush?

21 MR. HOTTO: Correct.

22 MR. PRICE: There's no curb reveal there at
23 all?

24 MR. HOTTO: Right, correct.

25 MR. PRICE: Okay. Anything else being done?

1 Any parking lot lighting?

2 MR. HOTTO: Well, there will be lighting on
3 the buildings -- the building.

4 MS. KANACK: We actually have already done
5 that, because when we put the parking lot in it was
6 too dark. So we actually installed that, and then
7 that's just going to be moved as the building grows.

8 MR. PRICE: Okay. Clara, do you have any
9 questions?

10 Guys, questions?

11 MR. FADER: So your usage of off-site
12 parking is going to be --

13 MS. KANACK: I'm sorry. I couldn't
14 understand.

15 MR. PRICE: He asked if you're going to be
16 using off-site parking at all. Do you ever use
17 off-site parking now?

18 MS. KANACK: We don't.

19 MR. DiSTEFANO: So do you feel that when the
20 performance center is active and you have a large
21 performance you're going to have enough parking on
22 that site?

23 MS. KANACK: I think so. We currently --
24 with the spaces that we have, we don't overflow at
25 all.

1 MR. DiSTEFANO: But you're talking about
2 adding quite a bit of square footage to the property,
3 in which you will be able to do probably some pretty
4 nice events because you will have the space, so you'll
5 have the ability to have more people on the site.

6 And I know this was talked about with the
7 original proposal and the addition parking that was
8 done in geo fabric for overflow, but what I get a
9 little concerned is that, you know, you overflow that
10 parking and some people might not even realize you
11 have that grass parking area, and they will go to
12 other sites and they might be parking illegally on
13 other people's sites.

14 MS. KANACK: Got you.

15 MR. DiSTEFANO: I think that's something
16 that you really have to be conscious of and maybe
17 start talking to some of the property owners in the
18 area that can possibly provide overflow parking for
19 you, and then you can direct people to those sites.

20 MS. KANACK: We have in the past, when we
21 had a large event, we actually asked our neighbors for
22 that kind of permission, and we have gotten them from
23 the guy at the foot place, and then the church in the
24 back, so like directly across. So we have actually
25 been able to draw on that in the past.

1 MR. DiSTEFANO: You know, I get concerned
2 that people will be parking on private property where
3 it's not warranted.

4 MS. KANACK: Of course, yes.

5 MR. PRICE: And your schedule overall?

6 MS. KANACK: We're hoping to start July, and
7 I think we talked about a six-month time frame.

8 MR. TSVASMAN: Have you been to our
9 Architectural Review Board?

10 MS. KANACK: Yes, and approved.

11 MR. TSVASMAN: And approved?

12 MS. KANACK: Yes.

13 MR. TSVASMAN: I have one minor
14 architectural comment. There's a large gable that's
15 kind of the main volume of the building, and then
16 there's a shed roof off the --

17 MS. KANACK: I think we talked about this.
18 I think this was addressed, but go ahead, yes.

19 MR. TSVASMAN: I was wondering if there was
20 any consideration to shortening the overhang of the
21 shed so it doesn't align with the main gable.

22 MS. KANACK: I think that was addressed.
23 That was part of what was discussed in the
24 Architectural Review Board, and my architect said that
25 was -- he was going to take care of that. So, yes, it

1 did come up.

2 MR. FADER: Are you able to do your snow
3 storage on your own property?

4 MS. KANACK: Currently, yes.

5 MR. DiSTEFANO: But that snow storage is
6 using those spaces that could be used for overflow
7 parking; correct? Do the snowplows kind of push
8 towards the retention area?

9 MS. KANACK: I think anytime you have grass,
10 you have --

11 MR. DiSTEFANO: Yeah, and that's why I get
12 concerned about -- you know, if you're doing a winter
13 event, a Christmas event, you will really lose a lot
14 of parking if there's any snow stored on the site.

15 Again, I just want to -- this is a lot of
16 square footage for a fairly small site. Although it
17 meets code and everything, I just want you to be aware
18 that's really something you need to put some thought
19 into on how you're going to park some of these events.

20 MS. KANACK: I mean, would it make sense to
21 change the grass to pavement at this point?

22 MR. DiSTEFANO: I don't want to tell you to
23 do that.

24 MS. KANACK: Okay.

25 MR. DiSTEFANO: I mean, that is certainly

1 something -- the problem is that, even if you change
2 it to pavement, you're still going to have stack
3 parking there, which is not ideal.

4 MS. KANACK: Right.

5 MR. DiSTEFANO: That's why only used once in
6 a while is fine. But people start using it like that
7 all the time, and then you get stacked parking and,
8 you know, it makes a...

9 MS. SANGUINETTI: Rick, I have a question.
10 For shared parking agreements, is that something that
11 the Town assists in or needs to have a record of or --

12 MR. DiSTEFANO: No, we don't. I mean, there
13 are -- we endorse shared parking, obviously, but the
14 Town does not get involved in it. Usually there's
15 some form of agreement between the two property
16 owners.

17 I mean, sometimes the property that's
18 allowing for the parking is going to want some kind of
19 insurance waiver, basically, to cover any incidents on
20 their property due to Alice's parking. But usually
21 it's done more of, you know, a property owner to
22 property owner agreement.

23 ATTORNEY BARON: Rick, correct me if I'm
24 wrong, but this particular property, they're getting
25 in compliance with the parking requirements. They

1 didn't need a variance for the number of parking
2 spaces that they have?

3 MR. DiSTEFANO: It was not a parking
4 requirement as spelled out in the code. And if it
5 isn't spelled out in the code, then this Board has the
6 right to determine how much parking they feel is
7 necessary. So with the original approval, nine years
8 ago, this Board felt that what was shown plus the
9 overflow parking would be enough.

10 I just fall back to -- I'm just a little
11 concerned that -- you know, you've got a big
12 performance center there, and you could probably
13 overflow that parking pretty quickly. In wintertime,
14 it's not ideal to be parking out on the street.

15 MS. KANACK: I just want to mention the two
16 sites that I immediately think of, and one which we've
17 obviously had an agreement with, is across the street
18 has huge parking space which is often not used.

19 MR. DiSTEFANO: And that would be ideal.

20 MS. KANACK: And then, of course, just down
21 the street, now walking distance on that sidewalk, is
22 a big development that has gone up and has a lot of
23 parking. I imagine that some agreements could be made
24 there as well.

25 MR. DiSTEFANO: There is a lot of parking in

1 the area.

2 MS. KANACK: There is a lot of parking in
3 the area.

4 MR. DiSTEFANO: You've got to be aware of
5 the smaller businesses that might not want that
6 parking on their site.

7 MS. KANACK: Absolutely, yes.

8 MR. PRICE: Alice, when are some of your
9 bigger events? Are they weekends? Are they evenings?

10 MS. KANACK: Typically, if we have a big
11 event, it's in the evening and often on the weekend,
12 because general use is during the week, you know, for
13 lessons and such.

14 MR. PRICE: So it's off-peak of other uses?

15 MS. KANACK: Absolutely.

16 MR. PRICE: Okay. John, last question I
17 have. The stormwater management area, is it
18 functioning as it -- it looks to me like it's kind of
19 full with cattails and --

20 MS. KANACK: What do you do about that?

21 MR. PRICE: It's hard.

22 MS. KANACK: I mean, we cut it back and
23 then --

24 MR. PRICE: Cut it back.

25 MS. KANACK: We do it every year.

1 MR. PRICE: They're impossible to get rid of
2 once they take hold it seems.

3 MR. FADER: Not cattails.

4 MR. PRICE: Not cattails, phragmites.

5 MS. KANACK: Oh, there's cattails too.

6 MR. PRICE: There's both?

7 MS. KANACK: There's both.

8 MR. PRICE: Okay. Anything else? You guys
9 all good?

10 All right. Thank you.

11 This is a public hearing. Is there anyone
12 that cares to address this application?

13 Okay. Let's see. We have one more, which
14 is 3P-01-25, and that's 1530 Brighton Henrietta Town
15 Line Road, Tom Fitzgerald from MRB Group and JK
16 Findings, owner.

17 MR. DiSTEFANO: We've closed that public
18 hearing. If there's anything you want to -- you could
19 reopen it, if you would like, if there's anything in
20 addition that you want from the applicant.

21 MR. PRICE: I'm sorry?

22 MR. DiSTEFANO: We closed the hearing at the
23 last meeting.

24 MR. PRICE: Oh, we did?

25 MR. DiSTEFANO: We did, yes, because I think

1 we were all kind of set with the fact that it was --
2 it didn't get HPC approval.

3 MR. PRICE: Yes. I'm at a loss. I --

4 MR. DiSTEFANO: Is there a question that
5 maybe I can answer?

6 MR. PRICE: You answered it earlier that --

7 MR. FADER: We still have to grant some
8 approvals on this?

9 MR. DiSTEFANO: Yes, but we just don't
10 have -- the public hearing is closed. So we just --

11 MR. PRICE: Yes, that's the only
12 information. And is that formally in the record, with
13 talking about it in the presession?

14 MR. DiSTEFANO: That we closed --

15 MR. PRICE: No. That you got a
16 determination from HPC.

17 MR. DiSTEFANO: We can still talk about it
18 during discussion for the approval. We just tabled it
19 based on the fact that we couldn't make a motion on it
20 because we did not have HPC determination.

21 MR. PRICE: I don't know, Jeff. I'm not
22 sure you had a whole lot to say.

23 MR. BOORSMA: Not much, I mean, aside
24 from --

25 MR. DiSTEFANO: The public hearing is

1 closed. You're good. Trust me.

2 MR. PRICE: Thank you for coming out.

3 Sorry.

4 MR. BOORSMA: No worries.

5 ATTORNEY BARON: You were here already for
6 another application.

7 (Public hearings concluded at 8:00 p.m.)

8 (Begin deliberations and decisions.)

9 **Application 4P-01-25**

10 Application of JSL/Jewish Home of Rochester,
11 owner, and Marathon Engineering, agent, for site plan
12 modification/site plan approval to construct a 500
13 plus/minus square foot fitness addition to an approved
14 90-unit apartment building on property located at 2021
15 Winton Road South.

16 MR. PRICE: How is everybody doing? All
17 good?

18 All right. Let's go back to the beginning.
19 Let's chat about the first application, 4P-01-25,
20 Jewish Home of Rochester, Marathon Engineering. This
21 is for the 500-square-foot fitness center.

22 Is there a motion to close the public
23 hearing?

24 MR. FADER: I would close the public
25 hearing.

1 MR. TSVASMAN: I'll second.

2 MR. PRICE: Moved and seconded. This is to
3 close the hearing of our first application.

4 MR. DiSTEFANO: Motion and --

5 MR. PRICE: David and Serge.

6 MR. DiSTEFANO: Thank you. I'm sorry.

7 Do you want me to call the roll on that?

8 MR. PRICE: Please, yes.

9 MR. DiSTEFANO: The motion is to close the
10 public hearing.

11 (Mr. Price, aye; Mr. Fader, aye;

12 Ms. Sanguinetti, aye; Mr. Tsvasman, aye.)

13 (AUpon roll, motion to close the public
14 hearing carries.)

15 MR. PRICE: Do we have a motion on this
16 application?

17 MR. FADER: I move that the Planning Board
18 grants site approval and site plan modification
19 approval for Application 4P-01-25 based on the
20 testimony given, plans submitted, and with the six
21 conditions I'll find in the Planning Board report.

22 MS. SANGUINETTI: Second.

23 MR. PRICE: Okay. Moved and seconded.

24 Any further discussion?

25 Rick, please call the roll.

1 MR. DiSTEFANO: Motion is to approve with
2 conditions.

3 (Mr. Price, aye; Mr. Fader, aye;
4 Ms. Sanguinetti, aye; Mr. Tsvasman, aye.)

5 (AUpon roll, motion to approve with
6 conditions carries.)

7 **Application 4P-02-25**

8 Application of 293A Alden Road LLC, owner,
9 Home Leasing, project agent, and Bryan Burri, Bergmann
10 Engineers, for final site plan approval and final EPOD
11 permit approval to construct 120 units of affordable
12 and supportive housing consisting of seven townhouse
13 buildings (40 units) and a four-story apartment
14 building (80 units) on property located on the south
15 side of Elmwood Avenue, adjacent to the City of
16 Rochester municipal line, known as Tax ID
17 #136.14-1-1.2 and #136.14-1-1.3.

18 MR. PRICE: Okay. The second application is
19 4P-02-25, application of 293A Alden Road, LLC, and
20 this is for final site plan approval and final EPOD
21 woodlot permit approval.

22 Is there a motion to close the public
23 hearing?

24 MR. FADER: I'll move to close the public
25 hearing.

1 MR. PRICE: I'll second.

2 Any discussion?

3 Please call the roll.

4 MR. DiSTEFANO: The motion is to close the
5 public hearing.

6 (Mr. Price, aye; Mr. Fader, aye;

7 Ms. Sanguinetti, aye; Mr. Tsvasman, aye.)

8 (Upon roll, motion to close the public
9 hearing carries.)

10 MR. PRICE: Is there a motion to approve
11 final site plan and the woodlot EPOD permit?

12 MR. FADER: I move that the Planning Board
13 grants final site plan approval and final woodlot EPOD
14 permit approval for Application 4P-02-25 based on the
15 testimony given, plans submitted, and with the seven
16 conditions outlined in the Planning Board report.

17 MS. SANGUINETTI: Second.

18 MR. PRICE: Moved and seconded.

19 Is there any further discussion?

20 And you guys are okay with this one?

21 ATTORNEY BARON: Yes.

22 MR. PRICE: Okay. Moved and seconded.

23 Please call the roll.

24 MR. DiSTEFANO: Motion to approve with
25 conditions.

1 (Mr. Price, aye; Mr. Fader, aye;
2 Ms. Sanguinetti, aye; Mr. Tsvasman, aye.)
3 (Upon roll, motion to approve with
4 conditions carries.)

Application 4P-03-25

6 Application of Creative Ability Development,
7 owner, and LandTech Surveying & Planning, agent, for
8 preliminary/final site plan approval to construct a
9 4,187 plus/minus square foot building addition on
10 property located at 2077 South Clinton Avenue.

11 MR. PRICE: Next application is 4P-03-25,
12 2077 South Clinton Avenue. This is Creative Ability
13 Development.

16 MR. FADER: I'll move to close the public
17 hearing.

18 MR. PRICE: I'll second.

19 Any discussion?

20 Okay. Please call the roll to close the
21 public hearing.

22 MR. DiSTEFANO: The motion is to close the
23 public hearing.

24 (Mr. Price, aye; Mr. Fader, aye;
25 Ms. Sanguinetti, aye; Mr. Tsvasman, aye.)

1 (Upon roll, motion to close the public
2 hearing carries.)

3 ATTORNEY BARON: So I will just say for this
4 one, this is an unlisted action that -- a short
5 environmental assessment form was prepared for this
6 particular application, number 3. So whoever is going
7 to make the motion will need to make the SEQR motion
8 first and then...

21 You would hope that -- if that doesn't
22 happen, we will get complaints, and then we will go
23 back to this Board's decision. And, you know, it may
24 be it's a condition that every effort should be made
25 to provide off-site parking, words to that effect, so

1 a separate condition.

2 ATTORNEY BARON: That's exactly what I was
3 going to say.

4 MR. DiSTEFANO: If we do get complaints, we
5 can go back and say, you know, "Planning Board, why
6 didn't you look elsewhere?" and we had that discussion
7 and the minutes will reflect that.

8 ATTORNEY BARON: So what I wrote down was a
9 condition encouraging agreements with neighboring
10 property owners regarding off-site overflow parking.
11 We can't require them to enter into agreements with
12 neighboring property owners, obviously, but just
13 encouraging that as a condition.

14 MR. FADER: Can you help me with the wording
15 of this?

16 ATTORNEY BARON: Sure. So it will just be a
17 ninth -- there's eight, so this would be the ninth
18 condition. Something like "The Board encourages the
19 applicant to enter into any necessary agreements with
20 neighboring property owners for overflow parking
21 purposes."

22 MR. PRICE: Could we just state that for
23 construction and regular operating events --

24 ATTORNEY BARON: Yes.

25 MR. PRICE: -- since the concern is you'll

1 get the street lined with contractors and -- or just
2 adjacent property owners.

3 MR. DiSTEFANO: You don't want to say
4 "adjacent," because it might not be adjacent.

5 MR. PRICE: Okay.

6 MR. DiSTEFANO: And if they go to DiMarco
7 and say, "Do you mind if we use ten parking spaces
8 somewhere" --

9 MR. PRICE: I forgot where we left off. We
10 closed the hearing?

11 MR. DiSTEFANO: Closed the hearing and you
12 need to make a motion with the conditions and the
13 added condition.

14 MR. FADER: I move the Planning Board finds
15 that this is an unlisted action and adopts a negative
16 declaration for Application 4P-03-25, and the Planning
17 Board grants site plan approval based on testimony
18 given, plans submitted, and with the nine conditions
19 outlined in the Planning Board report.

20 MR. PRICE: I'll second.

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

23 (Mr. Price, aye; Mr. Fader, aye;

24 Ms. Sanguinetti, aye; Mr. Tsvasman, aye.)

25 (Upon roll, motion to approve with

1 conditions carries.)

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 MR. PRICE: Let's go to Application
8 3P-01-25. This is at 1530 Brighton Henrietta Town
9 Line Road.

10 MR. FADER: I move the Planning Board finds
11 the proposed action does not have a significant impact
12 on the environment and adopts the negative declaration
13 prepared by town staff, and the Planning Board grants
14 demolition approval for Application 3P-01-25 based on
15 the testimony given, plans submitted, and the 14
16 conditions outlined in the Planning Board report.

17 MS. SANGUINETTI: Second.

18 MR. DiSTEFANO: Any discussion?

19 MR. PRICE: Moved and seconded.

20 MR. DiSTEFANO: No discussion?

21 MR. PRICE: No discussion.

22 MR. DiSTEFANO: Motion is to approve with
23 conditions.

24 (Mr. Price, aye; Mr. Fader, aye;

25 Ms. Sanguinetti, aye; Mr. Tsvasman, aye.)

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

3 MR. PRICE: Thank you.

4 All right. We do have one sign application.

5 This is for 1900 South Clinton Road, SN9-25.

6 MR. DiSTEFANO: Pretty basic. Tops Plaza.

7 MR. PRICE: What are they? What is --

8 MR. DiSTEFANO: It's a fitness place. ARB
9 approved it as presented.

10 MR. PRICE: All right. Application SN9-25
11 recommend approval based on the recommendation of the
12 ARB. All in favor.

13 | BOARD MEMBERS: Aye.

14 MR. PRICE: Is that it? We're done?

15 ATTORNEY BARON: Yes.

16 (Proceedings concluded at 8:15 p.m.)

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1 | **REPORTER CERTIFICATE**

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

7

8 is a true and accurate transcription of my said
9 stenographic notes taken at the time and place
10 hereinbefore set forth.

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at Brighton, New York

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