

# **Town of Brighton Planning Board**

## **Preliminary Agenda**

### **6-18-2025**

**Meeting location:** 680 Westfall Road (temporary location of Town Hall), Room 159 (first floor).

**Meeting date and time:** 6-18-2025, 7PM

*Please Note: Brighton Town Hall at 2300 Elmwood Avenue is closed for renovation through 2026. Town offices and public meetings will take place at 680 Westfall Road during the renovation project. Police, courts, and library remain open at 2300 Elmwood Avenue. Mail should continue to be addressed to 2300 Elmwood Avenue, Rochester, NY 14618.*

Comments may be provided in-person at the public hearing or submitted in writing to the Planning Board Secretary, Jason Haremza ([jason.haremza@townofbrighton.org](mailto:jason.haremza@townofbrighton.org)) 2300 Elmwood Avenue, Rochester, NY 14618). Written comments must be received by 4PM on 6-18-2025.

Click on the hyperlinked File number for each case below to view the application materials. The final agenda, staff reports, and other documents to be considered by the Planning Board will be available on the town website no later than 24 hours prior to the meeting (to the extent practicable).

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#### **1. Meeting with staff**

- Agenda review and discussion

#### **2. Call meeting to order (Chair)**

#### **3. Roll call of board members (Secretary)**

#### **4. Consideration of minutes from prior meeting(s)**

[4-16-2025](#)  
[5-21-2025](#)

#### **5. Public hearing announcement**

The public hearings as advertised for the Planning Board in the Daily Record of 6-11-2025 will now be held.

## Public hearings

### Case 1

**Address/Location: 0 East Henrietta Road (Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12)**

Type: Site Plan (combined Preliminary/Final), Subdivision, EPOD Permit, and Conditional Use Permit Review

Application: 6P-01-25

File: PB-25-14

Zoning: General Commercial (BF-2)/Incentive Zoning agreement

Applicant: Ryan Destro, PE (BME Associates)

Description: Application of Ryan Destro, PE (BME Associates), agent, and Westfall Brighton SRE LLC, owner, for combined Preliminary/Final Site Plan, Subdivision, and EPOD (Woodlot) Permit review to combine two lots into one and construct a 48,282 +/- sf, 2-story golf and entertainment venue (TopGolf) with an outfield hitting area and other associated site improvements, and a Conditional Use Permit request to allow for extended hours of operation, on property located south of Westfall Rd, east of E Henrietta Rd (CityGate), known as Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12. [Note: this is a re-submittal of previously approved site plan that has expired. No changes to project]

### Case 2

**Address/Location: 0 South Winton Road (Tax ID parcel 137.140-01-082.22)**

Type: Site Plan Review (combined Preliminary/Final)

Application: 6P-02-25

File: PB-25-16

Zoning: Residential - Low Density B (RLB)

Applicant: Gregory McMahon (McMahon LaRue)

Description: Application of Gregory McMahon, (McMahon LaRue), agent, for combined Preliminary/Final Site Plan Review to construct a 1690 +/- sf single family house, with an 870 +/- sf attached garage on property located on the east side of S Winton Rd, north of Hollyvale Dr, opposite Danbury Cir N, known as Tax ID parcel 137.140-01-082.22.

### Case 3

**Address/Location: 0 South Winton Road (Tax ID parcel 137.140-01-082.23)**

Type: Site Plan Review (combined Preliminary/Final)

Application: 6P-03-25

File: PB-25-17

Zoning: Residential - Low Density B (RLB)

Applicant: Gregory McMahon (McMahon LaRue)

Description: Application of Gregory McMahon, (McMahon LaRue), agent, for combined Preliminary/Final Site Plan Review to construct a 1530 +/- sf single family house, with an 625 +/- sf attached garage on property located on the east side of S Winton Rd, north of Hollyvale Dr, opposite Danbury Cir N, known as Tax ID parcel 137.140-01-082.23.

**Case 4 - POSTPONED**

**Address/Location: 1285 East Henrietta Road (Tax ID #149.18-2-2)**

Type: Site Plan Review (Preliminary)

Application: 4P-NB1-25

File: PB-25-9

Zoning: Light Industrial (IG)

Applicant: Loyal Group REM, LLC

Application of Thomas Fitzgerald, MRB Group, agent, and Loyal Group REM LLC, owner, Birnbaum Companies, contract vendee, 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. TABLED AT 4-16-2025 MEETING.

**POSTPONED TO 7-16-2025 MEETING AT APPLICANT'S REQUEST.**

**PUBLIC HEARING REMAINS OPEN.**

**6. Presentations/Communications**

None

**7. Petitions**

None

**8. Signs**

None

# **Town of Brighton Planning Board**

## **Staff Report**

**Hearing Date: 6-18-2025**

**Address/Location: 0 East Henrietta Road (Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12)**

Type: Extension of approvals: Site Plan (combined Preliminary/Final), Subdivision, EPOD Permit, and Conditional Use Permit Review

Application: 6P-01-25

File: PB-25-14

Zoning: General Commercial (BF-2)/Incentive Zoning agreement

Applicant: Ryan Destro, PE (BME Associates)

Description: Application of Ryan Destro, PE (BME Associates), agent, and Westfall Brighton SRE LLC, owner, for combined Preliminary/Final Site Plan, Subdivision, and EPOD (Woodlot) Permit review to combine two lots into one and construct a 48,282 +/- sf, 2-story golf and entertainment venue (TopGolf) with an outfield hitting area and other associated site improvements, and a Conditional Use Permit request to allow for extended hours of operation, on property located south of Westfall Rd, east of E Henrietta Rd (CityGate), known as Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12. [Note: this is a re-submittal of previously approved site plan that has expired. No changes to project]

### **Town Staff Notes**

#### **Building and Planning Office**

Jason Haremza ([jason.haremza@townofbrighton.org](mailto:jason.haremza@townofbrighton.org)) 585-784-5259)

1. This project received Planning Board approval on 7-17-2024. These approvals expire on 7-17-2025.
2. Since the approvals have not yet expired, this is technically an extension rather than a re-submittal.
3. There are no changes to the project. Applicant to confirm.
4. See the attached cover letter, submitted by the applicant. With the consent of the applicant, the error in the requested extension time period was corrected. Applicant to confirm.
5. Recommend extending the approval to the two-year maximum: 7-17-2026.

# BME|ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

May 8, 2025

Planning Board  
Town of Brighton  
2300 Elmwood Avenue  
Rochester, New York 14618

**Re: TopGolf** 2882  
**T.A. #149.06-1-3.11 & 149.06-1-3.12**  
**Application # 7P-01-24/PB-24-19**  
**(Request for ~~90~~ day Extension of Final Site Plan, Subdivision, & Woodlot EPOD Approval)**

Dear Board Members:

On behalf of Westfall Brighton SRE, LLC. and TopGolf, we request a ~~90~~ day extension of the Final Site Plan, Subdivision and Woodlot EPOD approval for the above-referenced project, which was granted by the Planning Board on July 17, 2024 and is set to expire on July 17, 2025.

The applicant remains committed to the project and is finalizing the financing of the proposed development. The applicant anticipates commencing construction in the Fall of 2025.

We request to be placed on the June 18, 2025 Planning Board agenda for consideration. Enclosed are (15) fifteen copies of the Site Plan and the \$350 approval extension application fee. Please contact our office if you have any questions prior to the meeting.

Sincerely,  
**BME Associates**



Ryan T. Destro, P.E.

/RTD

c: Matt Lester; Westfall Brighton SRE, LLC.  
Anthony Gizzie; Westfall Brighton SRE, LLC.  
Todd Waldo, Director of Real Estate Development; TopGolf  
Kevin Nowak, Project Developer; ARCO/Murray  
Betsy D. Brugg, Esq., Partner; Woods, Oviatt, Gilman, LLP.  
Jerry Goldman, Esq., Partner; Woods, Oviatt, Gilman, LLP.

# Town of Brighton Planning Board

## Staff Report

**Hearing Date: 6-18-2025**

**Please note:** This document serves as the staff report for both File PB-25-16 and PB-25-17. The project consists of two single family dwellings, each on existing individual, but adjacent, vacant lots (note the different **tax parcel numbers**).

### **Address/Location: 0 South Winton Road (Tax ID parcel 137.140-01-082.22)**

Type: Site Plan Review (combined Preliminary/Final)

Application: 6P-02-25

File: PB-25-16

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The Planning Board may wish to consider the following staff comments.

### **Building and Planning Office**

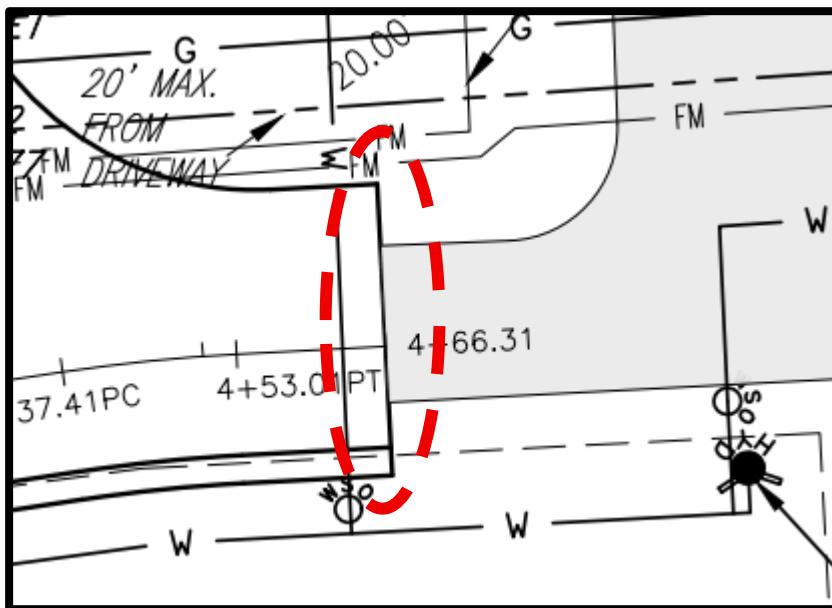
Jason Haremza ([jason.haremza@townofbrighton.org](mailto:jason.haremza@townofbrighton.org)) 585-784-5259)

1. A site plan application was submitted that included the following:
  - a. Engineer's Report
  - b. Monroe County Development Review Response (attached)
  - c. Drawing set containing the following:
    - i. Existing Condition Plan

- ii. Site Plan
- iii. Utility Plan
- iv. Profile
- v. Notes and Details
- vi. Landscape Plan

2. This project requires review by the Architectural Review Board (ARB). To date, no complete application has been submitted.

3. Redesign the abrupt and awkward transition between approximately 22' wide pavement and 14' wide pavement:



### **Town Engineer**

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

1. Based on review to date, the Town Engineer had no major concerns. The applicant should resolve any remaining issues with the Town Engineer.

### **Sewer Department**

Tim Jason ([tim.jason@townofbrighton.org](mailto:tim.jason@townofbrighton.org) 585-784-5289)

1. Sewer permit(s) required = must be obtained by a licensed plumber
2. All other approvals from jurisdictional agencies must be obtained prior to that of the Town of Brighton DPW
3. The contractor shall obtain all necessary Highway Access, Sewer Construction or other permits from the Town or other agencies prior to starting work
4. The portion of proposed sanitary sewer and manholes that are installed on public land will need to be dedicated to the Town and thereby meet the Town's Minimum Standards for Dedication

5. Need to see details for force main(s) connections at manhole
6. The contractor is directed to obtain a current copy of the Town of Brighton Standards prior to the beginning of work
7. Floor drains, if installed, shall be connected to the sanitary sewer system. Floor drains do not include foundation or footer drains.
8. Sewers must maintain a minimum of 4 feet of coverage throughout
9. Must maintain 18" separation between sewer and water
10. The applicant shall request and attend a preconstruction meeting to be held at the Town of Brighton DPW

### **Conservation Board**

#### *Advisory Comments*

1. Preserve mature trees outside of the grading envelopes.

### **Environmental Review/State Environmental Quality Review (SEQR)**

Town staff reviewed the submitted materials and carefully considered both State (6 NYCRR 617.5) and Town (Town Code Section 201-14) and determined this project is a Type 2 action, requiring no further environmental review.

Specifically 6 NYCRR 617.5(c)(11): Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith;

### **Decision or Action by the Planning Board**

If the Planning Board entertains tabling, the following reasons are recommended by staff. The Planning Board can add, delete, or revise reasons for tabling.

1. Provide time for the Town's standard notification of neighboring properties.
2. Submit an application to the Architectural Review Board (ARB).
3. Provide written documentation from the Fire Marshal's office that the design of the private road, turn around, and hydrant placement is acceptable.
4. Provide additional information regarding the varying pavement width of the private road and revise the awkward transitions between the various widths.
5. Provide additional information on mature trees to be retained, per Conservation Board comment. The landscape plan appears to call out only one tree to remain.
6. Address Monroe County comments (attached for reference).



## 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:** June 3, 2025

**Subject:** Valentine Subdivision  
0 S Winton Rd, Rochester 14618  
MCDP&D Response to Development Review Referral (BH25010)

### 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):

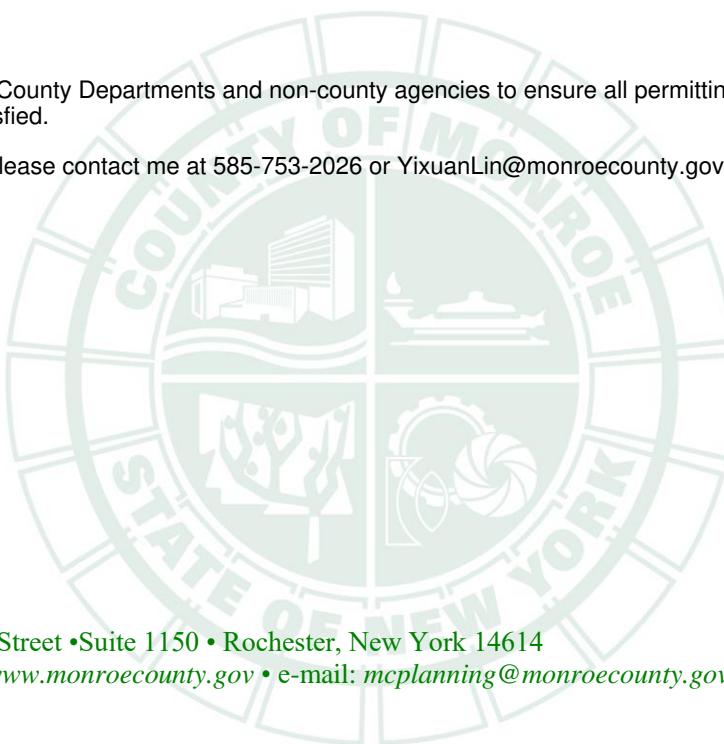
Yes  No

### MCDP&D Comments:

1. 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  
ATEC Consultants Inc  
Greg McMahon, McMahon LaRue  
Monroe County Planning & Development



Subject: Attachment to File BH25010  
Valentine Subdivision  
0 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. 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. For a project of this size, a MCDOT Plan is not really necessary. At 50 scale, it is very cluttered and difficult to read. In addition, you named it DWG C-700, and there is a DWG C-700 in the full set of plans. Just incorporate the MCDOT notes and details with the full set.
2. If you insist on a MCDOT Plan, I only need to see 200' in each direction on Winton Rd. Having it at 20 scale would be preferred.
3. 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](mailto: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.
4. County ROAD, not route.
5. Show the posted and design speed limits and intersection/stopping sight distances (required and provided) to the left and right.
6. Show MCDOT Figure(s) DRIVEWAY TAPER LAYOUT, POST MOUNTED SIGN INSTALLATION IN SOIL WITH/WITHOUT CURB OR GUTTER, PLAN APPROVAL STAMP (Cover, all plan sheets except landscaping, profile sheet, any sheets with MCDOT notes or details) on the plans. Electronic versions (PDF and DWG formats) are available on MCDOT's web site: <https://www.monroecounty.gov/dot-standarddetails>.
7. On private drive profile, show and label edge of pavement and right-of-way.
8. Provide detail for (private) street name sign.
9. Add to MCDOT notes: "Owner/developer shall be responsible for providing, installing and maintaining stop and street name signs."
10. A review fee of \$275.00 is due to continue our review/approval of this project. Please make checks payable to "Director of Finance, County of Monroe".
11. Submit 1 set full size (22"x34") hard copy of revised plans and review fee to MCDOT, attn: Permits/John Raymond.

**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."
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](mailto: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.



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