

# **Town of Brighton Planning Board Final Agenda 7-16-2025**

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

**Meeting date and time:** 7-16-2025, 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 7-16-2025.

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 (transcript) from prior meeting(s)**

[4-16-2025](#)

[5-21-2025](#)

[6-18-2025](#)

## **5. Public hearing announcement**

The public hearings as advertised for the Planning Board in the Daily Record of 7-8-2025 will now be held.

## Public hearings

### Case 1

**Address/Location:** [2240 Monroe Avenue](#)

Type: Conditional Use Permit Review

File: PB-25-18

Zoning: Low Intensity Commercial (BF-F)

Applicant: Max Eberts

Description: Application of Max Eberts, owner, for Conditional Use Permit review of a fitness training studio in tenant space #3 on property located at 2240 Monroe Av.

### Case 2 - TABLED at 6-18-2025 meeting, POSTPONED at request of applicant to the 8-20-2025 meeting

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

Type: Site Plan Review (combined Preliminary/Final)

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. **POSTPONED TO 8-20-2025 MEETING AT APPLICANT'S REQUEST. PUBLIC HEARING REMAINS OPEN.**

### Case 3 - TABLED at 6-18-2025 meeting, POSTPONED at request of applicant to the 8-20-2025 meeting

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

Type: Site Plan Review (combined Preliminary/Final)

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. **POSTPONED TO 8-20-2025 MEETING AT APPLICANT'S REQUEST. PUBLIC HEARING REMAINS OPEN.**

### Case 4 – POSTPONED to 8-20-2025 meeting

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

Type: Site Plan Review (Preliminary)

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 8-20-2025 MEETING AT APPLICANT'S REQUEST.** PUBLIC HEARING REMAINS OPEN.

## 6. Presentations/Communications

None

## 7. Petitions

None

## 8. Signs

**Application Number:** [SN-25-12](#)

2740 W Henrietta Rd

Replacement/rebranding of the existing sign for *Dunkin'*

**Application Number:** [SN-25-13](#)

2210 Monroe Ave

Replacement of the existing sign for *Westside Medical Supply*

# **Town of Brighton Planning Board Staff Report**

**Hearing Date: 7-16-2025**

**Address/Location: 2240 Monroe Avenue**

Type: Conditional Use Permit

File: PB-25-18

Zoning: Low Intensity Commercial (BE-F)

Applicant: Max Eberts

Description: Application of Max Eberts, owner, for Conditional Use Permit review of a fitness training studio in tenant space #3 on property located at 2240 Monroe Av.

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. 2240 Monroe Avenue currently contains a 14,900 +/- sf single story multi-tenant retail structure built circa 1978.
2. A floor plan and site plan and parking analysis have been submitted. The Planning Board may make a determination that existing parking is adequate to serve the proposed use.
3. This project is exempt from Monroe County Development Review per the 1994 Intermunicipal Agreement between Monroe County and the Town of Brighton.
4. Applicant to confirm that no site changes are proposed for the property at this time. Façade improvements have already been reviewed and approved by the Architectural Review Board.
5. Any signage shall be reviewed separately.

## **Fire Marshal**

None

## **Town Engineer**

None

## **Sewer Department**

None

## **Conservation Board**

None

### Conditional Use Permit Findings

The following draft findings, based on the standards found in [Town of Brighton Code Section 217-7](#), are recommended for the Planning Board's consideration and discussion.

1. The Planning Board finds that the proposed fitness training studio complies with the standards of the Low Intensity Commercial (BE-F) District.
2. The Planning Board finds that the proposed use is in harmony with the purpose and intent of [Code Sections 217-3 through 217-7.2](#) (Conditional Uses). The location and size of the proposed fitness training studio, the intensity, size of the site and access have all been considered in the Board's review.
3. The Planning Board finds that a fitness training studio in this location will not be detrimental to persons, detrimental or injurious to the property and improvements in the neighborhood, or to the general welfare of the Town.
4. The fitness training studio will be developed within an existing structure on a developed site and not result in the destruction, loss or damage of any natural, scenic or significant historical resource.
5. The Planning Board finds that a fitness training studio will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.
6. The Planning Board finds that a fitness training studio will be adequately served by essential public facilities.
7. The Planning Board finds that a fitness training studio will not result in the loss or damage to trees.
8. The Planning Board finds that a fitness training studio in this location essentially conforms to the Town's Comprehensive Plan: Envision Brighton 2028. Specifically Volume 2, Pages 16, the Economic Vitality Policy Objectives [emphasis added]:
  - A. *Attract and promote the sustainable development of quality office, retail, commercial, medical, light industrial, and residential uses in areas with existing critical infrastructure, in an effort to expand the Town's local tax base while providing needed and desired goods and services, and without compromising other community goals.*
  - E. *Provide support for local businesses, entrepreneurs, institutions, and enterprises to attract and retain local talent and increase access to local goods.*

## **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)(18):

Reuse of a...commercial structure..., where the...commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special [conditional] use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part.

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

*With proposed conditions for the Board's consideration*

If the Planning Board considers approval, the following conditions are recommended by staff. The Planning Board can add, delete, or revise conditions.

1. A building permit is required. Building Permits are submitted online: <https://www.townofbrighton.org/970/Building-Permit-Applications> However, two full sized sets of paper construction drawings are required for projects of this size and scope. The entire project shall comply with the current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
2. The applicant shall comply with any requirements of the Fire Marshal.
3. Any signage shall be reviewed and approved by the Town.
4. All Town codes shall be met that relate directly or indirectly to the applicant's request.