

AGENDA
BOARD OF APPEALS - TOWN OF BRIGHTON
December 3, 2025

Written comments may be submitted to Anthony Vallone, AICP, Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to anthony.vallone@townofbrighton.org.

Meeting location - 680 Westfall Road, Empire State University (temporary home of the Brighton Town Hall), Rochester, New York, 14620

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.

CHAIRPERSON: 7:00 P.M. - Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members.

CHAIRPERSON: Approve the minutes of October & November 2025, meetings.

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of November 26, 2025, will now be held.

ZB-25-52 Application of Michael Verbree, owner of property located at 98 Kimbark Rd., for an Area Variance from Section 207-10 A (3) for an Area Variance from Section 207-10(A)(3) and 205(2) to allow a 21-foot front porch to extend 10 feet into the required 40-foot minimum front setback allowed by code. All as described an application and plans on file.

ZB-25-54 Application of Alexander Rheinwald, agent, and John Thomas Galvin, owner of property located at 2240 Monroe Ave for a 33 ft minimum distance from the nearest residential property line, where a 50 ft distance is required by code. All as described on application and plans on file.

ZB-25-60 Application of Abigail D'Angelo, agent, and Planned Parenthood of Central and Western New York, Inc., lessee for property located at 2253 S Clinton Ave. for 1, a variance from Section 205-22 to allow for off-street parking spaces to be provided on a different lot than the use to which they serve; 2, a variance from Section 205-6 to allow for a 17.8 ft front setback in lieu of the 50 ft minimum; 3, a variance from Section 205-6 to allow for a 19.6 ft side setback in lieu of the 20 ft minimum; and 4, a variance from Section 205-6 to allow for 14,200 gross square feet of floor area per acre in lieu of the 10,000 gross square feet of floor area per acre required by code. All as described an application and plans on file.

ZB-25-62 Application of Lisa Osur, owner of property located at 20 Pickford Dr., for a variance from 207-10 E to allow for an 8 ft by 4 ft masonry pad, approximately 16 inches high to be located at the lot line, in lieu of the required 4 ft setback. All as described an application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

1. Conditions and Findings of Fact
2. Staff Report Format Discussion

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

NONE

PETITIONS:

NONE

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: ZB-25-60

Date: 12-3-2025

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 Zoning Board of Appeals, 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: ZB-25-60

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Abigail D'Angelo, agent, and Planned Parenthood of Central and Western New York, Inc., lessee for property located at 2253 S Clinton Ave. for 1, a variance from Section 205-22 to allow for off-street parking spaces to be provided on a different lot than the use to which they serve; 2, a variance from Section 205-6 to allow for a 17.8 ft front setback in lieu of the 50 ft minimum; 3, a variance from Section 205-6 to allow for a 19.6 ft side setback in lieu of the 20 ft minimum; and 4, a variance from Section 205-6 to allow for 14,200 gross square feet of floor area per acre in lieu of the 10,000 gross square feet of floor area per acre required by code.

Location: 2253 South Clinton Ave

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. There are no proposed alterations to the site or the building because the application seeks to subdivide a portion of the site and no construction or alteration of the existing parking is proposed. The variances requested are necessary because of the proposed subdivision.

2. Noise and Visual Impacts. The Project will not create any adverse noise or visual impacts. There are no proposed alterations to the site or the building because the application seeks to subdivide a portion of the site and no construction or alteration of the existing parking is proposed. The variances requested are necessary because of the proposed subdivision.

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 medical office building is existing on the site. There are no proposed alterations to the site or the building because the application seeks to subdivide a portion of the site and no construction or alteration of the existing parking is proposed. The variances requested are necessary because of the proposed subdivision.

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.

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. The medical office building is existing on the site.

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. The medical office building is existing on the site.

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 Zoning Board of Appeals, 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.

Date Issued: 12-3-2025

For further information:

Contact Person: Anthony Vallone, Environmental Review Liaison Officer

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

Email: anthony.vallone@townofbrighton.org

Telephone: 585-784-5228