

Proceedings held before the Planning Board of Brighton at 2900
2900 Elmwood Avenue, Rochester, New York on February 13, 2014
commencing at approximately 7:30 p.m.

PRESENT: William Price, Chairman
David Fader
Josh Babcock Stiner
Thomas J. Warth
Laura Civiletti
John J. Osowski

NOT PRESENT: Ramsey Boehner, Town Planner

Michael Guyon, P.E. (sitting in for Ramsey Boehner)
David Dollinger, Deputy Town Att.

FIRE ALARM PROCEDURES WERE GIVEN

MR. CHAIRMAN: Good evening
Ladies and Gentlemen, I would like to call the February 13, 2014 own of
Brighton's Planning Board to order. We have minutes from December 18, 2013,
do I have a motion to approve those minutes with any corrections.

MS. CIVILETTI: I move to approve the minutes
from the December 18, 2013 meeting.

MR. FADER: Second

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. CHAIRMAN: We will review the January
meeting in March. Mr. Secretary will you verify that the public hearings were
advertised as required.

MR. GUYON: Yes, they were properly
advertised as required in the Brighton Pittsford Post of February 6, 2014.

MR. CHAIRMAN: Before we begin the public
hearings the agenda for tonight has been substantially reduced. Application 1P-
01-14 has been postponed to the March 19, 2014 meeting at applicant's request.

Application 1P-02-14 has also been postponed at the applicant's request. Application 2P-0114 has been withdrawn by the applicant as well as Application 11P-NB1-13 and 12P-NB1-13 have been postponed to the March 19, 2014 meeting.

1P-01-14 Application of Sherry Dampier, owner and Joseph O'Donnell, architect for EPOD (watercourse) Permit Approval to allow for the construction of a garage addition on property located at 3176 Elmwood Avenue. All as described on application and plans on file. TABLED AT THE JANUARY 15, 2014 MEETING –PUBLIC HEARING REMAINS OPEN – Postponed to the March 19, 2014 meeting.

1P-02-14 Application of Le Thi Be Walters, owner and Monroe Pittsford Development, contract vendee, for Final Site Plan Approval, Final Conditional Use Permit Approval and Demolition Review and Approval to raze a commercial building and construct a 2,039 +/- sf restaurant and drive thru, outdoor dining and extended hours (5:00 a.m. 12:00 midnight) on property located at 277 Monroe Avenue. All as described on application and plans on file. TABLED AT THE JANUARY 15, 2014 MEETING –PUBLIC HEARING REMAINS OPEN - Postponed to the March 19, 2014 meeting.

11P-NB1-13 Application of Le Thi Be Walters, owner and Monroe Pittsford Development, contract vendee, for Preliminary Site Plan Approval, Preliminary Conditional Use Permit Approval and Demolition Review and Approval to raze a Commercial Building and construct a 1, 900+/- sf restaurant with drive thru and outdoor dining on property located at 2787 Monroe Avenue. All as described on application and plans on file. TABLED AT THE JANUARY 15, 2014 MEETING –PUBLIC HEARING REMAINS OPEN - Postponed to the March 19, 2014 meeting.

2P-01-14 Application of Our Lady of Lourdes Church, owner and New Cingular Wireless PCS (AT&T) lessee for a Tower Permit to allow for the installation of nine building mounted cellular antennas at a height of 20 +/- ft above the building's roof on property located at 165 Rhinecliff Drive. All as described on application and plans on file. WITHDRAWN BY APPLICANT.

12P-NB1-13 Application of Max M. Farash Land Co., LLC, by Max M. Farash Declaration to Trust, owner and FCJE Holdings, LLC, applicant for Preliminary Site Plan Approval, Preliminary Subdivision Approval and Preliminary EPOD (woodlot) Permit Approval to construct a driveway serving a 59,800 sg building in the Town of Henrietta that will house three private schools and to subdivide

one lot into two lots on property located t 447 French Road. All as described on application and plans on file. TABLED AT THE DECEMBER 18, 2013 MEETING – PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE MARCH 19, 2013 MEETING AT APPLICANT’S REQUEST.

2P-01-14 Application of Our Lady of Lourdes Church, owner and New Cingular Wireless PCS (AT&TT) lessee, for a Towner Permit to allow for the installation of nine building mounted cellular antennas at a height of 20+/- ft above the building’s roof on property located at 165 Rhinecliff Drive. All as described on application and plans on file. WITHDRAWN BY APPLICANT.

2P-02-14 Application of Companion Animal Hospital/ Monroe Veterinary Associates, owner and Commercial Power Systems LLC, contractor, for Site Plan Modification to install a standby emergency generator on property located at 2800 West Henrietta Road. All as described on application and plans on file.

MR. CHAIRMAN: Is there anyone here for this application. There being no one at this time I will assume they will be coming in later since we have had so many applications postponed and we will move on.

2P-03-14 Application of CHG HAM 1, LLC, owner and Velocite, Inc. 1 and AT&T lessee, for Site Plan Modification to install a standby emergency generator on property located at 717 East Henrietta Road. All as described on application and plans on file.

MR. PERRY: Randy Perry representing AT& T and Vera Nerone. This is an overhead view of the property and this would indicate where on the property the generator is proposed to be placed. This is the site of the proposed location next to the AT& T shelter. We were asked to show where the ingress and egress of where the construction vehicles would be coming from and that is right through here . Looking out is where the generator is proposed to be located and also the extension. The reason we are here is because it can’t be placed behind the building like the regs stated. We will do whatever needs to be done to shield it from the people’s view.

MR. CHAIRMAN: Tell us do you happen to know how many carriers are on this particular tower.

MR. PERRY: I believe there are two. We are responsible for AT&T.

MS. CIVILETTI: Is this generator serving only AT&T?

MR. PERRY: That is right.

MR. CHAIRMAN: Is this diesel or natural gas?

MR. PERRY: Natural gas.

MR. CHAIRMAN: So if there is a move to place the generator for everybody's equipment is there a likelihood of some of the other carriers coming in and placing another generator next to this one?

MR. PERRY: On this one in particular AT&T leases the land themselves so this is an AT&T controlled site. I doubt that unless they decide to share the site.

MR. CHAIRMAN: You are not AT&T ?

MR. PERRY: No we are a subcontractor for them.

MR. DOLLINGER: The FCC has come out with a ruling encouraging a generator for all of the carriers.

MR. PERRY: It is a ruling encouraging that.

MR. DOLLINGER: I want to point out the new regulation talks about collocation and specifically includes generators on these new co-locators.

MR. PERRY: This generator is big enough for one carrier but they do make larger ones and it could be replaced if someone else decides to apply for a generator.

MR. CHAIRMAN: Will this be started right away?

MR. PERRY: No it won't be started until March or April.

MR. CHAIRMAN: This is a public hearing does anyone care to address this application. Hearing one we will move on.

2P-04-14 Application of Bruce Coleman, owner and Velocitel Inc. and AT& T, lessee for Site Plan Modification to install a standby emergency generator on property located at 2472 Monroe Avenue. All as described on application and plans on file.

MR. PERRY: Randy Perry and Vera Nerone representing AT& T. Again this is a lot more obscure to get to the parking lot and its expansion in 2004. AT&T came up with a way to expand the compound to the north. This would be a co-location inside the existing compound.

MR. CHAIRMAN: One of the concerns is the impact of the generator. Let's go back to whose tower this is and who is the lease with.

MR. PERRY: Based on the market it is Sprint and Verizon this is the only spot that the generator will fit inside the compound.

MR. CHAIRMAN: Will you have to tear up any concrete?

MR. PERRY: It looks like there is a path existing there. They want to design it with a grounding ring underneath it so it is grounded on two points on either side of the generator in the compound. This one is visible from the parking lot and it is natural gas also. The parking lot is 200 plus feet away so it is more of a disturbance that way and they prefer natural gas.

MS. CIVILETTI: What color is the generator?

MR. PERRY: It is the color crème.

MR. CHAIRMAN: Is there anybody in the audience that cares to address this application?

MR. BAYLOR: My name is Scott Baylor and I live at 192 Rhinecliff Drive. My question is just in general because I notice there are three generator applications on the agenda tonight. So I am just a member of the town who is concerned about what the wireless companies have planned for

increased towers and building located antennas. Is there a I guess I heard Mr. Dollinger talking about earlier about what the legal requirement is, do they have to be allowed. I know they want them but my question is the standing of having a generator and then second I would like to better understand – I know variances are for the variance board but what is the Planning Board's role? Are you approving or are they just approved any way. I will sit down and listen to the answer.

MR. CHAIRMAN: I will give you a part of the answer. These do require Site Plan Approval from a Site Plan standpoint that is where this Board has jurisdiction. We look at the placement of the generator. We generally ask the number of times a week they are on and what is the duration. We look at the decibels levels and we are concerned with adjacent residences. We have very little discretion as to whether or not they are allowed to have them and Mr. Dollinger can support that or deny that. We are more reviewing them as to placement and impact on residences and trying to minimize that. There is another one that is closer to residential and there is screening proposed with fencing and landscaping. But when we start looking at generators whether it is a doctor's office or any other commercial facility we are running into a situation of not being able to say no but making sure placement is in the best way.

MR. DOLLINGER: Some of the generators do require variances depending on where they are and so that is why some may require variances and some don't that depends upon the placement.

MR. BAYLOR: I was just wondering what this Board's scope is?

MR. DOLLINGER: We are here for a Site Plan when they originally approved these things eight years ago we approved the site plan and they said we are going to put this here and that there and then when they change the configuration they have to come back so its screening traffic impact and things like that.

MR. BAYLOR: I just want to make a statement for the record I appreciate your answering my questions and I also want to urge the Planning Board to consider residents and I also want to thank you for your efforts to do that. It seems like you are already on that track for neighborhood noise and pollution and I appreciate that. Thank you for answering my questions.

MR. CHAIRMAN: Anyone else care to address this application? Okay that will be it.

02-5-14 Application of Lindon Knolls Apartments, owner, and Velocitel, Inc. and AT&T lessee for Site Plan Modification to install a standby emergency generator on property located at 81 Linden Avenue. All as described on application and plans on file.

MR. PERRY: Randy Perry representing AT&T The location is on the north east corner over here, and here's what it looks like from the driveway over here. It is screened pretty well with evergreens.

MR. CHAIRMAN: Would you please tell us the fence height?

MR. PERRY: It is six feet to match the existing vegetation out there.

MR. CHAIRMAN: Is it natural gass?

MR. PERRY: Yes.

MR. CHAIRMAN: The fence height is in excess of 3 and a half feet and will require a variance.

MR. PERRY: I can take the fence away.

MR. CHAIRMAN: That is one option. What is the type of fence?

MR. PERRY: This one is vinyl white PVC.

MR. CHAIRMAN: What is the height of the generator?

MR. PERRY: Seven feet.

MR. CHAIRMAN: It would have to be a 3 and a half foot fence.

MR. PERRY: Would you like white PVC?

MR. CHAIRMAN: That is fine if there is a tan color.

MR. PERRY: I believe there is.

MR. CHAIRMAN: I think that is more appropriate. Are there any trees or shrubs to be removed?

MR. PERRY: It looks as if one of the ends is going to be replaced with an appropriate size.

MR. CHAIRMAN: Meaning the same size?

MR. PERRY: I don't think you can get one that height but at least about that height.

MR. WARTH: Are you going to put shrubs on the other side?

MR. PERRY: I don't believe so. There will be a fence on one side and the other one will be serviceable towards this other side.

MR. CHAIRMAN: Okay, this is a public hearing is there any one who cares to address this application? Hearing none we will move on. Thank you very much.

2P-02-14 Application of Companion Animal Hospital/ Monroe Veterinary Associates, owner and Commercial Power Systems LLC, contractor, for Site Plan Modification to install a standby emergency generator on property located at 2800 West Henrietta Road. All as described on application and plans on file.

MR. SPUTNIK: I finally made it. Hello my name is Jim Sputnik, President and owner of Commercial Power Systems located in Victor. I am here to chat about a residential standby generator being installed at Companion Animal Hospital on West Henrietta Road. It is quote unquote going to be behind the building but the Planning Board has a little bit different interpretation so that is why I am here. It is a natural gas fire generator. The size of the generator is 2 foot by 4 foot by 28 inches tall. Decibel rating on that generator is 66 decibels and it beats all the town building codes you can check

with that and it is going on – it is going to be taking over an area behind the building that is currently being used by some vacated dog kennels there. They had some fencing where they had some kennels until Companion Animal Hospital expanded quite a bit in the back where they have some other kennels back there so it is going in a quote unquote dog kennel area on an exiting concrete pad that is already there. Obviously the concern is how does it look, the generator again is behind the building, can't be seen from the street, can't be seen from the parking lot even the side parking you won't be able to see the standby generator system.

MS. CIVILETTI: How is it fueled?

MR. SPUTNIK: It is natural gas. The generators exercise themselves for 12 minutes per week and we set that exercise cycle any time that the customer wants. We usually set them during the day so that one of the checks you can have is the audible check to make sure its going through its weekly cycle. All these generators as well have remote wireless monitors on them as well. That gets calls back the operation manager pages ourselves and up to six people as well to make sure the generator is functioning properly. This is probably the tenth or eleventh generator we have installed for Companion Animal Hospital. They own quite a few of the veterinary hospitals. We just finished up the one in Brighton that we did get a variance for 150 kw across from MCC we did that whole facility over there. They do some amazing things over there. But it is really to take of critical operations and of course if they are into some operations they have the ability to finish those up without any harm to the animal or the occupants within the building.

MS. CIVILETTI: What is the decibel reading?

MR. SPUTNIK: The decibel reading on this generator it is 66 decibels on page 3 it will give you the decibel reading on the right hand side. It a 14 KW generator and it is a residential type generator for minimal loads phone systems, some lighting some of their servers will be backed up.

MR. OSOWSKI: Is it big enough for a heating sytem?

MR. SPUTNIK: They have residential type furnaces so they don't have the big roof tops like you see in commercial applications. It started out as a residential house and they have added and they have added because a lot of the businesses are on West Henrietta Road especially up towards the expressway like that. It has a regular basement like a regular

ranch house and that is where their service comes in. We did take a look at doing a whole business transfer. They have one on Monroe Avenue as well as their main offices to back up their whole building there. This is what they call a selected circuit solution so we are not backing up the whole facility.

MR. CHAIRMAN: This is a public hearing. Is there anyone in the audience who cares to address this application? There being none I will close the hearing and say that this is the last of the public hearings.

NEW BUSINESS

11P-NB1-13 Application of Le Thi Be Walters, owner and Monroe Pittsford Development, contract vendee, for Preliminary Site Plan Approval, Preliminary Conditional Use Permit Approval and Demolition Review and Approval to raze a Commercial Building and construct a 1, 900+/- sf restaurant with drive thru and outdoor dining on property located at 2787 Monroe Avenue. All as described on application and plans on file. TABLED AT THE JANUARY 15, 2014 MEETING –PUBLIC HEARING REMAINS OPEN - Postponed to the March 19, 2014 meeting at applicant's request..

12P-NB1-13 Application of Max M. Farash Land Co., LLC, by Max M. Farash Declaration to Trust, owner and FCJE Holdings, LLC, applicant for Preliminary Site Plan Approval, Preliminary Subdivision Approval and Preliminary EPOD (woodlot) Permit Approval to construct a driveway serving a 59,800 sq building in the Town of Henrietta that will house three private schools and to subdivide one lot into two lots on property located at 447 French Road. All as described on application and plans on file. TABLED AT THE DECEMBER 18, 2013 MEETING – PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE MARCH 19, 2014 MEETING AT APPLICANT'S REQUEST.

NEW BUSINESS (CONT)

11P-NB2-13 Application of University of Rochester, owner, for Concept Review of an IPD Current Plan on lands known as the University of Rochester South Campus, and for the construction of a 3 story, 92,000 +/- sf imaging/medical building on property located at 250 East River Road. (Tax ID # 148.08-01-001. All as described on application and plans on file.

MR. FERDINEZ: Good evening, Jose Fernandez, Executive Director of Campus Planning for the University of Rochester at 271 East River Road in Brighton. So last month we showed the site plan for the building and you asked us basically to come back and look at how the building could be placed differently and you asked us to share with you all of our previous designs and think Tom Greiner suggested that there might be a meeting with two members of the Planning Board and that took place about a week ago. With that we shared with them some of the early options we had developed for the site. Again the two principle things that we were trying to accomplish as we were citing these buildings was getting parking across to the front door, again we have a variety of patience and it is important to try and minimize that walking distance. The second factor that really influenced us was the approach when a car comes and drops patients off at the front door. So those are sort of the two factors. We went through those options and then we went through some additional options. We had studied some of these including some recommendations Mr. Price had suggested. We sat down and we talked about these various options and after discussing we came up with two options that we were asked to take another look at.

The two options we were asked to take a look at and these are not on the material that was presented. We have worked on them and basically put the roadway along here between the two buildings and have a drive that basically takes you to them and then parking along here. So that has been drawn up and another thing we were asked to do was look at creating a drive to connect that back to the rest of the south campus going back to the drive. So what we did was create a drive along here and the concern was that we didn't want to have or it was requested not to have or not to be able to drive through a series of parking lots but it really creates an activity back to the rest of the campus so that was incorporated. The other thing that was talked about was again pedestrian connectivity and so one of the things that we tried to do is we developed along this drive right here created a pedestrian sidewalk all the way to West Henrietta. We would envision probably pedestrians would be dropping off along both sides of West Henrietta so there would be some additional activity to public transportation at worse.

We also had another option that we looked at putting the building centered in on the site facing the street and the same thing dropping patients off and parking close to the building. And again that basically connected back to the campus. So those were the things we were asked to study and draw a little bit and show how we might address the landscaping as well. Another thing that we were asked to do was to take a look at what would happen

if you shifted the drive into this and right now we are taking advantage of the existing drive which is optimally located its about half way to the corner of West Henrietta and East River Road and the new entry ramp into 390. What you are going to want in the future is the traffic analysis suggests that we might have to put a traffic signal over here so we wanted it pretty much in the middle. We can shift it probably 50 feet one way without a problem or 100 feet to the other way without a problem. So we studied that and this is the existing drive, and what we found is that this basically curved around the storm water detention system. So if we were to shift it we would get a straight drive before going through and we would have parking over here so you would have to cross the drive. I also don't have a preference for this because when you look at the overall master plan of the south campus the curve creates a nice pleasant experience and it also slows down traffic where it is located. So our preference is to leave it where it is located so we can create a much more interesting drive.

So then what we did is we took that plan and inserted it in the over all master plan and the preference was to create a drive over here that comes in which connects to the new drive as shown on the master plan. Those are the things we were asked to look at and to do and really we are here for just feed back. Bill do you think we responded.

MR. CHAIRMAN: I would like to point out that we did have a separate meeting with the design team and the purpose of it was to understand alternatives that the University went through to make there decision and what their operational goals and objectives were. And then to share with them what the town's desires are as the south campus is expanded from the north down across 390 to the south and our desire to make this feel very much like the main campus back to the main campus and not make this look like an office park. And also set the standard for the future development of the campus as we look forward to coming in and working with the Board on a collateral basis and have a sketch plan now and it helps everybody know each others program goals of the campus as well as our desire to make sure the residents are addressed where these people work and live in Brighton. So we want to thank the U. of R. in taking time to go through this and actually this will hopefully shorten the process in the planning and approvals as we go forward with the Impact Statement and the IPD. With that background we did share with the Board members the discussions that Laura and I had. And from my standpoint you did address the issues that we had. We asked you to look at the parking lot, making smaller roads and connections with much stronger connections with the parking lots.

MR. WARTH: I would say you did a good job and came up with some great alternatives.

MR. STEINER: I will agree. This helps us understand where you are coming from and helps us to consider what you guys have to consider. I think the concept is much better.

MR. GREINER: You also asked for a copy of the survey so we want to provide you what you asked for. .

MR. CHAIRMAN: I do believe that keeping the parking contiguous to the building and allowing that access to stay somewhat separated is probably preferable. It keeps that curb cut location where you wanted it and keeps it where it is.

MR. FERNANDEZ: I think we like it mostly because from a cuing perspective for the other lights on the other side it optimizes traffic.

MR. CHAIRMAN: We had given a green light to take a look at relocating that.

MS. CIVILETTI: I think one or two concepts were discussed where the configuration were made and this is a good example of seeing the different options and how it minimizes traffic.

MR. FERNANDEZ: So this is what we worked on and the reason why this orientation was preferred is again with parking it is much easier to get to the front entry as opposed to going across and in between cars.

MS. CIVILETTI: How many spaces is each of those road?

MR. FERNANDEZ: We did the line drawings just to make sure and I couldn't tell you for sure. There is a total of 1100 spaces. This is what we can get and if I remember correctly this is about a third. We are looking at two roads so probably 40 feet.

MS. CIVILETTI: I strongly suggest you take another look at that and perhaps there is a way to take this configuration and divide it into adding some of these pedestrian accesses to the main pedestrian path ways.

MR. FERNANDEZ: We will look at that. I agree that it is a little intense and there may be excessive weaving there.

MS. CIVILETTI: Weaving and if someone decides they want to wait for a specific parking space they will get cars backed up behind them and I envision some problematics.

MR. FERNANDEZ: We can clearly take a look at that for when we come here next.

MR. WARTH: Can I get a sense of creating a pedestrian way from West Henrietta Road through this part?

MR. FERNANDEZ: Again what we are envisioning is looking at is having a sort of green landscaping area here. And there will be a sidewalk along here. So there is existing sidewalks along East River Road and what we are also suggesting is again we need to get pedestrian across from the Laser Lab and then also leading to the sidewalk leading to this building so we will have something going across and this pathway to West Henrietta.

MR. WARTH: Would this be a sidewalk with trees on both sides.

MR. FERNANDEZ: What we are envisioning is a sidewalk and trees on one side and again it has to be developed further.

MR. WARTH: And also have you considered having on the south side or on the edge a pedestrian bike path along there to West Henrietta Road?

MR. FERNANDEZ: I think we can explore that.

MR. CHAIRMAN: When might we see you again?

MR. FERNANDEZ: The Town Board approved the Supplemental Generic EIS as being sufficiently complete for public comment. I believe that the public hearing is scheduled for March 26 with comments being submitted on April 11.

MR. GREINER: We would not be at the next meeting in March but probably the next month, where we would like to look at the building exterior.

MR. CHAIRMAN: That would go before the ARB.

MR. GREINER: So that would be the next place we would go back to.

MR. CHAIRMAN: Okay that is it for the concept discussions. We will see you back again the following month after the next.

OLD BUSINESS

NONE

PRESENTATIONS

NONE

COMMUNICATIONS

Letter from Karen Fernandez, 30 Varinna Dirve in opposition to application 2P-01-14.

Letter from Kimberly Barnastuck, Philips Lyle LLp, dated February 11, 2014 withdrawing application 2P-01-14

Letter from Jonathan Meade, P>E. Parrone Engineering, dated February 12, 2014 requesting postponement of Application 1P-02-14 to the March 19, 2014 meeting.

Letter from Joseph O'Donnell dated February 13, 2014, requesting postponement of application 1P-01-14 to the March 19, 2014 meeting.

PETITIONS

Petition signed by residents of the Bel-Air neighborhood in opposition to application 2P-01-14.

2P-02-14 Application of Companion Animal Hospital/ Monroe Veterinary Associates, owner and Commercial Power Systems LLC, contractor, for Site Plan

Modification to install a standby emergency generator on property located at 2800 West Henrietta Road. All as described on application and plans on file.

MS. CIVILETTI: I move to close the hearing for application 2P-02-14.

MR. FADER: Second.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MS. CIVILETTI: I move to approve the above application 2P-02-14 as presented based on the testimony given, plans submitted and with the following Determination of Significance and Conditions:

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton declares itself to be lead agency under the State of New York Environmental Quality Review Act. After considering the action contemplated, the Planning Board finds it to be an Unlisted Action. Upon review of the Environmental Assessment form, the application and materials submitted, and the criteria for determining significance pursuant to the SEQRA the Planning Board finds that the proposed action will not have a significant impact on the environment. The Planning Board adopts the negative declaration prepared by Town Staff.

CONDITIONS:

- 1 Meet all requirements of the Town of Brighton's Department of Public Works.
2. All Town codes shall be met that relate directly or indirectly to the applicant's request.
3. All comments and concerns of the Town of Fire Marshal and Town Engineer shall be addressed.
4. A building permit shall be obtained for the generator. All work shall comply with the New York State Uniform Fire Prevention and Building Code.

5. An electric inspection shall be conducted by an inspection agency approved by the Town of Brighton. Electrical completion certificate shall be submitted.
6. The equipment shall be installed per the manufacturer's installations and shall comply with the NEC and NFPA 3.
7. The generator shall be used only during power disruptions. Testing of generator shall be done during daylight office hours.
8. All other approvals must be received from those agencies with jurisdiction prior to the Town issuing its approval.
9. All Monroe County review comments shall be addressed.
10. All comments and concerns of the Town Engineer in the attached memo from Michael Guyon, Town Engineer, to Ramsey Boehner shall be addressed.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

2P-03-14 Application of CHG HAM 1, LLC, owner and Velocite, Inc. 1 and AT&T lessee, for Site Plan Modification to install a standby emergency generator on property located at 717 East Henrietta Road. All as described on application and plans on file.

MR. FADER: I move to close the hearing for application 2P-03-14.

MS. CIVILETTI Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move to approve the above application 2P-03-14 as presented based on the testimony given, plans submitted and with the following Determination of Significance and Conditions:

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton declares itself to be lead agency under the State of New York Environmental Quality Review Act. After considering the action contemplated, the Planning Board finds it to be an Unlisted Action. Upon review of the Environmental Assessment form, the application and materials submitted, and the criteria for determining significance pursuant to the SEQRA the Planning Board finds that the proposed action will not have a significant impact on the environment. The Planning Board adopts the negative declaration prepared by Town Staff.

CONDITIONS:

- 1 Meet all requirements of the Town of Brighton's Department of Public Works.
2. All Town codes shall be met that relate directly or indirectly to the applicant's request.
3. All Conservation Board comments shall be addressed.
4. All comments and concerns of the Town of Fire Marshal and Town Engineer shall be addressed.
5. A building permit shall be obtained for the generator. All work shall comply with the New York State Uniform Fire Prevention and Building Code.
6. An electric inspection shall be conducted by an inspection agency approved by the Town of Brighton. Electrical completion certificate shall be submitted.
7. The equipment shall be installed per the manufacturer's installations and shall comply with the NEC and NFPA 3.
8. The generator shall be used only during power disruptions. Testing of generator shall be done during daylight office hours.

- 9 All other approvals must be received from those agencies with jurisdiction prior to the Town issuing its approval.
- 10 All Monroe County review comments shall be addressed.
- 11 All comments and concerns of the Town Engineer in the attached memo from Michael Guyon, Town Engineer , to Ramsey Boehner shall be addressed.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

2P-04-14 Application of Bruce Coleman, owner and Velocitel Inc. and AT& T, lessee for Site Plan Modification to install a standby emergency generator on property located at 2472 Monroe Avenue. All as described on application and plans on file.

MS. CIVILETTI: I move to close the hearing for application 2P-04-14.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MS. CIVILETTI: I move to approve the above application 2P-04-14 as presented based on the testimony given, plans submitted and with the following Determination of Significance and Conditions:

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton declares itself to be lead agency under the State of New York Environmental Quality Review Act. After considering the action contemplated, the Planning Board finds it to be an Unlisted Action. Upon review of the Environmental Assessment form, the application and materials submitted, and the criteria for determining significance pursuant to the SEQRA the Planning Board finds that the proposed action will not have a significant

impact on the environment. The Planning Board adopts the negative declaration prepared by Town Staff.

CONDITIONS:

- 1 Meet all requirements of the Town of Brighton's Department of Public Works.
- 2 All Town codes shall be met that relate directly or indirectly to the applicant's request.
- 3 The applicant shall contact the Town Fire-Marshal (Christopher Roth 585-784-5220) All comments and concerns of the Town Fire Marshal and Town Engineer shall be addressed.
- 4 A building permit shall be obtained for the generator. All work shall comply with the New York State Uniform Fire Prevention and Building Code.
- 5 All required fuel storage permits shall be obtained.
- 6 An electric inspection shall be conducted by an inspection agency approved by the Town of Brighton. Electrical completion certificate shall be submitted.
- 7 The equipment shall be installed per the manufacturer's installations and shall comply with the NEC and NFPA 3.
- 8 The generator shall be used only during power disruptions. Testing of generator shall be done during daylight office hours.
- 9 All other approvals must be received from those agencies with jurisdiction prior to the Town issuing its approval.
- 10 All Monroe County review comments shall be addressed.
- 11 All comments and concerns of the Town Engineer in the attached memo from Michael Guyon, Town Engineer , to Ramsey Boehner shall be addressed.

MR. WARTH: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

2P-05-14 Application of Lindon Knolls Apartments, owner, and Velocitel, Inc. and AT&T lessee for Site Plan Modification to install a standby emergency generator on property located at 81 Linden Avenue. All as described on application and plans on file.

MR. FADER: I move to close the hearing for application 2P-05-14.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move to approve the above application 2P-05-14 as presented based on the testimony given, plans submitted and with the following Determination of Significance and Conditions:

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton declares itself to be lead agency under the State of New York Environmental Quality Review Act. After considering the action contemplated, the Planning Board finds it to be an Unlisted Action. Upon review of the Environmental Assessment form, the application and materials submitted, and the criteria for determining significance pursuant to the SEQRA the Planning Board finds that the proposed action will not have a significant impact on the environment. The Planning Board adopts the negative declaration prepared by Town Staff.

CONDITIONS:

1. The generator shall be screened with landscaping and evergreen trees 6 foot in height with arbor vitae and juniper and/or fencing. Any proposed fencing shall not exceed 3.5 ft in height unless a variance is granted by the Zoning Board of Appeals. The generator shall be tan in color.
- 2 Meet all requirements of the Town of Brighton's Department of Public Works.

- 3 All Town codes shall be met that relate directly or indirectly to the applicant's request.
- 4 All comments and concerns of the Town Fire Marshal and Town engineer shall be addressed.
- 5 A building permit shall be obtained for the generator. All work shall comply with the New York State Uniform Fire Prevention and Building Code.
- 6 An electric inspection shall be conducted by an inspection agency approved by the Town of Brighton. Electrical completion certificate shall be submitted.
- 7 The equipment shall be installed per the manufacturer's installations and shall comply with the NEC and NFPA 3.
- 8 The generator shall be used only during power disruptions. Testing of generator shall be done during daylight office hours.
- 9 All other approvals must be received from those agencies with jurisdiction prior to the Town issuing its approval.
- 10 All Monroe County review comments shall be addressed.
- 11 All comments and concerns of the Town Engineer in the attached memo from Michael Guyon, Town Engineer , to Ramsey Boehner shall be addressed.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

* * * * *

SIGNS

1310 TOPS pharmacy Deli Bakery Café for a building face sign at 1900 South Clinton Avenue.

ARB TABLED FOR THE FOLLOWING

1. All required variances shall be obtained.
2. The new location of the sign components (vs architectural elevations previously reviewed) alter the visual character of the façade previously reviewed.

1312 Van C. Travis – State Farm for a building face sign at 1978 Monroe Avenue.

ARB APPROVED WITH CONDITIONS

1. The phone number and the text line beginning, “Providing ...” are extraneous and shall be removed.
2. Only temporary signs as allowed by zoning regulations are allowed in the windows.

1313 Brighton X_Press Mart for a building face sign at 1738 Monroe Avenue.

1314 One Custom Clothier for a building face sign at 2423 Monroe Avenue.

1315 Blake-Jones Mediation LLC Family Divorce Business for a building face sign at 1534 Monroe Avenue.

1316 The Financial Guys for a building face sign at 1534 Monroe Avenue.

OLD BUSINESS

1309 Monster Videogame for a building face sign at 2858 West Henrietta Road. (Tabled at the 1/15/14)

ARB TABLED FOR

1. All required variances shall be obtained.
2. The spacing between the lines shall be reduced
3. The sign should be vertically centered within the sign band.

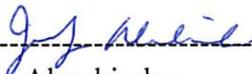
MR. FADER: I move to approve the signs 1310, 1312, 1313, 1314, 1315, 1316 and 1309 with conditions as stated.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

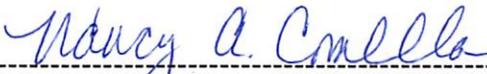
CERTIFICATION

I, Judy Almekinder, 7633 Bauer Van Wickle Road,
Lyons, New York 14489, do hereby state that the minutes of the February 27,
2014 , meeting of the Historic Preservation Commission of the Town of Brighton
at 2300 Elmwood Avenue, is a true and accurate transcription of those notes to
the best of my ability as recorded and transcribed by me.



Judy Almekinder

On this 18th day of March 2014 before me personally came Judy
Almekinder to me known and known to me to be the person described herein and
who executed the foregoing instrument, and she acknowledge to me that she
executed the same.



Notary Public

NANCY A COMELLA
Notary Public-State of New York
County of Wayne
Commission Expires Mar 30, 2015
No. 01CO4624987