

Proceedings held before the Planning Board of Brighton at 2300
2300 Elmwood Avenue, Rochester, New York on August 20, 2014
commencing at approximately 7:30 p.m.

PRESENT: William Price, Chairman
David Fader
Thomas J. Warth
Andrea Tompkins - Wright
John J. Osowski

NOT PRESENT: Laura Civiletti
Josh Babcock Stiner

Ramsey Boehner, Town Planner
David Dollinger, Deputy Town Att.

FIRE ALARM PROCEDURES WERE GIVEN

MR. CHAIRMAN: Good evening Ladies and
Gentlemen, I would like to call to order the August 20, 2014 meeting of
the Town of Brighton's Planning Board to order. Before we get started at
this time I would like to ask for a motion of approval to approve the
minutes of the July 16, 2014 meeting with any corrections?

MR. OSOWSKI: So moved.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. CHAIRMAN: I just want to let
everyone know that we have a couple of postponements 7P-01-14 Word
Christian Center and 6P-NB2-14 also Word Christian Center and 7P-
nb1-14 Landing Heights have been postponed to the September 17, 2014
meeting at applicant's request. With that, Mr. Secretary were the public
hearings properly advertised as required.

MR. BOEHNER: Yes, they were properly
advertised as required in the Brighton Pittsford Post of August 14, 2014.

7P-01-14 Application of Word Christian Center, owner, and Clinton Ave, South LLC, applicant, for Final Site Plan Approval and Final Subdivision Approval to construct a 15,680 +/- sf (12,840sf first floor and 2,840 sf full basement) medical office building and to subdivide one parcel into two parcels on property located at 2090 South Clinton Avenue. All as described on application and plans on file. POSTPONED TO THE SEPTEMBER 17, 2014 MEETING AT APPLICANT'S REQUEST.

8P-01-14 Application of Rong Li, owner, for extension of Site Plan Approval (3P-05-13) to construct a 2,275 +/- Sf single family house with a 775 +/- sf attached garage on property located at 2912 Brighton Henrietta Town Line Road (Tax ID # 149.19-02-011.2). All as described on application and plans on file.

Ms. LI: My name is Shu Li. I am here for my father to extend the Approval of 3P-05-13. The reason I need to extend the application is that we received approval on March of this year sorry but we actually submitted it in December of last year but we actually turned in the documents for approval back in March of last year and we were unaware that got full approval when we turned in the application rather then when we got the full approval so we are asking for an extension.

MR. CHAIRMAN: All of the terms and conditions and engineering has not changed?

MS. LI: No, that has not changed from what was approved.

MR. BOEHNER: You need to understand that the Planning Board can not extend the approval past March 20, 2015

MS. LI: We understand and we will get the permit before the date and we plan on start building this spring of 2014.

MR. BOEHNER: That's important.

MS. LI: Yes.

MR. BOEHNER: The other thing is before you start construction you will need to schedule a pre-construction meeting and that will be in a letter to you.

MS. LI: Okay. Is that letter given to us after this meeting.

MR. BOEHNER: It will be after this meeting.

MS. LI: Okay.

MR. CHAIRMAN: It will be at the time you pull your building permit. Any other questions? Thank you. This is still a public hearing is there anyone that wishes to address this application? Very good we will move on.

8P-02-14 Application of NMS Winton, Inc., owner, and T-Mobile Northeast, LLC, lessee, for a Tower Permit to install nine (9) cellular antennas on the roof of a building located at 919 South Winton Road. All as described on application and plans on file.

MR. RICHMOND: Good evening my name is Tim Richmond the agent for T-Mobile. I am here to present the application for a tower permit at 919 South Winton Road. This is a roof top facility that currently has Sprint on the roof and T-Mobile is proposing to add their antennas to the roof as well. Basically we are going to utilize a space that they have in this building on the second floor for our equipment cabinets and bring our co-axle through a dog house on the roof. We will make a roof penetration basically and they will add a small HVAC unit so that its climate controlled on the second floor roof and then what they will do is connect that to a triangle mount or what they call a non penetrating triangle mount right in the center of the roof where the beam goes through the building for support.

So they are proposing 9 antennas. They will probably put in six to start and we would like to ask for approval of 9 in case capacity is needed and we need to add three more. The height will only be 40 feet. It is 21 feet above the roof line from 33 so that is the reason for the Tower permit application and that is pretty much it. The

basis for this facility is to increase our in building coverage T-Mobile has antennas surrounding the area but their frequency still goes farther than the carriers so they essentially need more locations than ATT or Verizon. This will basically cover the in building and roads along the 12 Corner area. That is what we are asking for approval for.

MR. BOEHNER: What is the height of the antennas above the top of the building?

MR. RICHMOND: 44, it is the center line when we talk center line location and the height of the largest antenna which we are proposing is 5 feet four inches.

MR. BOEHNER: Before I get into some questions do you have an affidavit of mailing?

MR. RICHMOND: I do actually. The code requires us to notify all residents within 1000 feet which cam out to be 251 parcels minus a couple of duplicates so I sent out 239 letters.

MR. CHAIRMAN: Could you give us some idea of one where your existing coverage is. I know there is some stuff drawn of the propagation map here. What those are and what the alternatives were to this particular location.

MR. RICHMOND: Well, given the residential area basically due to the density of this area there are no towers outside and the tower that are outside this area at 12 Corners we are already on so as I said this one allows for in building penetration. There are gaps on the road but for the most part they are covered by the towers to the north east and north west sorry the west and south. We did look at alternative candidates Brighton High School being one of them. Verizon is on there and they actually control the whole cupola up there so we went with this other location that already had Sprint on it and used co-locations. That was really the only alternative that made sense to give us the area we needed to cover that area. It really only covers a radius of half a mile but as I said it is really the only possible location other than proposing a tower on a different roof top, a tower that I don't think anybody wants at 12 Corners.

MR. BOEHNER: One of the things that we

are going to need you to do is to do your search ring and go through the criteria of code including addressing Brighton School district properties and document if you need that or not and why that doesn't work. You have to exhaust the possibilities and that needs to be well documented. Did you ask them about the Middle school.

MR. RICHMOND: The Middle school is to far outside the search ring. Basically what it comes down to as I said T-Mobile frequencies only go so far so their search rings are pretty centralized due to the fact that we only have a mile to work with. So it has to be within the 12 Corners area

MR. BEOHNER: The Middle school goes right past 12 Corners.

MR. RICHMOND: And what we usually do obviously with out a check list look at possible town locations etc. but clearly this was the best location automatically due to the fact that Sprint was already on there. It's the only other area besides the high school that has the facility. Verizon has the leasing rights to whole cupola where they have antennas in there and they have the rights to the whole thing. I mean we could propose to put in another cupola or something but it is not really structurally feasible.

MR. BOEHNER: What about the Middle school? It is even closer?

MR. RICHMOND: It is even closer but it has no other facility on the cell?

MR. BOEHNER: I think that is what you are going to have to start talking about.

MR. RICHMOND: It also has poor elevation in height. I can definitely get information on the roof top.

MR. BOEHNER: Yes, by code a professional RF engineer needs to prepare that search ring and document that because what you are asking us to do is to allow you at this site and your conclusions may be right you just need to prove that.

MR. RICHMOND: That is fine I can do that. The justification package that we sent you is essentially showing you all the locations that we have and the propagations this improves but it doesn't actually as you said look at every single candidate within this area.

MR. BOEHNER: That is what you have to look at and if you go through the code it will lay it out for you. One of the other things did you do a propagation study for the six feet that is suppose to be 11 feet above the roof level. Right now the code says you can have that on the roof at six feet and it is only because you are going five feet higher that is putting you here.

MR. RICHMOND: And I understand that but unfortunately due to well what we didn't want to do is we were trying to keep the aesthetics down. We didn't want anything to be too visible so what we did was we located on the center of the roof. But in order to have them at the center of the roof we had to have a substantial beam to put them on which is where we put them. So what we do is bring it from the outskirts of the building the edge and raise it up because the antennas were only at 40 feet and as you shoot, think of a flashlight going over the side of the building, it causes a shadowy effect and if you went any lower it would shoot into open air it wouldn't cover anything really. So you have to start raising the height in order to point it down to an area that would be useful to the customers.

MR. BOEHNER: Let me ask you this could you get the coverage and have it along the same wall of the antennas that are already there?

MR. RICHMOND: We could if we would have the proper height mounts. The only other issue with that is the directions that Sprint has their antennas pointed because we can't have ours pointed and facing each other and we are basically trying to cover the same thing. So we had to move it away from their antennas. That would be the easier and cheaper option for us but unfortunately those antennas would be facing each other and interfering with each other.

MR. CHAIRMAN: I think one of the things that we would like to see is an exercise on other potential sites for what you are proposing. We would like to see some photos on at least five locations.

MR. BOEHNER: Do you have a copy of the landowner's lease?

MR. RICHMOND: I did bring a letter of authorization.

MR. BOEHNER: I'll take the letter and if you can get me a copy of the lease.

MR. RICHMOND: This essentially gives me authorization to act on his behalf and enter into the application. We do have an agreement now but at that time this wasn't signed yet. We did get the letter of authorization signed.

MR. BOEHNER: Did you get comments back from Monroe County Planning Departments.

MR. RICHMOND: I have not heard back from them. I know we did submit within three or four days after this application and 50 days before this meeting.

MR. BOEHNER: I didn't get it either so you are going to have to follow up with them.

MR. RICHMOND: Sure, I will have to call them.

MR. OSOWSKI: Do you know of any other antennas in the near future?

MR. RICHMOND: That is a loaded question probably not in this area no, on the outskirts I can't say to it. I can find out for you but as of right now they have no budgeted plans for any more antennas in this area? What we have done is usually we put up the easiest ones first, they co-locate on an existing tower or a roof top like this but an area like this that is residential they are struggling to find anywhere and again even the propagations which is white which is no coverage at all and in yellow there is small road coverage but without suitable locations it is pretty tough to propose a tower which what we would have to do there.

MR. BOEHNER: Is the majority of the improvement to serve that neighborhood?

MR. RICHMOND: The majority is to serve the 12 Corners, all the business and roadways, obviously to the north, east and west we will serve all that area.

MR. CHAIRMAN: Where's T-Mobile in it's technology? What are you upgrading to provide?

MR. RICHMOND: The evolution is from umps to now its worked its way up to lte which is four G technology and this site will have both 3 G and 4 G. Originally the 3 G of GFM and umps was originally for voice so you could call somebody now we have added text messaging, data and we have the long term evolution or LTE that came along of 4 G which obviously allows the speed for data and texting with more quality and faster. So that is where we are at. This is the best technology right now. Obviously they are looking at 5G down the road. Nobody can tell you when that is going to come out. So more than likely when it does come out we will come back for a spot for the tenants that are currently there but that will be in a year or so.

MR. CHAIRMAN: That would be for future coverage needs in the town and from a technology standpoint?

MR. RICHMOND: In the future more than likely yes, this as you can tell from propagations this location once we have gotten a location some where in that area where that yellow basically is then from there we will have the coverage that we need and what they will do is swap out radios to have stronger signals in the cabinets themselves in the buildings or they will have to replace the antennas and focus the beam or increase the power or whatever but depending on what they come up with but it would be an up grade of technology. I wouldn't see a need for another site because more than likely what is going to happen an antenna should actually go farther. If you understand the frequencies the FTA licenses allow T-Mobile is kind of at a disadvantage in that regard – if you look at it as a squiggly line there's are really squiggly and tight together so they will move their concrete easier but they don't go nearly as far where as with ATT and Verizon they make big loops and they can travel over buildings so they go farther but they don't get into buildings as well. So as far as this goes it should just be a technology up grade.

MR. WARTH: Would there be any where on the outside of the buildings?

MR. RICHMOND: No we got lucky with this one in my opinion, the room where we want to put the equipment is directly below where our antennas will be on the roof so they are going to cut a hole in the roof and put a cover on it what they call dog housing it and they just go right inside and there would be no way you could see them. The equipment cabinets basically look like refrigerators and they do have to be climate controlled that is why we put the HVAC in there but the co-axle cable these will be a quarter inch so there will be six of them and they will come right out straight up through the roof so there is no way you can see them and that is really all that comes out. Out of the six antennas three we will have to co-axe and the new antennas the 4 G's will just have small co-axe cables and it is all connected back to a grid.

MR. CHAIRMAN: Okay this is a public hearing does anyone wish to ask any questions.

MS. MCCARTHY: I wonder where this building is, is it next to the Sunoco.

MR. RICHMOND: Yes.

MS. MCCARTHY : Because when I walk by that building I hear a super loud buzzing sound coming from that building and I am just wondering why is this building buzzing. So I am assuming it is something.

MR. CHAIRMAN: Give your name please?

MS. MCCARTHY: McCarthy.

MR. CHAIRMAN: So you are saying you are hearing a buzzing sound?

MS. MCCARTHY: Yes, when I am walking my dog in the morning I hear a buzzing noise coming from that building and I just wonder if there has been any noise complaints from people?

MR. CHAIRMAN: This board is not aware of any Ramsey is the Town aware of any?

MR. BOEHNER: I am not a ware of it.

MR. OSOWSKI: Do you hear it in the morning or at night?

MS. MCCARTHY: Well, I am walking the dog at 5:30 in the morning, I don't have a problem I am just wondering if it is going to create more noise if there are more antennas. That is my two cents.

MR. CHAIRMAN: Thank you for coming out. Is there anyone else that cares to address this application?

MS. COLLINS: My name is Michelle Collins I live on Rhinecliff Drive. I have a few questions for the applicant but I will address them to you. First of all, I am curious about the statement that he referred to something that the coverage area would be roughly a mile and I am wondering did I hear that correct.

MR. CHAIRMAN: I believe he said the coverage of existing towers in the area are on several other towers along 490 down by the Jiffy Lube and Chairbroil those have coverage of about a mile.

MS. COLLINS: And the tower that he is putting in what kind of coverage does that have?

MR. CHAIRMAN: I believe he said a half a mile. It is a half a mile radius around that square and they are hoping to supplement their existing tower so they can get better in building coverage.

MS. COLLINS: Now my next question is the applicant has referred to the fact that the coverage area is different from their competitors. I am wondering if he could tell me the coverage area of the competitors cell towers.

MR. CHAIRMAN: What he presented to us was the technology of the radio frequency the difference between T-

Mobile and ATT and Verizon. I believe they know when they are interfering with each other. I am not sure if he can tell us the coverage of the existing facility. I guess we could ask that. Is that something you know?

MR. RICHMOND: I do have an idea.

MS. COLLINS: In terms of miles I guess I am trying to understand what the differential is and what is the technology and why you would choose this technology rather than their technology. Is it a questions of cost or technology? I guess it is a question how long will it be until they aren't unobtrusive.

MR. WARTH: One of the things we specifically asked are there any plans in the next two years to build anything else in the area and they have said they are trying their best to limit the number of towers in the town but the demand of technology is growing all the time.

MR. FADER: I guess the answer would be to give up cell phones.

MS. COLLINS: One of the questions I wanted to ask if the evaluation that was performed was strictly engineering evaluation. The reason I asked I participated in the Monroe Avenue Charet plan for Monroe Avenue and I am asking to what extent this proposal is compatible with that.

MR. CHAIRMAN: I was the chairman of that and I would say it is not incompatible with that.

MR. FADER: Another thing to consider by this Board is one of the reasons for saying no can't be we don't like how it looks.

MS. COLLINGS: I do understand you are limited in judgment by the underlying Federal Regulations so I reached out to Louise Slaughter's office to better understand the legislation and I am hoping to hear back so I can understand on what basis this can be challenged. I understand it can not be challenged on a health basis that troubles me a great deal. I know that there are mixed opinions and there is scientific literature that is mixed about that. So I guess that is what I am

concerned about. But to the extent that you do have the power to deny this application what grounds could you do it on. You say it can't be denied on aesthetics which I find is interesting because one of the things the role of the Board should be is behind the aesthetics of the community other wise we will end up like Henrietta. I am just trying to understand what my rights are and understanding exactly what it is I can control. I have a health concern and an aesthetic concern. I think that it is disturbing to the character of the neighborhood and I don't think it is a goal of this community to have something that is that visible in this particular location within a half a block of the Village center and those are my two biggest reasons for objecting to this application. So thank you very much.

MR. CHAIRMAN: Thank you. Is there anyone else that cares to address this?

MR. BARELLI: My name is Joe Barelli. I live directly behind this building. There are several issues with this building that should be addressed first before it creates another fiasco there with the fences and all that stuff. There is some problems with them pushing snow against my fence that I have worked hard on and it has been addressed with my attorney and they continue to do it. We pay the highest taxes in the Country and everybody knows that and next year they are going to want to reassess and at the same time every issue I have brought up with the pool cover that has been there for five years and aesthetics is important in the neighborhood.

And the buzzing noise and if he wants to be a good neighbor he should clean up his house before adding more junk to it and have you seen the fence with the tattered vinyl strips that are all over the place and its blowing in the winds and it looks disgusting over there. And as a neighborhood mixed with commercial buildings and the commercial buildings don't seem to care about the rest of us, there is a lot of noise over there. There's a lot of dumpsters that aren't latched down and the wind blows trash all over the yard and if we continue to have things then we should continue to add things to improve the neighborhood. I got an issue with it and if he cleans up his issue we can move forward and if he can't he can't just be adding junk. Her point with aesthetics is important to the neighbors they have to look at it every day. There are tarps over the pools and they say they can't do anything with it. And that is what I have been told by the Town of Brighton and when my aesthetic go down my values go down.

I try to be nice and neighborly with people but people aren't neighborly back then there is a problem. There is a pool that I look at every day and I have been here almost 3 and a half or 4 years that is covered with a blue tarp. The aesthetics of the whole neighborhood has started to go down the drain. If you spend some time walking around there you can see the garbage blowing all around there, you see the pool cover and the weeds growing. You see the fence tattered and you see all kinds of things. They want to move forward with things but they don't want to clean up things and it is just not neighborly. So they want to move forward with this but they need to address the other problems including putting snow on my fence and you need to document that they continue to do it. It's been nice enough for him and workers for awhile. I'll work with him and go over and help him fill the pool in. I understand maybe they don't have the money but you have to start looking at this neighborhood as people that live there.

And my values start going down here with the highest taxes in the country it's not right. I work hard for my money and I work hard on my house and I got to look at other people's mess and it's not fair. We all know that right. And the health issues the stray voltage, there is all kinds of mixed reviews going on about that and there is a buzzing noise there with the heating and air conditioning, it is offensive and they have workers over here at 7 a.m. on Sundays doing stuff. You know if people work together they can work through these things but when you have people who ignore their neighbors and disrespect them then those people push back at them. And there needs to be more studies on stray voltage and the cell phone towers which they say are missing up bees and the birds.

There is a signal in the air and it must have an affect on the animals and all that stuff. So there needs to be further studies before they go and junk it up more. Take some time and walk around that neighborhood, there are weeds growing all over and it's dysfunctional. You have all these strict codes on signs but how about some strict rules on the guard rails. They are all hammered with the metal bent up. It looks like a junk yard. There is oil coming out of the side of the building. It looks like hell over there really. Take some time to walk around and you will see this possibly can't be the highest taxes in a residential area. Thank you.

MR. CHAIRMAN: Any other comments or questions on this application. Okay thank you we will move on.

8P-03-14 Application of Deacon Peter Bushunow, Holy Ascension of Christ Church, owner, for Final Site Plan Approval to construct a 576 +/- sf building addition and enlarge the parking lot on property located at 650 North Landing Road. All as described on application and plans on file.

5P-NB1-14 Application of Deacon Peter Bushunow, Holy Ascension of Christ Church, owner for Preliminary Site Plan Approval to construct 576 +/- sf building addition and enlarge the parking lot (20 additional spaces) on property located at 650 North Landing Road. All as described on application and plans on file. Tabled at the May 21, 2014 MEETING – PUBLIC HEARING REMAINS OPEN.

MR. BUSHUNOW: Good evening Peter Bushunow regarding the Holly Ascension of Christ Church at 650 Main North Landing Road we presented at the Planning Board in May an initial site plan proposal and since that time have reviewed the Town Engineer's comments. Our engineer met with him and we have changed our plan in some ways. We have presented our plan to the Architectural Review Board and the Zoning board and obtained a setback variance which was approved and to the Conservation Board and we are asking for Final Approval. I think the one thing to explain the project to the Board is the church was built in the early 60's and really has not had any improvements.

The property has a church and a rectory, the parking lot is very, very small and the church is a build up of structures so from the ground level the parking lot level one has to either go upstairs to the church proper or down stairs to the fellowship hall. There is no way to enter the building from the ground level. So we are asking for approval to put in an addition that would have an entrance at ground level and then have the opportunity to install an elevator and we would also enlarge the bathroom somewhat to make them accessible to the handicapped. This addition will not increase the actual functional use of the building. It will not increase the worship space or the fellow ship space.

We have also realized in the last seven years that the parking is less than what we need and certainly for handicapped access so we are proposing redoing the parking lot, expanding the access to the property from one lane to two lanes and right at the same entrance one curb cut and then putting in some additional parking in the back.

Probably the most substantial change from the comments that we received and having reworked the plan is that our initial plan was quite close to the property line to our neighbors to the east and we have redesigned the parking lot to spread that back from the property line. We have a certified arborist whose letter has been submitted to the Town Board that says that would satisfy the root protection zones of the trees between us and the neighbor. We have also eliminated the problem of any light spillage onto the neighbor's property. I think our revised plan addresses all those comments we had from the May meeting.

MR. CHAIRMAN: You are double loading on one side of the parking with parallel parking and when someone comes out on the parallel parking space are you striking out two parallel spaces to allow for a turn around.

MR. BUSHUNOW: That is correct there are two spaces at the end of the 90 degree parking spot preserved for the turn around.

MR. CHAIRMAN: And where are you proposing to put a curve in?

MR. BUSHUNOW: That is at the Town Road currently it is a 10 foot single lane access and we need to expand that to 20 foot so we would have to expand that. There is no curve around our parking area.

MR. CHAIRMAN: The lights are similar not the same as originally proposed.

MR. BUSHUNOW: The lights are proposed on a timer so they would go off by 11 o'clock at night. The lights are residential style, 8 foot high, they aren't high intensity parking lights. Again we discussed this plan with our neighbors to the east and he is very satisfied with that.

MR. BOEHNER: Wasn't that 10:30?

MR. BUSHUNOW: 10:30 would be fine.

MR. BOEHNER: What time would they come on?

MR. BUSHUNOW: At dusk, we will monitor that as the seasons change and that is one of my duties right now.

MR. CHAIRMAN: And are there two trees that are going in?

MR. BUSHUNOW: Yes, the way we proposed it is two street trees as suggested by the Town Board. There are two ornamental trees in very poor condition to the north of our church and because parking is going to be expanded there we are going to plant some ornamental trees to the south of the church.

MR. CHAIRMAN: So there is going to be two street trees and two ornamental trees in the area to the south of the church.

MR. BUSHUNOW: That is correct.

MR. CHAIRMAN: I guess it's west of the property. Did you receive Architectural Board approval?

MR. BUSHUNOW : Yes, we have.

MR. BOEHNER: In your letter you reference trees to be planted in a letter dated July 21st, in your letter that is not reflected in the landscaping plan. I am confused about your letter and what is reflected in the plan.

MR. BUSHUNOW: The trees to be planted are these two trees and this tree here and – those would be between us and our neighbors to the east where there is currently a large number of trees some of which again are in pretty sad shape and that is what the arborist represented.

MR. BOEHNER: So that is not shown on the landscape plan but stated in the letter and that is your intent to do that?

MR. BUSHUNOW: That is correct. \

MR. BOEHNER: Did Oliver Select (phonetic) look at these plans?

MR. BUSHUNOW: Yes, he did.

MR. BOEHNER: And he was okay with them? Because his recommendation was one foot for each inch of rain.

MR. BUSHUNOW: Correct, the trees that are most critical to protect are the larger trees there are several fir trees and other evergreens. I met with him personally and we reviewed the site plan on site and he was okay with that.

MR. CHAIRMAN: Other questions?

MR. BOEHNER: The only comment I have on the time that the lights go off 11 o'clock would be fine I was just trying to clarify this.

MR. BUSHUNOW: 10:30 would be fine other than for one time a year where we have a night time service on Easter we have a night time service so that would be an exception but on every other we would be done by 10:30.

MS. TOMPKINS-WRIGHT: Which six spaces are not being constructed right away?

MR. BUSHUNOW: The two parallel spaces and the ones at the end of the lot. There is a provision to meet the code in terms of number of spaces. They are engineered and drainage has been calculated to allow that but to actually preserve some of the green space as much as possible we would like to not pave them unless the need arises.

MS. TOMPKINS-WRIGHT: And the 24 spaces fully meet your needs.

MR. BUSHUNOW: I believe they do.

MR. CHAIRMAN: Does anyone in the audience care to address this application? Okay then we will move on. Thank you.

8P-04-14 Application of Debra Pierce, owner, for Final Site Plan Approval and Demolition Review and Approval to raze a single family house and construct a new 1,941 +/- sf single family house with a 262 sf attached garage on property located at 166 Antlers Drive. All as described on application and plans on file.

6P-NB1-14 Application of Debra Pierce, owner, for Preliminary Site Plan Approval and Demolition Review and Approval to raze a single family house and construct a new 1,941 +/- sf single family house with a 262 attached garage on property located at 166 Antlers Drive. All as described on application and plans on file. TABLED AT THE JULY 16, 2014 MEETING – PUBLIC HEARING REAMINS OPEN

MR. MCGUIRE: Good evening my name is Shawn McGuire and I am here representing Debra Pierce at 155 Antlers Drive. We are here tonight seeking final approval. Recently we have gotten Architectural Board Approval and I believe we have addressed all comments from the Preliminary Site Plan back in May.

MR. CHAIRMAN: Any real changes to the plan?

MR. MCGUIRE: No the plan has not changed at all. As far as Architectural Review Board they just made a couple of comments on some trim changes to make it a little wider that was basically it.

MR. CHAIRMAN: It appears there are drainage calculations?

MR. MCGUIRE: Yes, we submitted that.

MR. BOEHNER: They are satisfied.

MR. MCGUIRE: There was a question that came up last meeting about the driveway. We are not doing anything with the entrance off the road the curb cut will remain there and we will maintain the majority of the existing driveway.

MR. BOEHNER: Just verify that you are not exceeding 30 percent.

MR. MCGUIRE: Yes, as far as lot coverage we just increased it 6 percent so we have a maximum of 20 percent.

MS. MCARTHY: I just want to know what the existing footage of the house is right now.

MR. MCGUIRE: 1,625 square feet we are increasing it to 1,941 square feet. Isn't the lot really small for that size house.

MR. MCGUIRE: Well, the increased square footage is on the second floor. The actual square footage increase on the first floor is 340 square feet. It's not going to affect it that much.

MS. MCCARTHY: The garage is going to be right next door.

MR. MCGUIRE: Yes, it is going from a single car attached garage to a Cape Cod house with a single garage.

MS. MCCARTHY: How long will this take?

MR. MCGUIRE: Talking to the contractor it will take four or five days and then the house probably three to four month period.

MS. MCCARTHY: Okay, thank you.

MR. CHAIRMAN: Any other questions or comments? Okay we will move on.

6P-NB2-14 Application of Word Christian Center, owner, and Clinton Avenue South, LLC applicant, for Preliminary Site Plan Approval and Preliminary Subdivision Approval to construct a 12,900+/- sf medical office building and subdivide one parcel into two parcels on property located at 2090 South Clinton Avenue. All as described on application and plans on file. TABLED AT THE JUNE 18, 2014 MEETING – PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE SEPTEMBER 17, 2014 MEETING AT APPLICANT'S REQUEST.

7P-NB1-14 Application of Francis Perticone, Landing Heights Apartments, L.P. , owner for Preliminary Site Plan Approval, Preliminary Subdivision Approval and Preliminary EPOD (Woodlot) Permit Approval to construct 50 Townhouse units and a 1,500 +/- sf clubhouse and reconfigure two lots on property located on Knollbrook Road, known as Tax ID # 108.17.01-001 and 108.17-01-003. All as described on application and plans on file. TABLED AT THE JULY 16, 2014 MEETING – PUBLIC HEARING REMAINS OPEN –POSTPONED TO THE SEPTEMBER 17, 2014 MEETING AT APPLICANT’S REQUEST.

8P-NB1-14 Application of the University of Rochester, owner, for Preliminary Site Plan Approval and Preliminary EPOD (woodlot) Permit Approval to construct a 3 story 92,000 +/- sf medical imaging and office 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. LEBERT: Mr. Todd Lebert with Clark Patterson Lied Pert the architects representing the applicant the U. of R. and also with me is Norm Gardner from our civil engineering team and Chase represented by John Grandy in the audience and the University of Rochester is represented by James Wentworth. I believe Jose is going to be here momentarily. So to give you a little history we have been - I am not going to talk about what I have not been at but I am going to talk about what we have been at. We met with you the last time back in February to present some preliminary concepts and we went through several different citing options that you requested after the workshop that we had, after our January meeting. We kind of solidified a location with you and kind of a cite layout and there was four questions that came out of that meeting that we are also going to review but to give you an idea of where we are at. Back in January this is the overall site plan that we were working with through the IPD and I am not going to get into the details of that because I wouldn't be able to do it any justice but we are talking about this site over here which is on the corner of East River Road and West Henrietta Road which is the site of the imaging and medical office building application.

This is obviously overall site plan the entire site that we presented back in February. With that there was a couple of discussion matters that came up out of the conversation and one was parking circulation was discussed. The discussion of parallel versus perpendicular Norm and I can go through the thought process we have

gone through with that also the pedestrian accessibility relative to the public ways within the site itself having the potentiality of connectivity to the streets. We also can discuss that. Parking demand analysis, one of the conversations that we discussed was what is current code within an IPD versus 5 to 1000 or 6 to one, essentially we came up with a demand analysis based on our actual program need which is significantly less than code. We will go through that as well. And then some comments that came back from the county on the landscape and islands which norm can discussed as we go through this.

So here where we are today, this corner again and it is part of the submission and we thought we could show you if we blew this up, this is the actual application and I will have Norm take you through the details of the site plan and the thought process behind it and the key points we will also illustrate as we go through this. And I think we will have a pretty good understanding of some of the reasons why we have done what we have. So with that I will turn this over to Norm.

MR. GARDNER: Norm Gardner with Clark and Patterson. Essentially we have a site plan similar to what we talked about in February. This is West Henrietta Road on this version of the blown up of this Preliminary Site Plan actually about a quarter of a mile towards the door. So it really doesn't show up and it won't be what we are proposing as far as part of phase one which is approximately 92,000 square feet for imaging and medical office building. Our parameters for this project were to minimize the amount of trees to be taken down minimizing the amount of disturbance that we are proposing. There is residential housing on this line right through here with a 100 foot setback in the current version of the IPD. We are not proposing any disturbance on that 100 foot buffer, this are will be left as it is now. We do show this water line and directional drill line from the residences. So it is all shown here and this won't be a disruption of service . So we were cognizant of this tree line right through here and we endeavor to the best we could to get this site to fit in so we are having minimal disruption of trees.

The site is covered under EPOD and there are quite a few trees in through here. We have done an inventory of the entire site including the area of the Laser Lab. On this site there is approximately 498 trees within the developed area. We have done a complete tree inventory and it was submitted with our Preliminary Site

Plan and we identified the species type, height and condition of all the trees within this area. Of that 498 approximately if the landscape plan is presented to you there are 234 trees of various sizes any where from three inch caliper or two inch caliper and a caliper of 7 or 8 foot tall. That lease approximately 264 trees as part of the IPD and there has been some conversation on how to manage those trees. We proposed that we plant exactly or seedlings in this area here to improve the area and a lot of this is cotton wood and ash in various conditions through out here and the U. of R. is committed to replacing the trees in a better species. So that is kind of what our priorities were for this site and what we need to do for the interests of the University of Rochester within this area while minimizing the amount of destruction to the neighboring residential areas.

So the site was pushed up closer to Clover and East River Road and we have a 20 foot setback from the right of way to our first property line within this campus. So from the front setback to the parking lot is 20 feet and within that 20 feet setback we are proposing pretty significant landscaping and the storm water management is the next piece of the puzzle. The site as we have it designed essentially meets New York State's Storm Water Quality Management requirements within this campus the building will essentially drain and we were able to disconnect some of the roof drains and what that means is that we are going to have the roof drains, drain down onto the ground and then two smaller bio-retention facilities so half of the drainage from the roof will go down into these retention facilities and then go into the stormwater management.

Then around the entire perimeter of the parking lot we have a combination of dry swails and bio-retention facilities. Within the parking lot we don't have catch basins all of it will be shed off the edge of the parking lot and then there is catch basins within the retention areas so the parking lot will be a very clean parking lot with ups and downs and essentially will meet the storm water management quality. All of the storm water will eventually will ride through underground pipe and go through stormwater management treatment to this facility over here all this was built when the Laser Lab was built and what we are proposing to do to meet the storm water requirements and future requirements for the overall master plan is to expand upon into this area right here and the approximate shape and the actual drawings show contours and exactly how it is going to be designed has been given to the Town Engineer.

One of the comments that was also brought up was circulation to the site meaning a master plan which if we go back to this one of the desires for the master plan was this entrance right here was to add a loop running through there. We have accounted for that in our site design through the way we have it graded and through the way we have storm water management. There is a small bay in this area that will have to be adjusted when we do this future connection down through here to get to the remaining part of the campus but for the time being this is a stand alone project that meets with the storm water management requirement.

MR. BOEHNER: On that road when you come back the next time is to show how that connects with the rest of the master plan. It's hard to go from these drawings to see how that is going to tie in.

MR. GARDNER: We can do that for you.

MR. LEBERT: Right now we are focusing on the same one because the plan that was presented before you is for phase one.

MR. BOEHNER: I understand that but you have to understand what you do on phase one can affect the other phases so what we do here we have to make sure –

MR. GARDNER: You are looking for a concept layout.

MR. BOEHNER: Yes, just so we understand how it all comes together because when you just look at that you just see that going down into a bunch of trees but how is it going to connect with the rest of the master plan.

MR. GARDNER: Within our phase one design we recognize that there is going to be development on this campus in accordance with the IPD and our design accommodates that. So we have covered the storm water and we have covered trees, utility wise as I said we are proposing to have water come up through Southland Drive and we have had discussions with Monroe County Water Authority and within the engineering report we have submitted a water supply study to determine the capacities that we have available to meet fire codes etc.

And also for the sanitary portion the building will have sanitary exits on the north side and connect to the existing system over in approximately in front of the Laser Lab. And it will all grafting flow and we will be putting in stubs for future connections. In this phase one we recognize there will be future development and we are accommodating with our utilities. Gas and Electric will be coming in from East River Road and moving underground. So there will be no above ground utilities in this area and it will all be underground and there won't be any overhead wires or anything like that.

MR. WARTH: On the storm water management on the south end of the parking lot, right along here, on the future building where does that go then?

MR. GARDNER: It gets adjusted, we will be putting along this back edge here we haven't done the actual calculations because this building is a concept building based on size and when this building does come before you we will have to meet the storm water regulations that are coming out in 2015 or the current regulations. The intent would be to take what was being managed here and take it down into this area here right along the back edge of the parking lot. It will be a similar concept to what we have all along the front with all the drainage through here and then managed by the fire retention facilities along the River side of the campus. These are all very well landscaped and will look like a garden.

With respect to parking, let me back up, this is the overall of what we are looking at in phase one and we were asked to design a phase two building and take it to a concept level beyond the master plan and what it would look like. Preliminary discussions are we would have existing utilities in here and more or less a drop off loop in that area. There will be a garden in this spot and in that area also. As part of the landscaping plan we also are proposing to put a future sign in this area that is not part of this application but at some point there will be a design for something in this area.

MR. WARTH: Will you be doing all that landscaping on West Henrietta Road and East River Road as part of phase one?

MR. GARDNER: As part of the phase one

plan presented to you will be the landscaping that we do all along here and comes around the phase one building but what it does not include the landscaping that we show along in here that is not part of phase one. Essentially we have landscaped the entire front of this campus now and the best time to plant a tree was twenty years ago so we are planting them as soon as we can and get these trees in and get them established before this campus really starts taking off.

MR. LEBERT: We also want to clean up this corner.

MR. GARDNER: DOT has plans on that corner that they are currently with and we have incorporated their designs into our designs and so we have more or less merged this. And this will be a significant improvement from what currently is there. With respect to parking calculations, what we did within the IPD let me back up a step, within the current commercial I believe we were allowed or we were required to have 6.7 per thousand approximately parking spaces. That would mean we would have approximately 700 parking spaces required. What we did was go about this a different way because of the IPD – the first thing we did was program this facility so we have a very good idea of what is going into most of these spaces within the 92000 square feet and through our experience as architects for a health care industry we have a pretty good idea how many parking spaces that is going to be required to have.

So what we did is calculated 34,000 sq foot print. Our programming needs would be 1,83 spaces that's based on the type of patients we are having, MRI's and all of our experience. We went for through one of the numbers thrown out there which is 5 parking spaces per thousand square foot and we would need 107. If we went 6 spaces per thousand we would need 204. So our programming is within an industry standard more or less between 5 to 6,000. It does not meet your 6.7 that would be required and again we are trying to minimize the number of parking spaces that we build because we don't need them according to our programming and we are relatively certain you don't want to see more asphalt than we need to have. So we are trying to minimize the amount of parking spaces based on our programming needs.

MR. LEBERT: Let me explain it a little bit the first two floors are primarily imaging spaces on the second floor there is some

imaging probably a third of the floor and the balance of the floor space is for staffing, billing etc so we know how many people are in that space. The first floor has all but 5,000 square feet, so 29,000 square feet of this floor is imaging space, MRI's, CT's x-ray and tech spaces. So that volume per square foot is significantly less than 6.7 which is medical office. The balance of the first floor preliminary right now they are looking at putting in urgent care there. And the urgent care is also not a high volume. It certainly is not going to be a doctor's office volume. So we use that based on what we have programmed of what is acceptable. The third floor is a behavioral pediatrics floor is it Galisano's Children's Hospital. We have finished the programming we are not done with it yet but we know how many spaces it is going to be and that is going to be probably a long visit type of thing for patients. So they are going to be in there potentially an hour versus 20 minutes. So a standard medical office space might be 15 or 20 minutes which is the highest volume as you all know.

So that being said that whole calculation we see needing to be about 495 spaces. What we are proposing is a little bit more than that to give us a little bit of elbow room of 507 and then we will bank 55 if we go back to the site plan. This line right here will be a banking of 55 spaces right here. If we need them we can build them in the future and the hope is we don't because we are going to be tearing them out anyway as we build the balance and this site expands. So this is kind of your future expansion area in here. So that essentially is 507 spaces in total and I think 617 is the calculation if you went by 6.7 per thousand. So we significantly less asphalt than you would need by current town code and looking at how you could best utilize it and make sure that as much parking one of the requirements by the University is proximity to patient parking near the entrances here.

And as we go through the elevations you will see there is a proposed entrance right here for secondary use that would not go to the main lobby. IE, if it is for the urgent care center it should have a separate entrance to it with dedicated parking in here. The one piece that we haven't breezed over quickly that is accessible sidewalk here, the future we will show you in a moment but long term plan – and we also went through discussions with the bus authority and say what RTS would like, they don't currently come down East River Road they come down West Henrietta Road. They have requested us to have the buses come internal to the campus so we have provided a bus route traveling

down through here and loop around and we can also get fire trucks in here and then a concrete pad that would allow us to stop in this location for drop and pick up and then they have the option to go back and get on a route on West Henrietta Road or perhaps go to a booth but there is no stop there no obviously. So in the future for the pedestrian activity is actually to connect the sidewalk back to West Henrietta Road. We could do that now obviously it wouldn't make a lot of difference. The DOT plans are to extend the sidewalks, currently the sidewalk stops right there but we would at least provide a connection point to that location. So there is an internal sidewalk location that is within the site.

MR. BOEHNER: Do you show any pedestrian connection from the Imaging building down to Marvin Drive because there is some documents dealing with that in the FEIS. That should be included as part of this project. It is going all the way down from the front of the Imaging building all the way down to the Laser Lab.

MR. LEBERT: Yes. We will review that.

MR. BOEHNER: Yes, review that and take a look at that because this would be the time to look at that. Look at that linkage plan and I think some of those elements could be included in this phase. So what are you building with phase one if you could point that out.

MR. LEBERT: We are grading this area right here which will be an expansion of the existing pond and it has a forbay (phonetic) in it. There is a smaller forway in this area right there, that's more of a treatment piece of the puzzle. It will need to be moved when that new road ultimately goes in but when that new road goes in we will be building something further down in.

MR. OSOWSKI: On the west side of your site, did you consider lining up the exit from the Laser Lab to the entrance to the parking lot.

MR. LEBERT: We did look at that but the volume coming out of the Laser Lab is relatively low. We feel we can get more people out of this with a misaligned off set. This works better than a four way stop.

MR. BOEHNER: Why is that?

MR. LEBERT: The volume coming out of here is relatively low.

MR. BOEHNER: So you are saying it is so low they don't need to be at an intersection? It's okay to have them offset.

MR. LEBERT: I don't see the need for a four way. We don't need this to be any closer, the option would be to move it back and we don't want to move this any closer we want to maintain some stacking ability with the long piece for the road. The Laser Lab could be closer there and we have looked at several options again it is not needed at this point but we certainly can look at it. The building height is essentially south of the parapet about 47 feet to the top of the mechanical equipment is around 60 feet. It is planned for a future 4th floor and when it becomes a 4th floor the mechanical equipment becomes part of a mechanical room within that floor. So that it won't be roof top equipment. So we can move the equipment on top obviously there have been some discussion on what happens to the cooling towers and then as far as the overall top of the building it will not be over 70 feet for a total of 73 feet and the 13 feet adds to the 73 feet total which is less than what is proposed in the IPD.

MR. BOEHNER: That is with the 4th story?

MR. LEBERT: That would be with the 4th story.

MR. BOEHNER: And that includes all the penthouses .

MR. LEBERT: Correct. You can look around the building which I think show a little bit better aesthetics. The building would be a main street building with a mixture of glass, panel systems for signage. There is a signage being submitted separately. This is just some thoughts on what it would be. There will be a medicine logo whether it would be a donor or the actual name of the building I don't know what that would be. And then the front has a simulated stone look and this is the lobby space for the Imaging. If you go around the building this is essentially the MRI's and there is some equipment on top for the

cooling of the MRI's. This is actually the north west view or the west elevation. The rest of the punctures are very small punctures for the purpose of letting light in whether they be behavior suites up on the third floor these are actually soft lighting being let into the building. And as you progress around the building the south west view this is again the MRI suite on the side you again see punctures and you start to see some of the equipment popping up on the back of the building. The minute you get around to the southeast they become a little bit more visible and then on the ground back by the loading dock is your standard equipment there the dumpsters etc. And then you start to see as we go around this is the separate entrance and that is potentially part of the Urgent Care but it could be something else later on. And then this elevation starts to show more of a industrial size window that would be the future mirror imaging that would be on the site.

So the front you start to see a very little scene from the front –

MR. BOEHNER: What will happen with those cooling towers on the 4th floor?

MR. LEBERT: The cooling towers have to be discussed. They can't be put into the cabinets but what we can look at is creating space in that area that is not actual building equipment in other words it is a screened area but the building is built let's say it is a 29,000 square foot print we may have 3,000 square feet for a mechanical room or screened area not on top of the building but within that area.

MR. BOEHNER: How long do you think you will have those cooling towers sitting there when you get that 4th floor done.

MR. FERNANDEZ: Jose Fernandez. We don't have an definitive answer. It could be five years from now or two years from now we just don't know. I can tell you this if the history is any indicator the Cancer Center was built and two or three years later we started to do an addition to that so.

MR. BOEHNER: How are you proposing to screen the electrical transformers, dumpsters, generators? How are you planning on handling those?

MR. LEBERT: We haven't yet. We knew that was going to come up we know we want to get through that before we go to the Architectural Review Board. We can look at screening. These are the dumpsters here. This is a receiving area and there is a dumpster for trash and recycling bins that need to be dealt with.

MR. CHAIRMAN: I guess I see a lot of conflict between pedestrians and vehicle I am just wondering if you have thought of that. Maybe you can not put certain parking spaces next to the building and just have a cleaner driveway. I think a driveway where you have cars backing into the driveway.

MR. LEBERT: We would consider the main circulation would be right here. This road would be used primarily by the staff. The way we have laid this out we put a lot of thought into where patients would park and where staff would park and the spaces we are required to have. We have gone through a lot of gyrations in terms of where people would park. We are looking at this as being a very underutilized road to be used primarily by the employees. One of the things we are trying to do is control pedestrian cross space so they are not just coming all over the place. The intent is to cross at certain points. We will sit down and think this over.

MR. CHAIRMAN: My last question why aren't you putting trees on the end of the islands?

MR. LEBERT: We felt the main driveways- the purpose of the end cap in my opinion is to control traffic flow to provide some landscaping and the extra tree on the end aisle but the traffic flow is primarily the reason we have the end cap. We want to get people to focus and get out of there the way they are supposed to get out of there not cross parking lots. We have not put end caps in these areas. This is going to be low flowing traffic. It's the farthest away from the door. You are not going to have people speeding by. This is the area where we anticipate the more focused flow of traffic. If we need to have people going in the right direction we put them in there. We also have the required amount of landscaping we are required to have 17,000 square feet and we have almost 28,000 square feet of landscaping including the areas around the perimeter.

MR. BOEHNER: I understand the control of traffic but in our code the intent is to have end caps to not only control traffic but to break up the areas of asphalt.

MR. LEBERT: We felt that this area is heavily landscaped and putting more here may not add to our scene and we have done our best to try shed water versus having the catch basins in the parking lot. These here are meant to be stripped. We certainly would be able to find out where it is that we feel we need to look at it and we are not trying to avoid code. We feel we are trying to do our best for the working with the clients on this so –

MR. BOEHNER: It is not focusing on the code as much as trying to break up that asphalt. There are some landscaping regulations but the idea is just to break up the sea of asphalt.

MR. FERNANDEZ: Jose Fernandez, University of Rochester. We really aren't sure what will come up next. If we were interested in doing any of these buildings over here we would definitely make that connection. If we were doing development out here probably not, I guess the answer is we would want to sit down and talk about what makes the most logical sense and incorporate that as part of this project.

MR. BOEHNER: There are a number of tax parcels on the large southern portion of this project. Is it our understanding that those are going to be combined into one lot? Are you going to be submitting a subdivision application?

MR. FERNANDEZ: There is currently roughly 50 acres. I think based on our previous discussions we will consider doing that.

MR. BOEHNER: We still have some items with the Town Board that need to be addressed the Environmental Review, the IPD so you guys understand it is a continuation. We are going to have to table it and we will forward a bunch of comments. The idea was to get you in here and get this ball rolling. We will have a bunch of comments for you so please understand that so we can work through them. The other thing is you are going to need to come back in with your tree mitigation for the impact to the EPOD and show us what trees are

going to be disturbed and you need to include as far as the EPOD permit actual mitigation what you are proposing to do. You need to get that incorporated. The other thing you are going to need to do when you get completed you are going to need to demonstrate your site data meeting the requirements of the IPD and also how this project meets mitigation measures as outlined in the finding statement and that needs to be approved by the Town Board.

MR. LEBERT: Okay, thank you.

MS. COLLINS: Michelle Collins. I was listening to the comments about the asphalt and I know what you mean about end cap trees and I thought the same thing especially when you have to put a cage around it. But you know you could have some perennials in the parking lot to break it up similar to Wegman's and that would be very attractive and I think it would serve the same purpose.

MR. CHAIRMAN: Thank you. That ends the public hearings for tonight.

PRESENTATIONS

NONE

COMMUNICATIONS

Letter from John Clarke, DDS Companies, dated July 21, 2014, requesting postponement of applications for 2090 South Clinton Avenue to the September 17, 2014 meeting.

LETTER FROM Robert Winans, PE, Fisher Associates, dated August 5, 2014, requesting postponement of application 7P-NB1-14 to the September 17, 2014 meeting.

PETITIONS

NONE

8P-01-14 Application of Rong Li, owner, for extension of Site Plan Approval (3P-05-13) to construct a 2,275 +/- Sf single family house with a 775 +/- sf attached garage on property located at 2912 Brighton Henrietta Town Line Road (Tax ID # 149.19-02-011.2). All as described on application and plans on file.

MR. FADER: I move to close the public hearing.

MS. TOMPKINS-WRIGHT: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move the Planning Board approves application 8P-01-14 based on the testimony given, plans submitted and with the Determination of Significance and the following 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. Site Plan Approval shall expire on August 20, 2014, and pursuant to 207-13(E) of the Brighton Town Code no further extensions shall be granted.
2. All Planning Board and Town Engineer requirements of Final Site Plan Approval 3P-05-13 shall remain in effect and shall be met. All Planning Board and Town Engineer comment shall be addressed prior to issuance of a Building Permit.

3. A letter of credit shall be provided. Contact the Town Engineer for requirements.
4. Permits will be required from the Town's Highway/Sewer Department and may be required from other jurisdictional agencies.
5. Prior to the issuance of any permits a Single Family Information Form shall be submitted to and approved by the Building and Planning Department. The form shall be completed by the project architect.
6. The applicant shall review the site plan, elevations, and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Corner ground elevations shall be shown on the site plan and architectural elevations. Corner elevations and grading around the perimeter of the house shown on the architectural elevations and shall conform to the corner elevations and grading on the approved site/grading plan. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board and/or Architectural Review Board approval.
7. The spruce trees shall have a minimum diameter of two inches at four feet above grade.
8. Prior to construction a construction meeting shall be held by the Department of Public Works.

MS. TOMPKINS-WRIGHT: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

8P-02-14 Application of NMS Winton, Inc., owner, and T-Mobile Northeast, LLC, lessee, for a Tower Permit to install nine (9) cellular antennas on the roof of a building located at 919 South Winton Road. All as described on application and plans on file.

MR. FADER: I move that application be tabled based on the testimony given and plans submitted. Additional information is requested in order to make a Determination of Significance

and to have a complete application. The following information is required to be submitted no later than two weeks prior to the next Planning Board meeting.

1. The information presented in the application is inconsistent. The application form states installation of 9 antennas are proposed to be installed and the Technical Memo states 6 antennas. Please verify the number of antennas to be installed and submit revised documentation.
2. The applicant should submit an additional propagation study for the proposed antennas at 6 feet above the roof.
3. Pursuant to Section 207-42 of the Comprehensive Development Regulations proof of the landowner's consent shall be submitted. A redacted copy of the lease agreement must be provided.
4. Submittal of a map showing T-Mobile's existing communication facilities within the Town of Brighton and proposed facilities projected to be installed within two years?
5. A search ring prepared by a qualified professional engineer radio frequency engineer shall be submitted that addresses Section 207-42. D. (e) of the Comprehensive Development Regulations. The search ring analysis should include the Brighton Consolidated School District buildings.
6. Photo-simulations from the following areas shall be submitted to help understand the visual impacts of the proposed tower and antennas:
 - A. Varinna Dr. between Winton Road and Rhinecliff Drive.
 - B. Rhinecliff Drive between Varinna Dr. and Monroe Ave.
 - C. Winton Ave. between Varinna Dr. and Monroe Ave.
 - D. 12 Corners Park
 - E. Monroe Ave. between Winton Rd and Rhinecliff Dr.
7. Monroe County Development Review comments must be reviewed by the Town and shall be addressed by the applicant.
8. All pending violations if any shall be resolved by the property owner.

MR. WARTH: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

8P-03-14 Application of Deacon Peter Bushnow, Holy Ascension of Christ Church, owner, for Final Site Plan Approval to construct a 576 +/- sf building addition and enlarge the parking lot on property located at 650 North Landing Road. All as described on application and plans on file.

NEW BUSINESS

5P-NB1-14 Application of Deacon Peter Bushnow, Holy Ascension of Christ Church, owner for Preliminary Site Plan Approval to construct 576 +/- sf building addition and enlarge the parking lot (20 additional spaces) on property located at 650 North Landing Road. All as described on application and plans on file. Tabled at the May 21, 2014 MEETING – PUBLIC HEARING REMAINS OPEN.

MR. FADER: I move that the public hearings be closed.

MR. OSOWSKI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move the Planning Board approves applications 5P-NB1-14 & 8P-03-14 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. Rear and side yard designations given are incorrect and should be adjusted. This probably also affects number given for rear yard pavement coverage which should be examined. Also, there is a discrepancy on the site plan between the value for existing front setback on the west side, which is included as both 48.3' (chart) and 64.5' (plan).
2. Proposed reserved parking spaces shall be installed when determined necessary by the Town of Brighton.
3. A highway permit must be obtained prior to working within the North Landing Road right of way.
4. The sanitary sewer shall be relocated as required by the Town Engineer.
5. The entire building shall comply with the most current Building and Fire Codes of New York State.
6. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
7. Meet all requirements of the Town of Brighton's Department of Public Works.
8. All Town code shall be met that relate directly or indirectly to the applicant's request.
9. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
10. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.

11. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered and fertilized prior to , during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
12. The two proposed Linden trees shall be a minimum of three inches in caliper. Maintenance of landscape plantings shall be guaranteed for three years.
13. Trees proposed to be planted and to be retained shall be shown on the site plan.
14. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66). Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.
15. All conditions of the Zoning Board of Appeals approval shall be met.
16. The recommendations of the certified arborist regarding tree protection and maintenance during construction shall be followed.
17. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
18. All county Development Review Comments shall be addressed prior to final approval.
19. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
20. Erosion control measures shall be in place prior to site disturbance.
21. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to demolition, landscaping, stormwater mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.

22. The landscape plan shall be revised to address the letter from Deacon Peter Bushunow dated July 21, 2014.
23. The parking lot lights shall be placed on a time and shall be turned off from 10:30 p.m. to dusk.
24. All comments and concerns of the Town Engineer as contained in the attached memo dated from Michael Guyon, Town Engineer, to Ramsy Boehner, shall be addressed.
25. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

MR. OSOWSKI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

8P-04-14 Application of Debra Pierce, owner, for Final Site Plan Approval and Demolition Review and Approval to raze a single family house and construct a new 1,941 +/- sf single family house with a 262 sf attached garage on property located at 166 Antlers Drive. All as described on application and plans on file.

6P-NB1-14 Application of Debra Pierce, owner, for Preliminary Site Plan Approval and Demolition Review and Approval to raze a single family house and construct a new 1,941 +/- sf single family house with a 262 attached garage on property located at 166 Antlers Drive. All as described on application and plans on file. TABLED AT THE JULY 16, 2014 MEETING – PUBLIC HEARING REAMINS OPEN

MR. FADER: I move that the public hearings be closed.

MR. OSOWSKI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

DEMOLITION FINDINGS

MR. FADER: I move the Planning Board adopts the following findings based on the application submitted, testimony presented and the determination by the Historic Preservation Commission, Architectural Review Board and Conservation Board.

1. The existing building is not currently designated a local landmark and has been found by the Commission not to be a candidate for designation by the Historic Preservation Commission as a landmark.
2. The Architectural Review Board and the Conservation Board have reviewed the project per the requirements of this article and their determination and recommendations have been considered.
3. The project is consistent with the Brighton Comprehensive Plan.
4. The project meets all Town Zoning requirement, or a variance has been granted by the Brighton Zoning Board of Appeals.
5. The Brighton Department of Public Works will approved the proposed grading plan for the project.
6. The project complies with the requirements of the Town's regulations regarding trees.
7. A restoration/landscaping plan has been approved by the Planning Board.
8. The project will comply with the requirements of NYSDOL, Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the project will comply with Section 56-3,4(a)(2) regarding on site maintenance of a project record, Section 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants, the licensing requirements of Section 56-3 and asbestos survey and removal requirements of Section 56-5.
9. The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

10. The project does not have a significant negative impact on affordable housing within the Town.

MR. OSOWSKI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move the Planning Board approves the application 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. Regulations allow a maximum of 30% of the front yard to be pavement. The applicant should submit the proposed percentage. If it is greater than 30%, the amount of pavement should be reduced.
2. Architectural plan shows a +/- 198 sf attic space. If this area is to be heated it must be included in liveable floor area calculations. Total liveable floor area shall not exceed the allowed 2,360 sf.
3. Plans show the steps to the front porch completely within the required front yard. Applicant is advised that zoning allows for steps providing access to a house to be constructed within a required yard, provided that they are less than 18" in height from grade as measured at the tread. Otherwise they are required to meet setback requirements.
4. All proposed landscaping associated with the project shall be guaranteed for a period of three years after initial planting per Town of Brighton Town Code Chapter 207-21.

5. Zoning requires that air conditioners are “screened with fencing or other suitable materials so as to reduce the visible impact from adjacent property owners and from the road.” The site plan shall be revised to show screening of the proposed air conditioner as required by zoning regulations.
6. Prior to issuance of a demolition permit or building permit, asbestos shall be removed according to NYS and Town of Brighton requirements and verification shall be provided from a qualified company that asbestos has been removed.
7. The entire building shall comply with the most current Building & Fire Codes of New York State.
8. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
9. Meet all requirements of the Town of Brighton’s Department of Public Works.
10. All Town code shall be met that relate directly or indirectly to the applicant’s request.
11. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
12. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
13. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered and fertilized prior to , during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
14. Maintenance of landscape plantings shall be guaranteed for three years.

15. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66). Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.
 16. All outstanding Site Plan Comments and concerns of the Town Engineer regarding soil erosion, storm water control, water system and sanitary sewer design shall be addressed prior to final approval.
 17. All County Development Review Comments shall be addressed.
 18. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval
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19. Erosions control measures shall be in place prior to site disturbance.
 20. The project will comply with the requirements of NYSDOL, Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the project will comply with Section 56-3,4(a)(2) regarding on site maintenance of a project record, Section 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants, the licensing requirements of Section 56-3 and asbestos survey and removal requirements of Section 56-5.
 21. The applicant shall review the site plan, elevations and floor plans to ensure that the areas and dimensions provided on those plans agree with one another.
 22. Elevation drawings showing the height of the structure in relationship to proposed grade as shown on the approved site plan, and including ground elevations at the house corners, shall be submitted. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board approval.
 23. The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.

24. All required permits and approvals of the Town of Brighton Highway and Sewer department shall be obtained.

25 All comments and concerns of the Town Engineer as contained in the attached memo from Evert Garcia to Ramsey Boehner, shall be addressed.

26 All comments and conditions of the Planning Board and Town Engineer shall be responded to in writing.

MR. OSOWSKI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

8P-NB1-14 Application of the University of Rochester, owner, for Preliminary Site Plan Approval and Preliminary EPOD (woodlot) Permit Approval to construct a 3 story 92,000 +/- sf medical imaging and office building on property located at 250 East River Road (Tax ID # 148.08-01-001). All as described on application and plans on file.

MS. TOMPKINS-WRIGHT: I move that the application be tabled based on the testimony given and plans submitted. Additional information is requested in order to make an environmental findings and to have a complete application. The following information is required to be submitted.

1. The plans have been reviewed, however future submissions and discussions will likely reveal additional issues that need to be addressed. Therefore the Planning Board reserves the right to make additional comments on future submissions.
- 2 An Operational Permit shall be obtained from the Town of Brighton's Fire Marshal (Chris Roth, 585-784-5220)
- 3 The entire building shall comply with the most current Building and Fire Codes of New York State.
- 4 Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by

appropriate authorities Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.

5 Meet all requirements of the Town of Brighton's Department of Public Works.

6 All Town code shall be met that relate directly or indirectly to the applicant's request.

7 The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.

8 The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.

9 All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered and fertilized prior to , during and after construction. Materials and equipment storage shall not be allowed in fenced areas.

10 Maintenance of landscape plantings shall be guaranteed for three years.

11 Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66). Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.

12. The dumpster shall be enclosed with building materials that are compatible with the existing building.

13 All outstanding Site Plan Comments and concerns of the Town Engineer and Fire Marshal shall be addressed. The applicant shall contact the Fire Marshal for comments.

14. All outstanding Site Plan Comments and concerns of the Town Engineer regarding soil erosion, storm water control, water system and sanitary sewer design shall be addressed.

- 15 Fire Hydrants shall be fully operational prior to and during construction of the building.
 - 16 All easements must be shown on the subdivision map with ownership, purpose, and liber/page of filing with the Monroe County Clerk's Office. A copy of the filed easement shall be submitted to the Building and Planning Department for its records.
 - 17 A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to demolition, landscaping, stormwater mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.
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- 18 The parking lot lights shall be placed on a timer.
 - 19 The proposed building shall be sprinklered in accordance with Town requirements.
 - 20 The height of the proposed building shall be shown on plans. Elevation drawings showing the height of the structure in relationship to proposed grade shall be submitted.
 - 21 Prior to any framing above the deck an instrument survey showing setback and first floor elevation shall be submitted to and reviewed by the Building and Planning Department.
 22. This signage must be reviewed and receive all necessary town approvals prior to installation.
 - 23 Erosion control measures shall be in place prior to site disturbance.
 - 24 The applicant shall review the site plan, elevations and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Elevation drawings showing the height of the structure in relationship to proposed grade as shown on the approved site plan shall be submitted. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board approval.

- 25 The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.
 - 26 The location of the HVAC shall be shown on the site plan.
 - 27 The applicant must demonstrate how the proposed development meets all the conditions of the Incentive Zoning/Rezoning Approval along with all the requirements of the IPD Ordinance.
 - 28 The applicant must demonstrate how the proposed development meets the mitigation measures noted in the SEQR Finding Statement for the project.
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- 29 It appears that the proposed project will disturb these wetland areas and a permit will be required. The SDGEIS also indicates that these wetlands were re-surveyed in October 2013. However, it does not appear that the 2013 boundaries were verified with the USACOE. The wetland delineation must be verified by the USACOE.
 - 30 The entrance drive to the Laser Lab and the Imaging building should be aligned.
 - 31 The extent of the woodlot EPOD and wetlands must be shown on the plans.
 - 32 The proposed trails/sidewalk should be extended to Murlin Drive along the north side of the Laser Lab. The trail should also be extended south along Murlin Road to the LLE entrance as shown on the FGEIS.
 - 33 The University of Rochester IPD application includes a number of tax parcels including the imaging building parcel. It is our understanding that these parcels will be combined into a single parcel. A subdivision map illustrating the combination these parcels must be provided.
 34. The clearing limits associated with the watermain construction must be shown on the plans. The installation of the watermain must be considered in the Woodlot EPOD permit. The impacts to the Woodlot EPOD should also be shown on one sheet. All requirements of the

35. Woodlot EPOD Regulations shall be fully addressed. How the loss of trees will be mitigated must be submitted. A tree mitigation plan must be submitted.
36. The trees to be removed as a result of the watermain installation must be shown on the plans. Additionally, plantings should be provided to maintain the screen between the residential homes and the U. of R. property.
37. The overall Master Plan for the property should be submitted with the plans.
38. Site data for the project was not included in the site plans. The site plan should include all site data and show all setback distances. The property line should be clearly shown on all site plan drawings

39. The applicant must provide justification for the number of proposed parking spaces.
40. If a hot box is required for the waterline it must be screened and shown on the site plan.
41. The proposed total height of the proposed 3-story building including the mechanicals and penthouse shall be noted on the site plan.
42. The applicant must attend the Conservation Board meeting.
43. The plans must show how the proposed future road connection shown on the plans will connect to the rest of the development.
44. The lighting plan must include building exterior be lighted.
45. The electronic transformer and generator must be screened. Details shall be submitted. The generator must meet all requirements of the Comprehensive Development Regulations.
46. The application is tabled until completion of the SEQR process and approval of the Incentive Zoning/Rezoning application by the Town Board.

47. All comments and concerns of the Town Engineer as contained in the attached memo dated August 19, 2014 from Michael Guyon, Town Engineer, to Ramsey Boehner shall be addressed.
48. A letter or memo in response to al Planning and Town Engineer comments and conditions shall be submitted.
49. Pedestrian and vehicle conflicts should be reviewed and revised.
50. Parking lot end caps should be included in the parking area on the west side.
51. 50 bike ramps should be included in the parking area

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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SIGNS

1338 A Little Less Merchandise for a building face sign at 2829 West Henrietta Road.

CONDITION

1. The width of the ventricles on the two L's should be reduced to match the A.

1339 DiMarco Group for a building face sign at 1950 Brighton Henrietta Road

CONDITION

1. Any other business identification signage on the building should be removed prior to installation of the proposed sign

1340 Dunkin Donuts for a building face sign and menu board at 2887 Monroe Avenue.

CONDITIONS

1. All requirements of the Zoning Board of Appeals approved on the menu board shall be met.
2. Directional and informational signs on the property shall not exceed 2 square feet in area and shall have no logo, name or advertizing.

Recommended.

MR. CHAIRMAN: Approved as

MR. FADER: 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 August 201
2014 , meeting of the Planning Board 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

Judy Almekinder

On this ^{3rd}----- day of September 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.

Tanya M. Johnson

Notary Public

