

Proceedings held before the Planning Board of Brighton at 2300
2300 Elmwood Avenue, Rochester, New York on December 17, 2014
commencing at approximately 7:30 p.m.

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

NOT PRESENT: Josh Babcock Stiner

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

FIRE ALARM PROCEDURES WERE GIVEN

MS. CHAIRMAN: Good evening Ladies and
Gentlemen, I would like to call to order the December 17, 2014 meeting of
the Town of Brighton's Planning Board to order. We have the minutes for
November 2014. Is there a motion to approve those with any corrections.

MR. OSOWSKI: I move to approve the November
17, 2014 minutes with corrections.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. CHAIRMAN: For the members of the
audience, tonight just a couple of house keeping. The application of JPP
Real Estate application 10P-01-14 is postponed to the January 21, 2015
meeting at applicant's request. And application of the U. of R application
8P-NB1-14 is postponed to the January 21, 2015 meeting at the
applicant's request. Mr. Secretary were the public
hearings properly advertized for December?

MR. BOEHNER: Yes, they were properly
advertised as required in the Brighton Pittsford Post of December 11,
2014.

10P-02-14 Application of American Tower Company, owner, and T-Mobile Northeast, LLC, lessee for Tower Permit Approval, Site Plan Modification and EPOD(steepslope) Permit Approval to install nine cellular antenna on an existing tower and to expand the existing equipment compound on property located at 1 Pinnacle Hill Road (Tax ID 136.08-01-006.1. All as described on application and plans on file. TABLED AT THE NOVEMBER 19, 2014 MEETING – PUBLIC HEARING REMAINS OPEN.

MR. KERWIN. Good evening, I am Matt Kerwin from Hiscock & Barclay in Syracuse and I am here on behalf of T-Mobile Northeast. I just wanted to bring forth as to what happened at the last meeting. We received the Town's comment letter with regards to the most recent submittal and there were a couple of issues we had to address. I will run through them quickly. First of which had to do with the referral to the County Planning Board which we made in late November and just before Thanksgiving we got a phone call from the County Planning Board affirming that there were no comments and it was determined to be a local matter and in response to the response letter from Mr. DeSteffano's there was no response to that issue. The second one had to do with providing detailed cut sheets for the proposed lights to the site and T-Mobile has since removed the lights from the project. So the plans you received in early December request that change. Currently you asked for a cumulative emissions report for the tower. We were unable to get that completed in time for submittal but we did get that last week and we provided that to Rick and I have spoken to Mr. Boehner about that and based upon the results of the report both the individual antennas and the tower itself are within acceptable FCC emissions. We think we have addressed that adequately.

There were a couple of other comments received from your engineer one had to do with amending the structural report to reflect the proposed 9 antennas and in addition to revising the plan to remove the lights and we have also submitted our application to limit our installation of six antennas as opposed to nine. So there is no need to revisit the structure at this point and that is consistent with what we are proposing. We also added a note to the plans to reflect the location of soil boring and there were a couple of comments from the geotechnical report that we did and we provided letter from our engineer Ray Peterson who addressed those, the first of which had to do with request for supporting documentation concerning the assignment of the angle proposed for the site and Mr. Peterson satisfied that concern. And the last thing we had to

do was provide supporting documentation regarding the soil bearing capacity of the site and I do want to point out that this property was previously improved. There are compound foundations that still exist up there so it is not as if this is a pristine site but we provide additional information to address the soil bearing capacity issue and there is more than sufficient capacity to accommodate the proposed equipment compound. If there are any questions I would be happy to answer them.

MR. BOEHNER: Just one question, how tall is the fence and will it have barbed wire?

MR. KERWIN: The fence is a 7 foot fence with another foot for three strands of barbed wire with the same thing as before to be consistent.

MR. CHAIRMAN: Does anyone else have any questions? If not this is a public hearing does anyone in the audience care to address this? Very good we will move on.

12P-01-14 Application of River Road Hospitality Associates, LLC, owner and Minesh Patel, agent, for Site Plan Modification for new exterior building lighting on property located at 717 East Henrietta Road. All as described on application and plans on file.

MR. D'AGOSTINO: My name is Jason D'Agostino.

MR. CHAIRMAN: If you would give us a brief introduction about the conversion of the hotel and the kind of process we went through to get here tonight.

MR. D'AGOSTINO: Sure, currently we are at the beginning phase of the conversion, currently we are operating as the Nikinta (phonetic) and we are converting the hotel to a Holiday Express. The purpose of meeting this evening regarding 717 East Henrietta Road specifically is the lighting which I believe e-mails were sent from our architect design team today. I do have a couple of copies 8 and a half by eleven.

MR. BOEHNER: I will accept that.

MR. D'AGOSTINO: You will see on there, there are two lines on there for L1 and L2 and those are the upwards lightings and if you would notice the upward lightings is a blue light and as the light goes up they are identical to every other Holiday Inn Express including the one on Monroe Avenue and you can see the lighting as it is beamed upward doesn't hold the same optometry I believe it is called and it will dissipate as the lighting goes up. Therefore it doesn't interfere with any kind of space or whatever or anything else being obtrusive to any of the neighboring areas. Our neighbors don't include any residential facilities fortunate for us it is all on the other buildings in the area.

MR. CHAIRMAN: So your application is limited to the lighting?

MR. D'AGOSTINO: That is correct.

MR. CHAIRMAN: You have been to the Architectural Review Board for approval that changes the exterior of the building?

MR. D'AGOSTINO: Yes, I believe we have.

MR. BOEHNER: Can I ask you a question, the white lights have a dimmer, the white lights your L2's the white LED's, they look like they are dimmer controllable. Do all the lights have that? The reason being is that the lighting is to highlight the architectural features and if they get too bright we can say turn that down a little bit. Are you hearing what we are saying?

MR. D'AGOSTINO: Absolutely, Holiday Inn is consistent with all their properties and they are not looking to be a lunar park in any way. They are not looking to light up the block again just to highlight the architecture of the building and kind of make it pop if you would.

MR. BOEHNER: So can you dim those lights? Is there a way to dim them if they are too bright.

MR. D'AGOSTINO: If they are too bright I believe there is a dial on that unit that could be turned down or the lightage could be changed.

MR. BOEHNER: Or the wattage of the light bulbs could be changed?

MR. D'AGOSTINO: If needed I am sure we could work that out.

MS. TOMPKINS-WRIGHT: Are these lights on 24-7?

MR. D'AGOSTINO: These lights are on only when the sensors come on.

MR. BOEHNER: So they are going to have a sensor?

MR. D'AGOSTINO: Yes.

MR. CHAIRMAN: We went through this with Monroe Avenue and actually at the time and as the tests were set up we were satisfied with that timer. You are confident this is exactly the same as Monroe Avenue?

MR. D'AGOSTINO: Absolutely, it is the same as Monroe Avenue and also the same as Canandaigua, Painted Post and the other Holliday Expresses that we operate.

MS. CIVILETTI: Is that light on Monroe Avenue LED also?

MR. D'AGOSTINO: I was not involved in purchasing them but I would have to say they would not allow one to be inconsistent with another so just based on my knowledge I would have to say yes they are.

MR. CHAIRMAN: This is a public hearing does anyone in the audience wish to address this application? Thank you very much.

aquatic addition (located in Henrietta) on property located at 1200 Edgewood Avenue. All as described on application and plans on file.

MR. GOLDMAN: Good Evening Mr. Chairman, and Members of the Board, my name is Jerry Goldman I live at 59 Branchwood Lane in the Town of Brighton and I am the attorney and agent for the Jewish Community Center who is the applicant this evening. With me is Matt Tomlinson from Marathon Engineering who is putting up the plans, also Craig Jenson is here from CJS Architects as well as lay leadership on behalf of the JCC John August is here as well. We are here this evening on application which relates to the JCC property located at 1200 Edgewood Avenue in the Town. What needs to be pointed out relative to the site and site plan is that the JCC property is split half in Henrietta and half in Brighton. I will point out where the line is as we go and take a look from Edgewood Avenue over here down the line and essentially comes in this direction. The facilities on this line, on the Brighton side of the facilities includes many of the cultural facilities related to JCC, many of the athletic facilities are located on the Henrietta side. JCC has always been dynamic in their review of their facilities and they are embarking upon a new phase if you will dealing with their facilities because frankly there is a lot of competition out there both on the cultural side and the athletic side. And as part of that in taking a look at everything with regard to the JCC one of the aspects which has been a focal point is parking on site and the parking facilities and loading dock facilities are looking to be modified and those facilities are located within the Town of Brighton. There is some parking facilities as well as some building facilities which are located on the Henrietta side which are also looking to be modified but as far as the Town of Brighton is concerned and the Town of Brighton portion of this the changes to the parking lot which are being proposed to my mind as a member are those which are primarily changes relative to those facilities which provide for seniors, and handicapped facilities immediately adjacent to the building as opposed to having to traverse to drive aisles right now and that is why it is a far better circumstance for the seniors and handicapped to be able to access the road in addition to that there will be some modification of the drive aisles access instead of having two drive aisles it will be a single set of drive aisles along this particular area of the site. Matt Tomlinson will go into this in depth. The net result is we are doing some tweaking of the actual parking area not growing it by much but essentially massaging it and Matt will talk about the changes as it relates to the front and exactly how it works out on the site and I believe there is an overlay map so you will be able to take a look at what the differences are between what is there now

and what is proposed. But the net result is the removal of the lane and the restriping that is going to occur is going to result in a net gain of parking spaces which is essentially necessary for the continuing operation of the JCC. It addresses their peak needs and also will provide a far better pattern of circulation dealing with this on the site. With that introduction I am going to turn it over to Matt to tell you about some of the details and answer any questions unless Board Members have any questions on the introduction? Thank you.

MR. TOMLINSON: Thank you Jerry, my name is Matt Tomlinson with Marathon Engineering the site engineers for this. Right now being passed out are a couple of overlay sheets that we will come to as I go through this. Jerry mentioned there are two drive aisles currently at the front of this that people have to walk across with no parking immediately adjacent to the sidewalks leading to the main entrance to the building. In looking at the first sheet that was handed out that is a larger overview of the campus. The second overlay sheet is the one I want to talk to that is a blow up of the drive aisles here on the site along the front. What I call the front is the main entrance. It will eliminate the dual drive thru , on the area underneath the image you can see the existing island and the drive aisles that are there currently right now nearest to the building there is a one way drop off aisle and on the other side there is a two way aisle which the majority of the traffic utilizes to access the parking field. By changing this I believe that the circulation for both the pedestrians and the traffic is greatly improved and as Jerry mentioned we do pick up additional parking spaces especially with some of the seniors and ADA accessibility items that does allow us to provide access much closer to the building for that purpose.

In addition the relocation of the Highlands allows us to treat storm water. Right now there is no storm water treatment on the site and as a redevelopment it is not necessarily required but it is something we are doing to improve the situation. Right now the drainage is collected in inlets in the parking lot we are going to be utilizing these islands as private retention islands with the overflow. Events that will treat the water before its conveyed to the Erie Canal that discharge point isn't in the Town of Henrietta but we are working both with the Town Engineer here as well as Henrietta so we can address storm water concerns.

The loading dock currently trucks back up directly into the building here in the existing drive aisle. The reason that we are

turning that parallel to the wall, the building wall, and the reason that we are here for preliminary and final instead of site plan modification today is because a portion of that loading dock area that we are adding on to the rear of the building falls within the Town of Brighton. The loading dock is used infrequently for large trucks but they do direct UPS, Post Office that kind of thing back there on a daily basis if they get deliveries but primarily the large vehicles that use that loading dock are very infrequent one every two weeks or so and that is for pool supplies and cleaning supplies and the like. Our goal in the reconstruction of the drive aisle and the reconfiguration of the parking and islands was to minimize any increase in impervious area within the parking field and to keep the circumvents within the existing developed area. There are woods and brush around the existing parking lot which screened the parking area and the majority of the building from neighbors as well as Edgewood Avenue. And we believe we have been able to accomplish that with what we are proposing now.

Lighting is the last thing I want to touch on. It remains the same as the existing conditions within the main parking field. The light poles in the existing islands will be relocated approximately 10 feet to the new islands or end of parking stalls and new bases will be provided but the same poles and fixtures which in the case of relocated poles will be primarily shoebox fixtures with down lighting. With that I would like to open it up for any questions that the Board may have.

MR. CHAIRMAN: I know this is in Henrietta but could you generally tell us about the expansion. What is on the outside I couldn't figure out what that is.

MR. TOMLINSON: Sure, there is a splash park, shallow pool and sundeck that kind of thing in the outdoor recreational space to compliment the interior of the building addition.

MR. CHAIRMAN: Next question, I know that the truck loading dock is infrequently used.

MR. TOMLINSON: Correct per the JCC two to three times a month is when the large vehicles that we demonstrated on the chart will have access to that.

MR. BOEHNER: Is this a mountable curve?

MR. TOMLINSON: Mountable curve and we are planning on delineating either with texture or color for the pedestrian path that routes through there as well to provide safety for people moving through there.

MR. CHAIRMAN: Obviously circulation across from there has always been a challenge. This is a much better improvement to that. I don't see any issues what so ever with that. Are you actually putting the light pole bases in the islands. It looks like the pole base is actually on the curb?

MR. TOMLISON: These islands are retention islands and they will have pebbles and boulders at the end they will not have curbing per say around them. They will be protected from vehicles going across them. So it is anticipated that the light poles will be right on the edge of the asphalt outside of the island. That keeps us from having to extend the bases down through all of the bio- retention areas.

MR. BOEHNER: Are you proposing to restripe the whole parking lot or just the portion on that back?

MR. TOMLINSON: Just the portion that we would be reconstructing. In normal maintenance they may decide to restripe that area.

MR. BOEHNER: But it is not restriping it from 10 feet to 9 feet?

MR. TOMLINSON: No. So it all existing.

MR. CHAIRMAN: Let me tell you from a personal stance you are going to have trouble if you don't have a curb on that.

MR. TOMLINSON: We will take a look at that. We are working with comments from the Town of Henrietta as well as with Mr. Guyon.

MR. CHAIRMAN: I am not sure that is something we can enforce. I am just going to tell you from a maintenance standpoint when you are trying to get water to sit in a different way than it is

currently without a curb will be difficult just to let you know. The curbs can have sheet drains.

MR. TOMLINSON: We tried to do that and limit the reconstruction of the parking lot and adding curbs would be a challenge just to get the drainage patterns out from where they are right now without reconstructing any more of it but we will take that into consideration.

MR. BOEHNER: What is the status of the existing sanitary sewer?

MR. GOLDMAN: Jerry Goldman, as Ramsey notes and I don't know if the Board did when we visited the Town when Farash was proposing to do some stuff at the rear of their property, there was an analysis that was done with regard to the potential dedication of the sewer and something we hopefully think is going to be done and we have a Stantec report which lets us know the work that needs to be done relative to that but as it stands right now there are no specific plans to do that at this time. However we understand this would be ultimately the dedication inert to the benefit of not only the JCC and having it be a public facility but also Farash and the remainder of their property. So the intention is to engage in a dialogue with Farash to deal with the logistics of the dedication of the sewer.

MR. BOEHNER: Because we have a sewer now but it is not legal and residential property that is connected to it and this property that needs to be corrected. This is the time to do it.

MR. GOLDMAN: And our intention is to figure out those logistics with Farash to get that done. Actually it is kind of interesting with regard to the sewer, I don't know exactly where the chicken and the egg were relative to it. This was all owned by Farash including the house at that point. So exactly how that was installed and everything else is –

MR. BOEHNER: I think you have to do it for the JCC portion of it what you have control of.

MR. GOLDMAN: Yes.

MR. BOEHNER: Because at that point it becomes a lateral and you don't have two users on the same –

MR. GOLDMAN: For the moment actually due to the extent that the house is on separate lots –

MR. BOEHNER: That is why I am saying if you dedicate it you have one user on the dedicated line and the rest of it is going to the house making that sewer line legal. What happens in the future is what happens in the future.

MR. GOLDMAN: Okay, and certainly like I said we are going to discuss with Farash because ultimately the dedication of that line benefits the Farash property as well as the Goldstien property which the house is connected to it as much as the JCC. So –

MR. BOEHNER: I just don't want to see any dealings with the Farash trust holding up getting this problem resolved when anything with Farash can happen at another time when we have a better idea of what is going on and the need for a dedicated right at that point.

MR. GOLDMAN: And we understand it is clearly within our interest and that is something we are going to accelerate and try doing.

MS. TOMKINS-WRIGHT: It looks like on your layout plan you have a note that parking, new building, one space per finished square feet. Is that Brighton's parking requirement or Henrietta's?

MR. GOLDMAN: It's interesting when I review the code and everything else neither the Brighton or Henrietta Code has a specific parking requirement attached to this type of facility. And under the Brighton code the determination of necessary parking is in the province of the Planning Board and in the Henrietta code it is basically an administrative problem and both municipalities have reviewed it Henrietta is comfortable with the parking as it relates to them. The parking is essentially preexisting in Brighton and I don't think there is an issue there as well but I think perhaps we will correct the plan to delete the entry dealing with required parking because in fact we don't have a code as a standard.

MS. TOMKINS-WRIGHT: When you got approved by Henrietta they were as parking is on site now they were satisfied with that.

MR. GOLDMAN: They were fine. That leads me into the approval process if I could take a moment and talk about this because of course it requires approval by both municipalities. We have gotten approval from the Henrietta Planning Board for Site Plan Approval and there are no variances needed from them. There is also review by their Conservation Board in advance of the Planning Board making their determination. And in the same way we visited with the Brighton Conservation Board last week and we had some discussions on all approvals necessary with the Town and it was determined that the site plan approval here was the only Board approval which is necessary for the Town of Brighton. So really we are at our last stop if you will on Board approvals relative to this project.

MR. BOEHNER: You need ARB?

MR. GOLDMAN: I am sorry. We need the Town ARB Approval.

MR. BOEHNER: I did also want to say that I did speak with Chris Martin in Henrietta and the requirement that was set on the plans that did not come from them. They did not have a specific requirement for this project. And they even went on to say that even if parking is a problem for us they don't have to have it. We even discussed is additional parking even needed for the addition since it is a modernization of the facility not new facilities. So just to add a little bit more for Henrietta and what is up -

MR. GOLDMAN: Those are important administrative consideration of Brighton given some of the code provisions. We aren't really increasing parking to benefit the addition it self but as much to stabilize the facility as we have it there now.

MR. FADER: More importantly there is no impervious space increase of storm water?

MR. GOLDMAN: Well, to be honest there is a slight increase in the impervious percentage but we are still well below the 35 percentage in the Town of Brighton which would be required. But the

ability to provide the buyer retention facilities and the storm water management I think is just an excellent add on as a result of this. And again this is something we are doing on our own initiative.

MR. CHAIRMAN: Did you say you have to come to our ARB?

MR. GOLDMAN: Yes, for the loading dock.

MR. OSOWSKI: What about the concrete washout?

MR. GOLDMAN: Any type of concrete washout is required to be contained so that would be fully contained and disposed of off site. Thank you very much.

MR. CHAIRMAN: This is a public hearing does anyone care to address this application? There being none we will move on.

NEW BUSINESS

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) and to join nine lots into one on property known as the University of Rochester South Campus. All as described on application and plans on file. TABLED AT THE NOVEMBER 19, 2014 MEETING – PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE JANUARY 21, 2015 MEETING AT APPLICANT’S REQUEST.

10P – NB1-14 Application of Macdanth Enterprises, Inc. owner for Preliminary Site Plan Approval to construct four commercial buildings totaling 43,225 sf on property located at 2750 Monroe Avenue. All as described on application and plans on file. WITHDRAWN BY APPLICANT

NEW BUSINESS: (cont.)

11P-NB1-2013 Application of the University of Rochester owner for an Advisory Report regarding the proposed incentive zoning/rezoning of 180 +/- acres of land located on East River Road pursuant to Chapters 203,207, and 225 of the Comprehensive Development Regulations.
HELD OVER FROM THE NOVEMBER 19, 2014 MEETING.

MR. BOEHNER: I have one revision to number 5 taking out the wording except for dead trees. I have in paragraph 7, deleting the last sentence and to add comment 12 addressing that this is an IPD and all development should be owned and operated by the University.

MR. CHAIRMAN: I would ask for a motion to ask Mr. Secretary to send the letter to the Town Board regarding the Advisory Report on the proposed incentive zoning/rezoning of 180+/- acres of land located on the East River Road pursuant to Chapter 203, Article XIX; Chapter 209, Article I, and Chapter 225, Article II of the Comprehensive Development Regulations with corrections.

MS CIVILETTI: So moved.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

12P-NB1-14 Application of Woodstone Custome Homes, for an Advisory Report regarding an Incentive Zoning request to subdivide and build on 24 single family residential lots on property between Highland Avenue and Blaker street, known as Tax ID #136.11-2-42thru -52, 136.11-3-1thru -44, 136.11-3-52 thru -71 and 136.11-3 -75 thru -93, 11P-NB1-14. All as described on application and plans on file.

MR. PARONE: Good Evening Ed Parone from Parone Engineering along with me this evening is landscape architect Mr. Fischer, and Jim Baker from the Foundation of Design. I will go through our presentation and if there are questions pertaining to their expertise I'll turn to them for this. I don't know where our client is but I am sure Jeffrey will be here. With no further ado, just to give a little background we started this project back in July 2012 and I know this is the first time the Board has actually seen it but we have conducted a number of work shops over that period of time with Town staff as well as with other folks and the project is primarily located and I will point to the north is

Highland Avenue, to the east is Persimmon Park and Clinton Avenue and to the south is 1600, the Elmwood apartments and to the west is Holland Avenue. The property is 12 acres and it is zoned presently today RLL. The property was originally subdivided back our records indicate during the depression era and what there is today is 84 lots that still exist today paper streets 43 by 75 foot lots and there are 5000 square feet. We have had two informal meetings with the neighbors, one back in January of this year with the most dominant neighbors living near the project. Then in February we had a – on February 26th, we had a neighborhood informal meeting here. We had 22 residents here, Bill Malley was here, Randy was here and I believe one other Town Board member was at that meeting. So based on that and those meetings and two meetings we have had with the Town Board and workshop with the Public Works Committee as well as last Tuesday night we met with the Conservation Board to review this particular project.

I just want to go through the proposal and I think you all have a document but I just want for the record to understand that our proposed project is for incentive zoning. And the proposals are for 24 single family lots generally the width are 65 and 80 feet at setback line. The minimum lot area is 8, 125 square feet. The increased lot coverage to the maximum building coverage is 25 percent that we are looking for. The changes in setback are 40 feet with a side variance and rear 35 feet. The project density is two units to the acre generally and there is one other thing that we are requesting in your ordinance cul de sac streets should not be any longer than 500 feet and for Blaker Street 750 feet. The proposed project improvements are as follows, Blaker Street which is a dedicated street off of Holland would be a standard 26 foot wide road with granite curbing and a 60 foot right of way.

Willard Avenue is an existing street and in discussions and the geotechnical report that I have on that street we negotiated with the Town Engineer that that street would be resurfaced and extended to allow for a permanent turn around for emergency access. There are five lots proposed on that particular street. We would be proposing a pedestrian trail that is part of the parks request, the parks department and it would extend throughout Holland Avenue or actually from Blaker Street along the back property line of the apartment complex to Persimmon Park. Just to point out to the Board this says Persimmon Park but these parcels were never – the Town actually owns those so they are part of the park. They just didn't do away with the numbers.

The other thing being proposed sanitary sewers obviously for the entire project, water will be extended through Willard Avenue and looped around back to Holland Avenue so that it will be a loop system. There will be a storm drainage system for this proposed project will not only take in Willard Avenue but will also take in Blaker Street as well as taking in any surface drainage that will come from the Army Corp of wetlands that I am going to get into in a second there. And all of the storm drainage will go to a storm water management facility which in turn will then be conveyed to a pipe and discharged under Clinton Avenue as part of the County system. We have already gone through a variety of exercises in how to discharge the storm water for this proposed project.

The last two items we need to talk about here is the open space, the wetland that is located to the northern end and that is 2.06 acres of land and we are also proposing where the storm water management facility is being located that is roughly a little more than another acre so we are looking at almost two and a half acres that will be going for dedication and ultimately will be all part of Persimmon Park.

The last item relates to what we are talking about for the proposal it will have roughly 1.7 acres of land located between lots 1 thru 6 so it will be on a permanent conservation easement to afford for more of a buffer for the folks that back up to this particular project that are on Holland Avenue. As far as the environmental issues are concerned and we discussed this with the Conservation Board last week I believe and I am pretty sure you all did get this document which is the supplemental seeker report. It is pretty voluminous. It begs to be close to what a Environmental Impact statement is because this particular project is a type I project which would require coordinated review and even though it said in the document the Planning Board would be the lead agency. I believe it is our intent that was a typographic error and should read the Town Board because we are going for incentive zoning and I believe that Dave if he were sitting here he would concur that it is the Town Board's responsibility for the incentive zoning.

There were a variety of issues that came up with not only the staff, the neighborhood the Town Board at their public works committee meetings and we needed to take a hard look at the following areas, traffic, water resources, air quality and noise, cultural resources, community services and utilities, waste disposal sites, geology, topography and soil. You all have this study that we have provided to you

and I will just highlight for the public. A traffic impact statement done by SRF Associates and they concluded that there was really no adverse significant impact as it relates to traffic. Their only recommendation would be a stop sign for the folks on Blaker Street onto Holland Avenue.

As far as water resources are concerned we have two consultants involved in that Environmental Resources as well as Foundation Design. Foundation Design was involved in a couple of areas this being water resources and the geology. And the conclusions based on terrestrial and aquatic ecology there will be fauna that is going to be displaced. And the fauna it is in our opinion they will have enough opportunity and habitat in the existing wetland area as well as Persimmon Park as far as the flora is concerned there is some underbrush that is outlined in the report and Mr. Fisher, our landscape architect has done the detailed study it was made to us very plainly that we needed to locate all three to five inches and larger. And I know it is in your report 1321 trees I can remember that number, Mr. Fisher can corroborate that number because he also was involved in every single one of them. I think the report speaks for itself and the public.

We are going to be removing 83 percent of the woodlot which is very unmanaged. The woodlot has 60 percent ash, 15 percent cottonwood, and we know the Ash is in very serious trouble obviously with the Board and we disclosed that with the Conservation Board at their meeting last week and they fully recognized and do understand they had some questions relative to the possibility of providing what is going to be the mitigation during the reconstruction area of what we are going to provide for trees in that particular location.

There were no significant as it related to ground water, there was concern about ground water in this particular case that was raised by one of the residents. We did do a study we did actually install wells and in some of the locations up here in this location here there is ground water at about 1.4 feet at its highest point. If you get down into the south it's a little bit deeper and it varies but generally its 4 feet to roughly almost 7 and 8 in some cases. So we do recognize that. We also realize that the configuration of the soils, the soils are generally clay and silt with a little sand and gravel. There was no bedrock incurred but this type of soil as it is pointed out in the report and Mr. Baker can stand on that if you so wish is that it allows for water to pretty much stay in this location. So we made a conscious effort to study this and in his report as

well as Mr. Schmidt who is now here discuss the possibility that some of the homes will be on slab and or crawl space. And Mr. Schmidt has already programmed some of his designs that will allow for that, air conditioning and heating units which traditionally you might see in the basement areas will not be there and there are ways to overcome that in their housing design.

As far as cultural and archeological you do have letter in your file and SHIPO has deemed that there is no significance on this particular site. And I will end my formal presentation by stating why are we proposing this project? Well first we believe in providing quality single family residents for sale and the second thing is to provide a price point between 275 thousand and 325 thousand that is a non existent in the town right now and allows for 1800 square feet to 2300 square feet. They are not all going to be ranches. There is going to be a variety of different designs. Also to provide for an increase for housing diversity and a new housing stock and that was a quote right from your Comp Plan, providing a high quality living environment in the existing residential neighborhood again from your Comp Plan and finally to provide a design to meet the Town and neighborhood needs that the present zoning would not provide.

We have done a variety of studies in fact we did show to the residents some different alternatives and if you tried to meet the zoning requirements of today this is the complexity of this project. This project has 84 lots as I said early on and now it's zoned RLL which would require one acre lots. You can get 8 lots in this project the 8 lots in our opinion would be very abnormal since most of the lots are either 40 foot width or some lots are 80 feet in width because some people bought two lots. So we feel that this proposal is more in line with what the surrounding zoning is in this particular area. With that I will close my formal comments and be more than happy to answer any of your comments and if I didn't say it I will say it again we are looking for your recommendations to go back or your comments to go back to Town Board relative to the incentive zoning so that we can continue on. I will say this by the assistance of the Town , assistance with the Town Supervisor and members of the Town Board, we have taken a very long look at this as you can see because we started this back in July 2012 and we think that we have provided enough information so that we can move forward with this particular project. So with that I will close my formal presentation and be more than happy to answer your questions or if I can't I have people here to do that.

MR. CHAIRMAN: Since this is the first time this Board has had a chance to see this and I do understand the reasons you want to do this that makes sense what we try to do here is work with the applicant on his initial layout your concept plans and I think we would like to understand how you got to this particular layout.

MR. PARONE: I will be more than happy to tell you that.

MR. CHAIRMAN: I will tell you that it presents some challenges for us. It does not accomplish some of the fundamental aspects of the neighborhood design that we are all trying to see happen but let's let you tell us how you came to be this.

MR. PARONE: We were involved in this manner. We first looked at let me take a step back. The previous owner of the property Mr. Glazer had a different process for this project. This project was to be a higher density with 56 or 58 homes private roads, and obviously that didn't go very far so that was abandoned. Then we looked at different sightings and locked in configurations for this particular area because it is a little peculiar with wetlands involved. You have paper streets. You have rectilinear layouts so you have to make the best that you can and we knew from day one to make the project have any viability we needed to do something different than what the existing zoning was. We did take the exercise and we did look at 8 lots.

They are not the best configuration because the 8 lots have to use all of the land. There is absolutely no buffer. There still has to be a storm water management facility. We still don't believe and Jeff can speak to this that what we construct for 8 lots would certainly not work for us and would be out of line of the neighborhood. It would just be abnormal. It just doesn't look right. So we looked at other alternatives. . We looked at bringing a street through Willard Avenue and bringing it back out to Blaker that resulted in roughly 19 lots. We thought about that. We knew some of the neighbors down here. These folks have their own community right here. And we are trying to respect the people on Willard Avenue.

So we can also envision this as being a cut thru. So we stayed with that for a minute and then we looked at another alternative and the other alternative was actually to come in from Blaker, snag this around and come back out with a small cul de sac. I think we

had 18 lots. Again we are seeing that we didn't see a positive thing because we are still connection two neighborhoods together. So we looked at a third and a fourth option which would be we come in here and just a cul de sac off of Willard. And we felt that that wasn't going to meet the goal and the objective because when we are doing something like this if you can't see a reasonable profit in something like that you don't do it.

So we met with the neighbors. We came up with a few other things. We came up with different alignments and we felt this would be the best because we were trying to do a couple of things. We were trying to respect that neighborhood. We were trying not to have thru traffic. We were trying to provide a buffer here. We have a buffer here and we are creating a larger buffer for the apartments. We have now created if you will a community of 19 homes and a community of five homes with the other five. We have kept it more human scaled and we are not providing more lots more going thru as a thru situation. The neighbors clearly don't want thru property, do not. We respect that. This allows cutting this off and allowing people to go here so our perspective we feel that this is the most appropriate and best use for what we are trying to accomplish here. There is a point of no return. We are not trying to pack them. We made that clear to everybody. The minimum lot of 8,000 is bigger than most lots that surround us and many of the lots even though we are not going to use them are much bigger than the surrounding lands .

So unless we understand why the Planning Board thinks this is not an appropriate layout. I know that you will have a difficult time to connect Blaker to Willard it is going to be very difficult. We can do this. We talked about this it is not the best whether it is pedestrian activity in here that is something we certainly can talk about but we need to have some of your in put to say this doesn't meet your intention of what the design should be.

MR. CHAIRMAN: I think there are some differences of opinion as to the fundamental design, lets leave that part aside. And at some level I can say why aren't you even denser and on another level I can see where what you have is appropriate plus or minus but not withstanding the density issue there are things that we do to very specifically try to do and in our friendship Costello can tell you that interconnecting neighborhood streets is something we would probably go to the map for that's something we would not compromise on. Suburban street in this part of town just is not appropriate. However a good Grid system is something all our neighborhoods is fundamentally based on

whether it is Homemakers, Meadow Brook, so for anybody to say things like cut thru's or reduction of privacy every neighborhood in this Town has been built in that same manner that some are saying we don't want. So although we are sensitive to 5 or 6 residents that are on the street, thousands of residents in this Town enjoy a neighborhood character that has thru streets. So I don't fundamentally understand why we can't have Willard Street come through or why that was not progressed. You have had two neighborhood meetings where you have heard our issues for the first time. You have had two years into it and you are introducing it now and this is our first crack at it. Things seem fairly cast in stone.

So I would like to see sketches where Willard goes through, where it is more of a grid pattern where there is an interconnect with Blaker over to Holland and whether or not the retention pond can be reconfigured so you get the density that you desire of 24 or 25 lots off of some type modified cul de sac that comes off of Willard to the area where the cul de sac is today. I know you have to leave space for storm water management. I have heard word that you are reluctant to do sidewalks, street lights I think we don't have adjacent streets with street lights and sidewalks to point to but that is not a reason for not asking for them and there are many neighborhoods in Brighton that do enjoy those amenities.

MR. PARONE: Well those are issues we can certainly talk about when we get further along, right now it is the big things.

MR. CHAIRMAN: I'll be quiet and we can hear from some of the other Board members.

MR. PARONE: I would like to hear what they have to say.

MR. BOEHNER: I have one comment that storm water pond it looks like the discharge is going through the Town Park?

MR. PARONE: Yep.

MR. BOEHNER: Is there an easement existing because of evaluation of Park land.

MR. PARONE: We don't need to get an easement I have said this before Ramsey because the Town owns it we have the right

to put storm water across it. It's a utility. We are not disturbing the park. We have done this on other projects. Dave certainly can research this but it's allowed to put in utility across town owned land whether it's a park or not.

MR. BOEHNER: You will definitely need to prove that explain that to the Town Board that you are draining through the park.

MR. PARONE: That is fine, that's correct there is no question about it. It has to because that is where it goes now.

MR. BOEHNER: Well you can get an easement to the south and connect the system thru there.

MR. PARONE: Well we still have to connect the apartment blocks so we are trying to by pass that and go to the County system with the overflow.

MR. FADER: I am a minority here but I think it is way too dense and I will tell you why because I was there when they came up with the large lots and I understand your reasoning and where you are coming from but there was a viable plan to put in 8 houses and then cluster them. So you don't have to build all the way out and it gives you 8 houses and also clears a lot of land and I still think that is a good idea. That being said it is going to help with the sewer in this area and the septic tank that are doomed to fail at some point.

MS. TOMPKINS-WRIGHT: I will just make a comment that some residents of Willard Avenue were very vocal. Was there a consensus on Holland Avenue with the increase of traffic and using Blaker Street.

MR. PARONE: The only concern people had as it related to traffic is believe it or not is Holland Avenue. They wanted a three way stop at Blaker and stopping going north and south on Holland. There was some comments from people talking about Willard. They think that Willard was tough at Highland that was one of the reasons why they were happy not to see it go through. They know better than any of us what they see on a day to day basis there. We didn't see or SRF Associates didn't see that being a major issue on Highland but the residents did. That was another reason why we didn't want to make the connection.

MS. TOMKINS-WRIGTH: Changing the size of the neighborhood didn't seem to be a concern for anybody?

MR. PARONE: No, there was only one resident and typically it was leave it the way it is and my response was buy it. Its simple other than that no. There was I won't say ambivalence but they all wanted to understand what we were trying to do. They didn't understand what the issue was relative – they weren't as vocal about density as you folks are right now. The largest concern and we spent a lot of time doing that was the wetland. They did not want to see the wetland degraded and we made every effort not to allow that to happen. They recognized the fact that this parcel of land has been sitting there for quite a few years. They also understood that there are 84 lots technically there to get 84 lots approved in today's world would be a scream as Mr. Boehner said pretty much non existent but we didn't hear an outcry against the density. That was two to the acre and roughly the existing zoning around that area is more than 4 to the acre. That's why I understand where Dave is coming from as far as this clustering is concerned but all of the issues whether it's 8 or 24 it is all the same. So when you are dealing with 8 from a total economic standpoint. It really is very difficult.

MR. OSOWSKI: One question this plan is showing two car garages?

MR. PARONE: Yes. Let me give you a little back ground Jeffrey is a much higher end developer in his 30 something experiences in the Town of Pittsford and the Town of Victor. He also has one project that we are doing not far from here on Genesee Street in the City which is a 29 lot subdivision which he did something tremendous there building 175 thousand to 250 thousand homes and he is doing very well. One thing I can assure you when I say quality you are definitely going to get quality.

MR. CHAIRMAN: Any questions.

MS. CIVILETTI: There was some discussion during our workshop meeting and we were talking about this project and the intent was to have a feeling on Willard Avenue versus Blaker Street.

MR. PARONE: Yes, you have a better opportunity on Willard because they are wider lots you have a better opportunity to have a different type of home where it can be a little wider than what we

are proposing but as far as the dollar amounts they are all going to be in the same range. I said 1800 to 2300 square feet and this is not intended to be a specific population group. It's intended for all there will be two stories and there will be one stories it will not be an empty nestor community. That is not the intent and we have had activity there. It is an extremely good location.

MS. CIVILETTI: I think the only other thing I would add I think there is definitely an opportunity to enhance the design from what are putting down here. Just a little bit better geometry as you are coming in.

MR. PARONE: You have to help me because between you and Bill and I happen to know both of you extremely well You have to help me with what you are looking for because there is not a lot of option here. One thing I want to make clear, these streets have to be dedicated, so we have limitations on dedicated streets. The geometry of a dedicated street is pretty frigid in the Town of Brighton, curbs are certain curbs angles at intersections are certain angles, that's it. These are not private roads so I would be more than happy to sit with you guys and say what is it because we have had so many different sketches.

MS. CIVILETTI: Well, that is one I have seen I don't know if anyone else on the Board has seen? That is one of the things we have been encouraging people to do at concept review is to bring in the sketches they have. When we look at one sketch at a time at a month at a time it leads to frustration.

MR. PARONE: Well then help us out because this has been going for two years.

MR. CHAIRMAN: The frustration is you have spent two years getting to this point and -

MR. PARONE: Get hit with a baseball bat. How does that sound.

MR. CHAIRMAN: You had every opportunity to come to this Board at any time in that two years period.

MR. PARONE: I would disagree in this regard and I will tell you why we started this process we did sketches, we had

meetings with the staff we hadn't negotiated what we were going to do with Willard Avenue at first that took time because Willard Avenue is a dedicated existing street and we had to figure out how that road could be improved to be utilized and we had to negotiate that with Mike Guyon as well as Tim Keef and we did that. That took some time then it was recommended that we needed to meet with the neighbors. We met with the neighbors and the neighbors came back clear as a bell with what they felt that they wanted and then we decided to go to a work shop with the public works twice. They indicated to us that you really need to cross your T's and dot your I's and see the process that needs to be adhered to because we are going for incentive zoning. We were trying to follow the system that was laid out for us.

MR. BOEHNER: Can I say something, one thing I will say you submitted a supplemental information report, that's on you we did not require that. I don't think the meetings with the neighbors, public works, meetings over curbing the lawn along Willard took two years. You are saying that it took two years for you to get here that is very wrong. And I have an issue with that.

MR. PARONE: I did not say that Ramsey.

MR. BOEHNER: You said it took you two years to get here implying that you got hit over the head and it took two years. I don't know what you are saying.

MR. PARONE: What I am saying it took time to get through the process we were following what you were doing. We had to hire consultants to do certain things as you well know that took time. It took us quite frankly and I will put it on the Town almost a month and a half to locate 1321 trees because your ordinance says five inch trees. And we were told clear as a bell you locate every tree now what does that mean, that takes over a month, that is not fair.

MR. BOEHNER: That is not two years though Ed. It's not two years don't pin it on us.

MR. PARONE: I am not pinning anything on you.

MR. BOEHNER: I don't know what you are doing then? I think what you need to probably do is come in with your concept

drawings and show them how you got to this point. Show the alternative layout that is what they are wanting to see.

MR. PARONE: Ramsey you are talking to me now let's get this on the table we tried to do the best as we could here, maybe we should have met with the Planning Board long ago but this town doesn't allow us to meet with you people informally or one or two of you people because they think it is a back door deal and that is not the case.

MR. DOLLINGER: We have to move forward. I think what the Board is looking for its hard for us to judge this plan unless we see some alternatives. That is unfortunate we are doing this now and the fact is we are here tonight and we want to get this done. We would like to see what convinced you to do it this way. I think if the Board gets that and it is convinced that is the way it has to be then we can move forward. You have a lot done here however I think we need to move forward. It is going to have to be that way.

MR. PARONE: All I am trying to do is this in representing that man I need to get direction from this Town in good faith we tried to do that. It takes time to get all these consultants together. Okay I didn't say I was blaming it on Ramsey for the two years. It just took that long. The process should be that we go to the Planning Board before we put all this other stuff together fine we will do that but we were following what we thought was the appropriate thing. Ramsey tell me if I am wrong we had to go to the neighbors and we did. We had to go to the public works. If the public works department told us you can't go any farther we are done.

MR. FADER: None of that matters.

MR. PARONE: Well then how does it matter that you haven't seen this plan for all that time and why couldn't I say I 'm just going to the Planning Board and the DPW says you can't do that yet. 11P-NB1-2013 Application of the University of Rochester owner for an Advisory Report regarding the proposed incentive zoning/rezoning of 180 +/- acres of land located on East River Road pursuant to Chapters 203,207, and 225 of the Comprehensive Development Regulations.

MR. FADER: All we want you to do is give us alternatives.

MR. PARONE: We will do that.

MR. CHAIRMAN: I can only see two or three legitimate alternatives just take one step back. We would like to see you once you get through incentive zoning come to preliminary and final and get yourself going.

PRESENTATIONS

NONE

COMMUNICATIONS

Letter from Jim and Karen Coffey, 36 Midland Avenue, with comments and concerns regarding the Woodstone Custom Homes and subdivision proposal

Letter from Richard T Williams, II, dated December 9, 2014 requesting postponement of application 10P-01-14 to the January 21, 2015 meeting.

Letter from James Wenworth, University of Rochester, dated December 10, 2014, requesting postponement of application 8P-NB1-14 to the January 21, 2015 meeting.

Letter from Michael Montalto, Costich Engineering dated December 16, 2014, withdrawing application 10P-NB1-14.

PETITIONS

NONE

10P-02-14 Application of American Tower Company, owner, and T-Mobile Northeast, LLC, lessee for Tower Permit Approval, Site Plan Modification and EPOD(steepslope) Permit Approval to install nine cellular antenna on an existing tower and to expand the existing equipment compound on property located at 1 Pinnacle Hill Road (Tax ID 136.08-01-006.1. All as described on application and plans on file. TABLED AT THE NOVEMBER 19, 2014 MEETING – PUBLIC HEARING REMAINS OPEN.

MS. CIVILETTI: I move to close the public hearing for Application 10P-2-14.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MS: CIVILETTI: I move to approve application 10P-02-14 as presented based on the testimony given plans submitted and with the following Determination of Significance and conditions?

DETERMINATION OF SIGNIFICANCE

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

CONDITIONS:

1. The proposed fence shall not exceed 8 feet in height or the height of the existing fence whichever is less.
2. The applicant shall comply with the following requirement:
Applicant and all successors, users and or tenants on the tower shall comply with all applicable FCC requirements, in particular those requiring satisfaction of all complaints of blanketing interference which are received within one year of the initiation of service (e.g. Rule 73.3118 (b) for FM and Rule 73.685(d) for TV). To assure such compliance, the applicant shall meet the following additional requirements:
 - (a) Prior to activation of the first antenna system on the tower, the applicant shall notify by first class mail, with a copy to the Town, all property owners, within a 1500 foot radius of the tower of (1) the expected date of activation. (II) how to obtain information from the FCC regarding its regulations on interference; (III) the name and mailing address of the

responsible person with each user who will be charged with responsibility for receiving and correcting any and all interference complaints; (IV) the willingness of the town to receive copies of any complaints; and (V) describing in plain language, ways in which interference can be avoided or minimized in devices which are not protected by FCC regulations.

(b) Prior to the activation of each additional user's antenna system, the applicant shall mail a similar notice to all property owners within a 1500 foot radius with a copy to the Town, of the information set forth in items (I) and (III) above.

(c) Prior to activation of each user's antenna system, the applicant shall file with the Town a copy of the user's FCC license.

3. Any proposed lighting shall be submitted to the Building and Planning Department for review and may require further Planning Board review.
4. No generator shall be installed without further approval.
5. There shall be no disturbance other than as described in plans and testimony given.
6. All New York State Uniform Fire Prevention and Building Codes shall be satisfied.
7. 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.
8. Meet all requirements of the Town of Brighton's Department of Public Works.
9. All Town code shall be met that relate directly or indirectly to the applicant's request.
10. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control

11. 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.
12. 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.
13. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance. All areas shall be properly restored.
14. All outstanding Site Plan comments and concerns of the Town Engineer shall be addressed.
15. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
16. All Monroe County comments shall be addressed.
17. The following comment of the Conservation Board shall be addressed: "Every effort should be made to keep the equipment shelter and heavy equipment as far away as possible from the top of the southern slope."
18. The antennas shall be operated only at Federal Communications Commission (FCC) designated frequencies and power levels. The applicant shall comply with all applicable state and federal regulations, including, but not limited to, FAA and FCC regulations.
19. Up to an additional three antennas, for a total of nine, may be installed for T-Mobile in the future upon approval by the Town of a revised structural report and issuance of a building permit.
20. All comments and concerns of the Town Engineer as contained in the attached memo from Evert Garcia to Ramsey Boehner shall be addressed.
21. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

12P-01-14 Application of River Road Hospitality Associates, LLC, owner and Minesh Patel, agent, for Site Plan Modification for new exterior building lighting on property located at 717 East Henrietta Road. All as described on application and plans on file.

MR. FADER: I move to close the public hearing for Application 12P-01-14.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move to approve application 12P-01-14 as presented based on the testimony given plans submitted and with the following Determination of Significance and conditions?

DETERMINATION OF SIGNIFICANCE

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

CONDITIONS:

1. The proposed lighting shall only be used to accent the architectural features of the building and shall not illuminate the signage and shall be limited only to those lights as shown on plans submitted. If determined necessary by the Town of Brighton, the lights shall be dimmed or the wattage of the lights shall be reduced to meet the intent of this condition.

2. All necessary permits shall be obtained.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

12P-02-14 Application of the Jewish Community Center, owner, for Preliminary/Final Site Plan Approval to construct a loading dock and reconfigure the parking lot and add 56 parking spaces for the fitness and aquatic addition (located in Henrietta) on property located at 1200 Edgewood Avenue. All as described on application and plans on file.

MS. CIVILETTI: I move to close the public hearing for Application 12P-02-14.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MS: TOMPKINS-WRIGHT: I move to approve application 12P-02-14 as presented based on the testimony given plans submitted and with the following Determination of Significance and conditions?

DETERMINATION OF SIGNIFICANCE

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

CONDITIONS:

1. The addition shall comply with the most current Building & Fire Codes of New York State.

2. 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.

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

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

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

6. 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.

7. 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.

8. Maintenance of Landscape plantings shall be guaranteed for three years

9. 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.

10. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.

11. All outstanding Site Plan Comments and concerns of the Town Engineer and Fire Marshal shall be addressed.

- 12 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.
- 13 All County Development Review Comments shall be addressed.
- 14 All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
- 15 Prior to any site disturbance a Drainage Permit shall be obtained from the Department of Public Works.
- 16 Prior to the issuance of any permits a letter of credit shall be provided to cover certain aspects of the project, including, but not limited to , the sanitary sewer, storm sewer, water quality improvements, landscaping and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval.
- 17 The existing – non-dedicated sanitary sewer serving the JCC also serves a residential property along French Road. A sewer serving more than the separately owned property shall be owned by a governmental agency, municipality, or sewage disposal corporation. The portion of the sanitary sewer serving the Jewish Community Center Property shall be offered for dedication to the Town. Stantec completed a Sanitary Sewer investigation in July 2013 to identify deficiencies in the portion of sanitary sewer that is to be dedicated to the Town of Brighton. The deficiencies identified in this report must be repaired and the appropriate easements must be developed, submitted to the Town for review and approval and filed in the Monroe County Clerk’s Office. Prior to the issuance of any permits a letter of Credit shall be provided for dedication of the sanitary sewer.
- 18 The architectural design and building materials of the portion of the addition within the Town of Brighton shall be reviewed and approved by the Town of Brighton’s Architectural Review Board.
- 19 The plans shall be revised to address the following Conservation Board comments:
 - a. Use of native plantings is encouraged.

- b. Consideration should be given to replacing invasive species Sea Green Juniper and Cleveland Select pear with alternative plant material.
- 20. The applicant engineer shall verify the required number of accessible parking spaces for the entire facility.
- 21. All new accessible parking space signage to be installed or replaced shall have the logo depicting a dynamic character leaning forward with a sense of movement as required by Secretary of State pursuant to section one hundred one of the Executive Law.
- 22. All comments and concerns of the Town Engineer as contained in the attached memo dated December 16, 2014 from Michael Guyon, Town Engineer to Ramsey Boehner, shall be addressed.
- 23. 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

(FIVE MINUTE BREAK)

SIGNS

- 1358 The Reserve for Monument Signs Entrance and Neighborhood Signs at 1 Reserve View Blvd
Approval with Conditions:
1. All requirements of the Incentive Zoning Approval shall be met.
 2. A permit will be needed from Monroe County for work in the ROW
 3. The location of all signs shall be submitted to and approved by the Town Engineer prior to application for a builder's permit for sign installation.
 4. The dimensions of a rectangle enclosing text & logo shall be submitted. Sign area shall comply with area allowed by Incentive Zoning.
 5. All signage and lighting shall be installed so as to prevent glare reflections from the sign or direct glare from the lights from impacting the drivers.
- 1359 Farmers Insurance for a Building Face Sign at 2340 Monroe Avenue
- 1360 Country Inn & Suites by Carlson for a Building Face Sign (front & side) at 2835 Monroe Avenue
Approved with conditions
All required variances shall be obtained.
- 1361 Brighton Personal Training for a Building Face Sign at 20 Allens Creek Road
Approved with conditions:
Bottom Line (Health) should be removed unless part of DBA
- 1362 Joey B's at Brickstone for a Building Face Sign (north and west side) at 1325 Elmwood Avenue
Approved with Conditions:
All requirements for the Incentive Zoning Approval shall be met
- 1363 Holiday Inn Express for a Building Face Sign at 717 Ease Henrietta Road
Approved with Conditions
All required variances shall be obtained.
- 1364 Hi Fi Lounge for a Building Face Sign at 1822 Monroe Avenue
Approved with conditions
The Bottom line (Audio ...) shall be removed unless part of the DBA

SIGNS (cont.)

1365 Silk Bridal Boutique for an Awning Sign at 1900 South Clinton Avenue

Approved with conditions:

The awning shall not be illuminated

1366 Paislee Boutique and Thimble Tailor for an Awning Sign and Building Face Sign at 1900 South Clinton Avenue

Approved with conditions

The awning shall not be illuminated.

1367 Maximum Tan for a Building Face Sign at 2799 Monroe Avenue

Approved with conditions.

- 1 Applicant shall confirm the existing/proposed dimensions of Solarnail Spa
- 2 Combined area of graphics(sun and arrow) shall not exceed 25% of sign area. Dimensions of arrow shall be provided
- 3 The thickness of the arrow shaft should be reduced with respect to the arrow head.
- 4 Ensure the lettering color especially the tan color, is legible from the street when seen against the building facade color.

MR. CHAIRMAN: I move signs 1358 thru
with conditions for approval as recommended.

MS. TOMKINS-WRIGHT: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

ADDENDUM TO THE NOVEMBER 2014 MEETING of the Planning Board.

Page 30 line 14 contiguous parcels. Insert - MR. FADER: It was my understanding that a connection to Crittenden was needed for emergency access.

CERTIFICATION

I, Judy Almekinder, 7633 Bauer Van Wickle Road,
Lyons, New York 14489, do hereby state that the minutes of the December 17,
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

On this ^{21st} day of January 2015 before me personally came Judy
Almekinder to me known and known to me to be the person described herein and
who executed the foregoing instrument, and she acknowledge to me that she
executed the same.



Notary Public

NANCY A COMELLA
Notary Public-State of New York
County of Wayne
Commission Expires Mar 30, 2018
No. 01CO4624987