

AMEMDMENTS TO THE FEBRUARY 18, 2015 MEETING

Page 1 Mr. not Ms. Chairman

Page 2 middle of the page misspelled Its Wentworth not Westworth

Page 9 last paragraph change Denise to the East

Page 15 Middle of the page Mr. Baker change We don't have an to any proposed

Page 24 Application of 2P-01-15 not 2P-02-15

Application of Brighton Corners LLC was written as both being approved and tabled and we tabled so the part about the approval should be deleted.

AMENDMENTS TO THE MARCH 18, 2015 MEETING

Page 35 Mr. Wentworth: In New York there is a new symbol not accessibility

Proceedings held before the Planning Board of Brighton at 2300
2300 Elmwood Avenue, Rochester, New York on April 15, 2015
commencing at approximately 7:30 p.m.

PRESENT: William Price, Chairman
Laura Civiletti
Daniel Cordova
David Fader
John J. Osowski
Jason Babcock Stiner
James Wentworth

Ramsey Boehner, Town Planner
David Dollinger, Dpty Town Attorney

FIRE ALARM PROCEDURES WERE GIVEN

MS. CHAIRMAN: Good evening Ladies and
Gentlemen, I would like to call to order the April 15, 2015 meeting of the
Town of Brighton's Planning Board to order. Everyone has received the
February 18, 2015 and the March 18, 2015 minutes. I will ask that the
minutes be approved with the amended conditions.

MR. FADER: I move to approve the February 18,
2015 and March 18, 2015 as amended.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. CHAIRMAN: Mr. Secretary were the public
hearings properly advertized for April??

MR. BOEHNER: Yes, they were properly
advertised as required in the Brighton Pittsford Post of April 9, 2015.

MR. CHAIRMAN: I want to make note that 2P-02-
15 the application of Brighton LLC has been postponed to the May 20,

2015 meeting and under new business Application 8P-NB1-14 and 3P-NB1-15 has been postponed to the May 20 2015 meetings at the applicant's request.

2P-02-15 Application of Brighton Corners, LLC, owner and S.E. Baker and Company, agent, for Site Plan Modification to construct a bank video teller drive-thru lane on property located at 1900 Monroe Avenue. All as described on application and plans on file. TABLED AT THE FEBRUARY 28, 2015 MEETING –PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE MAY 20, 2015 MEETING AT THE APPLICANT'S REQUEST.

3P-02-15 Application of the The Sisters of Mercy of Rochester, owner, for Site Plan Modification and EPOD (woodlot) Permit Approval to construct tennis courts and associated fencing on property located at 1437 Blossom Road. All as described on application and plans on file. TABLED AT THE MARCH 18, 2015 MEETING PUBLIC HEARING REMAINS OPEN.

MR. TOMLINSON: Good evening Matt Tomlinson from Marathon Engineering, with me tonight is Joanie Lucas representing the school. We were here last month for approval of tennis courts here at the school and just in a brief summary of why we are here. We are looking for Site Plan Modification Approval and an EPOD Permit for the four tennis courts. Mercy is the only secondary school in Monroe County that that does not have tennis courts and in an effort to expand both the PE program as well as to provide a home court for tennis matches for the school's program the goal is to build these courts in accordance with the plans that have been submitted. And we have addressed all of the Town Engineer and I believe Planning Board comments in writing and I believe you guys have that in your package as well as a formalized mitigation plan for the plantings. We appeared before the Conservation Board at last week's meeting and came out of there with no comments and they were in favor of the proposed mitigation plan. In addition we have changed the material at the Planning Board's request to have 50 percent of them be red Oak which is the species of tree that we are primarily removing as part of this project. So with that I would like to answer any questions that the Board may have.

MR. CHAIRMAN: Does the Board have any questions or concerns.

MR. BOEHNER: The tennis court is not going to be lit?

MR. TOMLINSON: That is correct.

MR. CHAIRMAN: Since this is a public hearing is there anyone here who cares to address this application? Hearing none we will move on.

3P-06-15 Application of John Cortese, 2400 West Henrietta Road, LLC, owner for Site Plan Modification to expand the parking lot for new car inventory storage on property located at 2400 West Henrietta Road. All as described on application and plans on file. TABLED AT THE MARCH 18, 2015 MEETING – PUBLIC HEARING REMAINS OPEN.

MR. AMERING: Alex Amering of Costich Engineering with me is David Ferris on behalf of Cortese Dodge. This application was originally presented to you at the March 18 meeting at that meeting and after we identified a few items you guys were looking for to bring you up to speed on what has happened since then. We received County DRC comments. They were mostly all none comments, no speedies permit and no utility improvements and no work within the County DOT right of way.

The second item we appeared before the April 1st ZBA and at the ZBA we obtained our variance for lot coverage. Lastly we responded in writing with revised drawings two weeks ago to Town DPW comments which I would be happy to discuss and just yesterday followed up with the Engineering Department and we felt comfortable with any technical details going forward. Lastly the one item that is different from what appears on your drawings today. Originally there was a chain link fence depicted and it ran along the east property boundary and turned 90 degrees and went west. Originally we were trying to save that but after reviewing with town staff it appeared throughout the construction process it probably wasn't realistic to save that.

So we have talked to the property owner and he is agreeable to replacing the fence. You will see it is very similar to what is there today. It allows us room to install all the storm water and it is

consistent with what runs along the rest of the properties. It will be a six foot high chain link fence.

MS. CIVILETTI: So just the section you see on the left hand side.

MR. AMERING: Yes, you will see on the left side that highlighted section is what will be removed and run north and then tie back in where the gate is to Crittenden Road. It will match the existing and it will just be a better spot and it won't impact the landscaping or the storm water. So what we will be doing after you guys find it satisfactory incorporating this change into the design drawing.

MR. CHAIRMAN: Alex you still own the property out to the Crittenden Road?

MR. AMERING: Yes.

MR. CHAIRMAN: There is some way to get out through the gate?

MR. AMERING: Yes the upper left hand corner there is the entrance to Crittenden which is currently gated. So the fence is only moving a few feet in areas but with the bio retention swail we decided we would just rather put a new fence in there and do it right.

MR. CHAIRMAN: This is a public hearing is there anyone who cares to address this application? There being none be will move on.

4P-01-15 Application of Brighton Commons Partnership, owner and John Norton, lessee for modification of a conditional use permit for a specialty food store (9P-03-14) to allow for an on-site food preparation and baking on property located at 1865 Monroe Avenue (Brighton Commons Plaza). All as described on application and plans on file.

MR. NORTON: My name is John Norton. I am here seeking modification to our earlier application which was in September of last year regarding a specialty food store bakery at Brighton Commons. After our previous meeting and reviewing the economic situation we proposed which was to maintain our facility down town and only use the Brighton Commons location for retail sales and our

conclusion was that that not economically viable, So we had to come to a conclusion and we reached the conclusion that we would like to be in Brighton rather than down town. So what that implies to our application and impacts to the facility itself is that we are going to have an oven and some light cooking on the site and we want to facilitate that activity. In terms of changes to the building it is going to have major impacts to the requirements to the ventilation and that requires us to penetrate the roof and put a few things on the roof. In particular there will be two types of exhaust one for non grease related and one for the potential of grease related. I would note that almost none of our cooking activities involve grease but it is something that is going to be required for all operations. That is I think the gist of what we are proposing and we are happy to answer any questions you might have

MR. CHAIRMAN: Tell us a little about the amount of space is it 1199?

MR. NORTON: It is the 1199. I am not sure how relevant this is to your consideration but the space next door is essential as well and in a previous reincarnation of that space the space that we are giving up had belonged to the space next door. We may in fact at some future date come back to you and ask that we expand our location because the landlord might require that I take the entire space. That is not something we need to consider this evening. That is something we will have to worry about in the future.

MR. CHAIRMAN: So you will be receiving raw products through the front door what would that mostly be?

MR. NORTON: Flour and to tell you honestly we are a very small operation and the significant amounts of material that we buy comes from Wegmans. So we do not receive semi truck traffic.

MR. CHAIRMAN: So we don't expect to see a semi parked on Monroe Avenue in the right lane.

MR. NORTON: No, one thing I would throw out there is I have a common supplier with the Brownsteins across the street. I am assuming they receive their deliveries in a trailer truck so there is some possibility that is how we will receive our deliveries. There wouldn't be anything on Monroe Avenue.

MR. CHAIRMAN: So the casual equipment is a cook top that happens to have ventilation through the roof for fresh air as well as the sanitary staff.

MR. NORTON: Yes so the cooking operation has two different types of hood, one is for exhaust of heat only which goes over an oven, the reality is that a modern conventional oven does not actually produce anything but just because of the nature of it we will have a hood for that type of exhaust, that only involves your typical form of stove pipe. The other is for a very small scale type of grease where there is the potential for a grease latent vapor. We are making things like soup and heating liquids for baking and things of that nature. We are not making hamburgers and all that kind of thing. So the inclusion of that type of ventilation system is included to give us some flexibility and meeting all the potential activities that we might engage in but not with the intention of doing a lot of frying and cooking. And quite honestly we might not even proceed to put that in because we may go with other technologies like a "pianini" press or something like that wouldn't require such. So in general we are not talking about a large scale situation here.

MR. BOEHNER: What type of refrigerators or freezers would you be installing?

MR. NORTON: We use relatively small scale mobile refrigerators on wheels we do not use built in refrigeration. Typically they look similar to sandwich prep stations and in other cases they look very similar to home style refrigerators, a little bit larger, glass doors but not very much different.

MR. CHAIRMAN: Are there other types of product that you would sell in coolers such as soft drinks?

MR. NORTON: Yes. We would be doing things like that.

MR. CHAIRMAN: What are your hours of operation?

MR. NORTON: At the moment we are planning to do 11 am to 7 pm. If we were to in the future to partner with a coffee roaster or something like that we would consider being open during the morning drive time but at the moment that is not part of our plan.

MS. CIVILETTI: Are you planning on adding a grease trap?

MR. NORTON: Yes, that was a condition of our prior approval.

MR. WENTWORTH: How will your grease generated change from your previous approval?

MR. NORTON: It won't change at all I don't think.

MR. WENTWORTH: How are you going to dispose of perishables.

MR. NORTON: It will be exactly the way we proposed in previous proposals there is on site trash disposal that is actually in doors behind locked doors. There is not an outdoors dumpster scenario. The way it would actually change is we would see things like paper flour bags because we are preparing on site but it is not going to change the type of waste . It won't add plastic. It won't change the type of day to day service type of trash that will remain the same.

MR. WENTWORTH: Do you have disposal at the end of the day?

MR. NORTON: Do you mean food related products?

MR. WENTWORTH: Yes.

MR. NORTON: We try to donate it to charity. That is not always possible. We plan very tight in terms of our production and we usually plan in such a way that we are going to run out before we have extra. The volume of stuff that we do throw out is extremely small. I couldn't tell you how much it would be but it's very small. I assume your concern would be attracting rodents and that kind of thing and there is a garage door on the back of Brighton Commons for the garbage that is thrown out.

MR. CHAIRMAN: Anything else. All set. This is a public hearing is there anyone that cares 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 JANUARY 21, 2015 MEETING – PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE MAY 20, 2015 MEETING AT THE APPLICANT’S REQUEST.

3P-NB1-15 Application of the Country Club of Rochester, owner, for Preliminary Site Plan Approval to demolish and remove the existing pool areas and a 5,423 +/- sf portion of the club house and construct a 12,848 +/- sf two story building addition and new pool area on property located at 2935 East Avenue. All as described on application and plans on file. TABLED AT THE MARCH 18, 2015 MEETING – PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE MAY 20, 2015 MEETING AT THE APPLICANT’S REQUEST.

MR. CHAIRMAN: The public hearings are closed.

NEW BUSINESS CONT.

4P-NB1-15 Application of Anthony J. Costello and Son (Joseph) Development, owner, for an Advisory Report regarding modification of Section II of the Reserve, housing development to construct 35 ranch style townhouse condominiums where 26 single family homes were proposed (Brewerton Neighborhood) and to resubdivide 26 lots into one on property located on Reserve View Blvd. All as described on application and plans on file.

MR. GOLDMAN: Jerry Goldman, attorney and agent for Anthony J. Costello and Son. We are here this evening to discuss an advisory report with the Board and with me are Bill Dailey who is putting up the plans and Matt Tomlinson from Marathon Engineering.

The Board certainly has heard a lot about the Reserve and has acted on pretty much all of the Reserve. We are here tonight on a specific topic and that topic deals with the Brewerton neighborhood, which is on the west side of the Reserve. We viewed that particular community in the concept phase and it was depicted as a 26 unit single family development on a dedicated road and as you take a look at the plan Bill will give you smaller copies of the over all plan. It is the plan which is the original plan depicted over here. The second sheet you have is an overlay and shows what changes have been made and the other two plans blow up the neighborhood itself.

In the broadest terms what has occurred in the neighborhood is the elimination of the dedicated road located on the site and it is going to be a private road that does reduce the amount of impervious surface on the overall area of the sites and that changes twenty six single family houses to 35 town houses on this particular site as depicted on the plan and net impact will be a 5 percent reduction of green space and an increase of impervious surface roughly. We did not break it out neighborhood to neighborhood but the numbers turn out to be an incremental difference between the two . You will note from the plan especially the overall plan configuration of the overall proposal remains the same.

The biggest issue that we are dealing with, with the Town Board is the fact that in 2011 which was a couple of years after the rezoning itself there was a specific discussion with regards the number of town house units that are common ownership within the development. At that time there was an understanding that in accordance with the Environmental Impact Statement as proposed there would be 91 of those townhouses which are the existing neighborhood in the Glenville and Brownstone as well as the buildings at the end of Brownstone totaling 72 leaving an inventory of 19 townhouse which are not town houses but condominiums. The understanding with the Town Board in 2011 was the change of the composition of the numbers would required approval by the Town Board after the public hearing by the Town Board and hence we are here for an advisory report as it relates to that.

If we follow the map we have 35 allocated and that leaves 16 that are going to be coming out of the loft inventory and those are the ones along the water and the total amount of those units were 168 loft units in that particular site and we are committed to reduce the number of lots in 2015 to 152. Exactly how we go about doing that is yet to be formerly determined. The options available are one could be the lowering

of the height of the loft buildings across the board to 4 stories instead of five larger units or conceivable elimination of the loft buildings hasn't dictated us in any particular direction but it will be dealt within the future committee meetings of the developers but there will be no more than 152 loft units and no more than the total amount of authorized condominiums of 259 between the loft and townhouses . From a Planning Board perspective the focus is more on the changes in the development between the spaces. In terms of infrastructure. The engineers have analyzed it so there is not really a whole lot to discuss in that regard and to that extent I will stop here and listen for the Board's comments and if there is any input from the engineers or from Bill Dailey who can address any questions that you may have.

MR. CHAIRMAN: Jerry just one quick question, on the handout that Bill just gave us it says lofts 179 units.

MR. DAILEY: The total number of units was approved as part of the incentive zoning was 327 units so we put a place hold for a total number of 327 units on the originally approved plans that was in excess of the allowed condo plans as part of the resolution so that was kind of a place holder for a future determination as to how those were going to be placed but we did not want to get approval for less units than what was authorized by the Town. So 152 would be the number that could ultimately built –

MR. BOEHNER: The reason it was shown that way on the plan is that was the old plan from the original plan.

MR. DAILEY: Yes.

MR. CHAIRMAN: So essentially there is a small increase of impervious on the roof top?

MR. DAILEY: Yes that is correct. The roof top on this area here you can see it from the plan would have an increase within the road network we are picking up some. I don't know if the actual pavement decreases but it decreases slightly throughout so the net result is a small increase of impervious surface on the roof top.

MR. OSOWSKI: The number of units on that roof has gone from 26 to 35 AND 35 to 70 are the sanitary sewer system adequate to handle that number of units?

MR. DAILEY: Yes, it is we would be running the same dedicated sewer essentially the entire development is serviced by an 8 inch sanitary sewer that has a capacity for all units and we would be extending that same dedicated sewer through this development.

MR. BOEHNER: Matt, there is a reduction so the total number of units that this project is going to be reduced to is 310, is that right?

MR. TOMLINSON: At this point that's what our current plans show. We can revisit perhaps the neighborhoods with single families and we may be doing some tweaking as that goes on but the plans that we show are 310 units.

MR. BOEHNER: That is what you are showing?

MR. TOMLINSON: Yes.

MR. CHAIRMAN: The architecture is essentially the same as what is under construction now.

MR. GOLDMAN: Bill can speak to the architecture statutes which has been put together by Jim Fehe the project architect. They are no dissimilar to what has been approved but of course there is always tweaking that goes on as time goes by.

MR. TOMLINSON: Bill is handing those out seven of the buildings are the same product and two of the units are ranch style and 2 or 3 units are a ranch style home similar in areas just a different model. Unlike Glen Village there is a mix of two story and one story, these are all ranch townhouses.

MR. WENTWORTH: Are the street lights essentially the same.

MR. GOLDMAN: Yes. We are looking to present in the future street lighting that is a modification of what we have right now and they are going to stay exactly the same. Ramsey this is an advisory report for the specific changes.

MR. BOEHNER: Yes.

MR. GOLDMAN: The neighborhood will become

essentially a single lot with each of the 35 owners owning one 35th of the overall land as opposed to owning the land underneath their particular unit so that is the subdivision aspect of what we are talking about and we will talk about whether this is characterized as a site plan modification or whether it is a new site plan application and we will deal with that if we are successful at the Town Board when we come back

MR. CHAIRMAN: None of these previous plans have been approved.

MR. BOEHNER: They have been filed the subdivision map has been filed for the single family portion. So we have to undo those lot configurations and have one lot for the condominiums and the road is going from dedicated to private.

MR. GOLDMAN: Right, this portion the north south portion was dedicated this was always private but the entire loop is now going to be private.

MR. CHAIRMAN: Any other questions or comments?

MR. BOEHNER: No.

MR. CHAIRMAN: Thank you.

3P-NB3-14 Application of Mardanth Enterprises, Inc., owner, for an Advisory Report in regards to an Incentive Zoning request to demo three commercial buildings and construct four new commercial buildings totaling 90,000 +/- and Resubdivision Approval on properties located at 2740 Monroe Avenue, 2750 Monroe Avenue, 2900 Monroe Avenue and 175 Allens Creek Road. All as described on application and plans on file.

MR. CHAIRMAN: Officially this is not a public hearing but we always appreciate you coming out and participating in the process. The Daniele family has submitted an incentive zoning application to the Town Board basically combining three properties currently Mario's, the Clover Lane property and the Mamasan's restaurant properties for all the structures there are for demolition and construction of a 34,000 square foot retail center with multiple tenants. The applicant has submitted their letter of intent describing their request in the way of

incentives to the Town Board and submitted what they are considering amenities in exchange for the incentive being offered. The big one would be the traffic signal at the intersection of Monroe and the entrance to the project which is approximately a few feet to the south of where the entrance is to the bowling alley today and aligned with the drive way and there is a formalized trail behind the property with potential access to Clover across the back for interior circulation. This is a big project and a very visible project depending on the outcome of the incentive zoning request the applicant will still have to come back to this Board and most likely subdivision approvals for the combined parcels.

We have a letter drafted. Is there anything in this that we would like to edit, change this covers the spectrum of issues we would like the Town Board to consider. Number 3. add "to and from as well as within the site. Number 7 The plan needs to revise to reduce impervious surface and more parking lot landscaping. Number 12 Add throughout the site. Number 16 all signs go through required channels.

MR. CHAIRMAN: I move to send the drafted letter with the four changes to the Town Board.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY PASSES

3P-02-15 Application of the The Sisters of Mercy of Rochester, owner, for Site Plan Modification and EPOD (woodlot) Permit Approval to construct tennis courts and associated fencing on property located at 1437 Blossom Road. All as described on application and plans on file.
TABLED AT THE MARCH 18, 2015 MEETING PUBLIC HEARING REMAINS OPEN.

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

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move the Planning Board approves application 3P-02-15 based on the testimony given, plans

submitted and with the following conditions and Determination of Significance

DETERMINATION OF SIGNIFICANCE

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

CONDITIONS

1. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control
2. 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.
3. 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.
4. Maintenance of landscape plantings shall be guaranteed for three years.
5. 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.
6. IF the tennis courts are to be lighted, a lighting plan which shows the type, location and lighting contours shall be submitted.

7. A letter of credit shall be provided to cover the construction of the stormwater improvements, tree mitigation, tree protection, landscaping, green infrastructure and erosion control. The letter of credit should be submitted to the Town for review and approval.
8. Prior to any disturbance, a drainage permit must be obtained from the Department of Public Works.
9. A note on the revised Layout Plan states that maintenance of all landscape plantings “in a woodlot” shall be guaranteed for three years. This note should be exchanged to guarantee all landscape plantings.
10. All comments and concerns of the Town Engineer as contained in the attached memo dated April 13, 2015 from Michael Guyon Town Engineer, to Ramsey Bochner, shall be addressed.
11. All Monroe County review comments shall be addressed.
12. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

3P-06-15 Application of John Cortese, 2400 West Henrietta Road, LLC, owner for Site Plan Modification to expand the parking lot for new car inventory storage on property located at 2400 West Henrietta Road. All as described on application and plans on file. TABLED AT THE MARCH 18, 2015 MEETING – PUBLIC HEARING REMAINS OPEN.

MS. CIVILETTI: I move to close the public hearing.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MS. CIVILETTI: I move the Planning Board approves application 3P-06-15 based on the testimony given, plans submitted and with the following conditions and determination of significance

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. All requirements of the variance granted shall be met.
2. All existing and proposed easements shall be shown on the plan.
3. New and or replacement fencing shall not exceed the height of the existing fence to be replaced. New and or replaced fencing shall not be located in drainage features. Revised plans shall be reviewed and approved by the Building and Planning Department.
4. The project and its construction entrance shall meet the New York State standards and Specifications for Erosion and Sediment control.
5. 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.
6. 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.
7. Maintenance of landscape plantings shall be guaranteed for three years.
8. 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.

- 9 All comments and concerns of the Town Engineer as contained in the attached memo dated April 14, 2015 from Evert Garcia to Ramsey Bochner shall be addressed.
- 10 All Monroe County review comments shall be addressed.
- 11 The Planning Board may have additional comments pending any revisions or resubmissions.
- 12 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

4P-01-15 Application of Brighton Commons Partnership, owner and John Norton, lessee for modification of a conditional use permit for a specialty food store (9P-03-14) to allow for an on-site food preparation and baking on property located at 1865 Monroe Avenue (Brighton Commons Plaza). All as described on application and plans on file.

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

MR. CORDOVA: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED.

MR. CORDOVA: I move the Planning Board approves application 4P-01-15 based on the testimony given, plans submitted, and with the following conditions and determination of significance.

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton declares itself to be lead agency under the State of New York Environmental Quality

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

CONDITIONS

1. The operation shall be limited to baking cooking and retail sales of bakery and specialty food items, and the ancillary assembly sale of soups, sandwiches and salads. The approved use requires 9 parking spaces (1 space per 300 square feet plus 1 space per 2 seats)
2. This approval is for 1, 199 square feet of floor area.
3. Interior seating shall be limited to ten. There shall be no exterior seating without further Planning Board approval.
4. Any changes to venting HVAC systems from what is proposed with this application shall meet all town requirements and may require additional review.
5. Meet all requirements of the Town of Brighton's Department of Public Works.
6. All Town codes shall be met that relate directly or indirectly to the applicants request.
7. All applicable requirements of #207-14.1, Waste Container and grease oil container standards and #207-14.2 Supplemental restaurant regulations shall be met.
8. Hours of operation shall not exceed 6:00 a.m. -12: 00 a.m. without further approval by the Planning Board.
9. No outdoor storage or display of goods, materials or equipment shall be permitted.

10. A grease trap shall be installed as required by the Brighton Sewer Department. All requirements of the Brighton Sewer Department shall be met.
11. A building permit shall be required for remodeling the space and for the change of use.
12. An operational permit shall be obtained from the Town Fire Marshal(Chris Roth 784-5220)
13. Signs shall require separate review and approval.

MR. WENTWORTH: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

PRESENTATIONS

NONE

COMMUNICATIONS

Letter from Tom and Kim Gillett, 105 Pickwick Drive, dated April 14, 2015 with comments and concerns regarding the redevelopment at 250 Monroe Avenue (Clover Lanes).

Letter from Stewart E. Baker, SE Baker & Company, dated April 13, 2015 requesting postponement of application 2P-02-15 to the May 20th, 2015 meeting.

Letter from Peter S. Vars, BME Associates, dated April 15, 2015 requesting postponement of application 3P-NB1-15 to the May 20, 2015 meeting.

Letter from Jonathan McCann, Associate Project Manager – University of Rochester, dated April 15,, 2015 requesting postponement of Application 8P-NB1-14 to the May 20 , 2015 meeting.

PETITIONS

NONE

SIGNS

1374 MONARCH WEALTH MANAGEMENT FOR A BUILDING
FACE SIGN AT 1672 MONROE AVENUE

CONDITIONS

1. Lighting shall be redesigned to evenly illuminate the entire sign without causing impacts off-site. The applicant could consider directional lighting from the eaves, more & smaller goosenecks or another design to achieve this.

1375 FREESTANDING DEVELOPMENT FOR SALE/LEASE SIGN
FOR A FREESTANDING SIGN AT 2740 MONROE AVENUE.

CONDITIONS:

1. The applicant shall ensure that the proposed sign meets NYSDOT requirements.
2. The applicant shall verify that the sign provides a safe view shed for existing traffic.

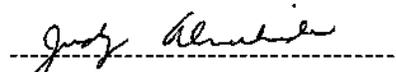
MR. CHAIRMAN: I move to approve sign
application 1374 and 1375 with conditions as submitted and as
recommended.

MR. OSOWSKI: 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 April 15,
2015 , 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 20th day of May 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

MARGARET GREEN LULL
Notary Public - State of New York
Monroe County, Lic. 01LU6154299
Commission Expires Oct. 23, 2018