

Proceedings held before the Planning Board of Brighton at 2300 Elmwood Avenue, Rochester, New York on December 16, 2015 commencing at approximately 7:30 p.m.

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

Ramsey Boehner, Town Planner
David Dollinger, Dpty Town Attorney

FIRE ALARM PROCEDURES WERE GIVEN

MR. CHAIRMAN: Good evening Ladies and Gentlemen, I would like to call to order the December 16, 2015 meeting of the Town of Brighton's Planning Board to order. Do we have a motion to approve the minutes of November 18, 2015?

MS. CIVILETTI: I move to approve the November minutes.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION CARRIED

MR. OSOWSKI AND MR. BABCOCK STINER ABSTAINED

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

MR. BOEHNER: Yes, they were properly advertised as required in the Brighton Pittsford Post of December 10, 2015.

MR. CHAIRMAN: I want to note that application 11P-NB1-15 is postponed to the January meeting at the applicant's request.

12P-01-15 Application of Anthony J. Costello and Son (Joseph) Development, LLC, owner, for Preliminary/Final Site Plan Approval and Preliminary/Final Subdivision Approval to construct five 4-story buildings containing a total of 144 Condominium units and to construct a 3,400 +/- boat house and to reconfigure six lots on property located on Reserve View Blvd. ("The Reserve" housing development). All as described on application and plans on file.

MR. GOLDMAN: Good evening, Mr. Chairman and Members of the Board, Happy Holidays first of all, my name is Jerry Goldman, and I am the attorney and agent for Anthony J. Costello and Son (Joseph) Development, LLC, that is the developer of "The Reserve" project. With us tonight on the application are Bill Dailey who is the vice president for development for A.J. Costello as well as Matt Tomlinson who is the project engineer from Marathon Engineering and Jim Fehe, project architect who is her from Jim Fehe design as well as Mark Bayer the landscape architect for the project of Bayer Associates. We are here this evening for Preliminary and Final Site Plan Approval and Preliminary/Final Subdivision approval to construct a 4- story building as the Chairman announced on the site. In addition there is an accessory building which is a boat house and we will talk about that as part of our application and presentation this evening.

As those who were at last month's meeting remember we were here for Concept Review on this application last month and we did review a lot of the elements but the primary element that we area dealing with is the change in the loft building treatment which has occurred since the original design of the project. Originally what was designed was six buildings of lofts for the frontage all of equal size all had 28 units so there was substantially more units that were involved but as part of the redevelopment of the project and the changes in the project to allow the group to neighborhood to have condominiums we had a lesser number of condos and at the same time we had indications from both the Town Board and the Planning Board that it would be desirable for us to review the massing of the loft buildings that are depicted. And in fact we had done both of those items. The massing of the buildings are different to the extent that we now have 4 buildings that have thirty two units each and one building that has 16 units in it. We have eliminated one building

Originally we had 4 buildings to the east of the club house and two buildings to the west of the club house, we now have 4 buildings to the east of the club house and one building to the west and we have our boat house which we had discussed at the last board meeting located also to the west of the site. Basically everything else is in tact relative to the site and what we are proposing on the site itself except for the buildings were five stories in height which I think caused some angst and those have been reduced to four stories as a result of the changes which have been made.

So all of that having been said we are here this evening to allow for or to obtain Preliminary and Final Site Plan Approval for the buildings as depicted as well as Subdivision Approval for each of the buildings. There is one of the nuances regarding the subdivision that we would like to point out and that is that in order to gain performance of the town code the clubhouse and the boathouse will be on the same lot. So basically the subdivision does provide for the common area lot to wrap around the western most building which is a somewhat unique arrangement but one which is fully in conformance with the code. One issue which needs to be addressed is the location of the boat house building. The Planning Board has the authority to deal with setbacks relative to structures on the site. We are proposing to have this accessory building which is 3400 sf or maybe a little less in size located closer to the property line and we think that is appropriate and in scale with the rest of the development.

There really isn't much else to discuss beyond what we did before. We do have a landscape plan that we can review if there is a desire to take a look at that but essentially what we are doing is doing a minor modification or essentially tweaking it to a degree that it does change the buildings we are here for more than a site plan modification it comes as a full Preliminary and Final Site plan review and application. With that introduction and I know we have been through "The Reserve" a number of times already I will leave that to the Board questions to bring up some of the rest of the team if we need further information.

MR. CHAIRMAN: Questions or comments?
One point of clarification on the overall numbers at this point?

MR. GOLDMAN: The overall numbers on the site we are authorized for a maximum of 329 residential units and as configured right now on the site with these buildings I believe our number

is 297 units which we are showing on the site. In terms of the loft buildings, the loft buildings were originally authorized to a number of 169 and as a result of the Brewington Adjustment we are capped at 152 and what we are depicting here is 144. Don't ask me how I remember all of that. .

MR. OSOWSKI: The parking spaces that are reserved will those be clearly marked there?

MR. GOLDMAN: They will be.

MR. BOEHNER: Will the boat house also be used for maintenance purposes?

MR. GOLDMAN: That is correct. The boat house will be used for storage of boats as well as storage of maintenance equipment necessary for maintenance at "The Reserve" we thought it would be better to have that equipment indoors as opposed to having it sitting outdoors.

MR. BOEHNER: How will the snow on the parking ramps be removed? Are those ramps proposed to be heated?

MR. DAILEY: Bill Dailey. Yes, those are going to be heated.

MR. BABCOCK STINER: Any changes to the lighting plan?

MR. DAILEY: No.

MS. CIVILETTI: How about the parking spaces in the garages –

MR. BOEHNER: I guess the question is the plans that were submitted did not address all the sections of the Town Code regarding the dimensions required for parking spaces. I guess the better question would be is that something that you feel you can address by redesign of the layout plan.

MR. FEHE: Good evening I am Jim Fehe from Fehe Design Associates. This was something that was actually just brought to my attention this afternoon. I had a discussion with Ramsey late in the day but a summary of what we had underneath the building. We have 35 parking spaces of which 33 of them have a 9 foot width dimension and two have 8 and half foot width dimension. Now that does not account for minor infringing on those widths by the various columns that are in the parking area. Where the columns occur that will reduce at their location about 8 inches of parking. So that would mean if a car comes by you might have 8 foot 4 and 8 foot 6 of space as the car comes in. So if I understand it, the town code requires 9 feet by 18 feet in depth with a 24 foot aisle. What we have so we have a minor issue I think because of infringement on the column location where they come into the parking and we have two parking spaces that are 8 foot 6 in width not in full compliance with the town code which has just been brought to my attention that it is an issue.

I will move forward and what we have done is very common in under building parking. This isn't something that we are recreating this. We can look at many buildings right here in the Rochester area and I believe also in Brighton underneath residential occupancies that have very similar parking spaces. So are we in compliance with those and it has just been brought to my attention that I do not believe so. The town has granted variances for another residential project for a very similar situation. So I don't see this as a major deal unless Ramsey does as the Town planner.

MR. WENTWORTH: Are you meeting the 19 foot stall width sorry depth and 24 foot driver width?

MR. FEHE: We do have that space. The way we have it labeled in the drawing right now, you had 18 and 24 and we have actually done two 20 foot deep parking area and a 22 foot drive aisle. All We need to do is pull a foot out of each one of those. It's a labeling of our plans but the space is there.

MR. BOEHNER: So once you get past the columns you have a 9 by 18 space but the entrance to the parking space you have to get to columns and then you are in the parking space that meets code. So the columns are actually more than 24 foot wide, it depends on how you

Want to label it because they have a total of 60 feet. The other thing is the width of the handicapped access width?

MR. FEHE: Yes, let me speak to that too.

What we have found we have one accessible parking space in the underground which is in compliance with the building code in New York. The code allows under our two dwellings 2 percent of the parking spaces or one per type of parking space meaning underground parking, surface parking if we had enclosed detached garages we would have to also comply with that. So its one per type of parking space or 2 percent. Now with 35 spaces if you do the math that is really under one space so we have provided that one space in that. The "anci" code the Federal Accessibility code requires an 8 foot wide parking space plus a 5 foot wide access aisle. So a 13 foot space and what we have in our plan right now is we actually have that 13 foot space we are drawing it in as a 9 foot space and a 4 foot access aisle. All we need to do is make my hash mark one foot wider in their.

MR. BOEHNER: Our town code may have a different requirement that you need to look at.

MR. FEHE: There is a subsection of 1106 of the code that says follow "anci" but they want the access aisle to be 8. Now, I can tell you what is going on right now we are checking our code. We are now through the process of adapting the 2015 international building code with changes per New York State which will be very minor. I have read through those changes. The section 1106 that deals with this has not adopted the 1106.1 which requires the 8 foot access aisle versus the 5 foot access aisle that "Anci" requires so what you are saying that is the route of the code right now for general parking but that is going to go away some time early in 2016. Here's my approach I think all of these things are what is common place and not only parking garages in Rochester but elsewhere all across the country. So we are not trying to rewrite this rule. I would say that we would put ourselves at the discretion of your zoning board to discuss this and say here is what we are doing and this is common place, we are not trying to make people fit into spaces that don't work. We also have a new building code that is going into affect in 2016 that will tell us our access aisle is 5 feet. Not only will they see that but the building department and the building inspector have the ability to see what is going on with the code and make that judgment call himself or herself by looking at that because they know what is going on.

MR. WENTWORTH: Is this space in the underground parking intended to be handicapped accessible?

MR. FEHE: No it doesn't need to be. Let me put it this way, we are not required by code to provide a van accessible space. We are accessible if you read the "Anci code" the "Anci code" says that underground parking spaces that are required to be van accessible are allowed to have a height of 7 feet. We will have that in fact I think we have an 8 foot overhead door. So height wise and width wise can a van get in there, yes. Have we provided the 136 inch space for van no we haven't but the code doesn't require us to.

MR. BOEHNER: One of the things we have here are three different inquiries. The town has it's own requirement. So that is something that we are going to have to discuss.

MR. CHAIRMAN: Does this qualify as a site plan issue.

MR. BOEHNER: What it is is when you are going for site plan we are making sure the codes are being met but it is not a decision the Planning Board gets to make. You can adjust the design.

MR. CHAIRMAN: I am not sure this is under our jurisdiction or not.

MR. GOLDMAN: It is not often that we deal with subsurface issues at the Planning Board for site plan. It is a good discussion to have however.

MR. BOEHNER: That will make you guys aware of what we have to work on just so you know there is this issue.

MR. FEHE: We do have a little wiggle room down there. I just don't know if we are going to be able to get around some of the technicalities.

MR. GOLDMAN: We are prepared to work through that with the appropriate jurisdictional bodies.

MR. BOEHNER: I have a question about the generators? What is the maximum decibel level? Code is 72.

MR. TOMLINSON: Matt Tomlinson from Marathon. The intention is for them to fully comply by providing screening and generator detail and they may have to come back here if its above that for approval because it has not been selected yet to the best of my knowledge for the loft buildings.

MR. BOEHNER: Okay.

MR. CHAIRMAN: Do the drains all tie into the storm system?

MR. TOMLINSON: All four drains which would be internal for the sanitary has a trench that will have the face of the garage door that takes it away and ties to the sump pump to go to the storm.

MR. BOEHNER: What is the status of the Zoning Board of Appeals for the height of the boat pad?

MR. GOLDMAN: When we were last here we discussed the elevation and roof line of the boat house building. There were two alternatives one was the mansard group which requires 16 foot height requirement for accessory buildings. The peak roof is 16 foot to the knee height which would be fine except for accessory buildings which say 16 feet to the peak. So for that difference in height which comes to 23.3 feet we have made application to the Zoning Board of Appeals and that application is pending and it is scheduled to be heard on January 6th but that application is going in before the board and we are prepared to deal with the result of the Board and not have any change in the foot print if the variance is denied we are prepared and if the peak is approved as this Board has stated its preference but nothing will change the footprint.

MR. CHAIRMAN: No changes to the architecture, and all the elevations are the same since the last board meeting?

MR. GOLDMAN: That is correct.

MR. CHAIRMAN: The landscape plan is the same?

MR. GOLDMAN: It is the same.

MR. CHAIRMAN: Thank you. This is a public hearing is there anybody in the audience that cares to address this application? All right we will move on.

12P-02-15 Application of the Jewish Senior Life, owner, for Final Site Plan Approval and Final Subdivision Approval to subdivide two lots into one and construct four 3-story "Green House" buildings with 36 senior living units each, a 3 story independent living apartment building containing 75 units, accessory buildings, now covered entrances to the existing Jewish Home tower and other site improvements on property located at 2021 Winton Road South. All as described on application and plans on file.

NEW BUSINESS

10P-NB1-15 Application of Jewish Senior Life, owner, for Preliminary Site Plan Approval and Preliminary Subdivision Approval to subdivide two lots into one and construct four 3-story "Green House" buildings with 36 senior living units each, a 3-story independent living apartment building containing 75 units, accessory buildings new covered entrances to the existing Jewish Home tower and other site improvements on property located at 2021 Winton Road south. All as described on application and plans on file. TABLED AT THE OCTOBER 21, 2015 MEETING – PUBLIC HEARING REMAINS OPEN.

MR. GOLDMAN: Good evening Mr. Chairman and Members of the Board again for the record my name is Jerry Goldman and I am the attorney and agent for the Jewish Senior Life who is here for Final Site Plan for the project to be located on the west side of South Winton Road Northern Meridian Central Boulevard and south of the I-590 expressway. With us tonight on the application is Andrew Spencer who is the project engineer from B&E Associates as well as Debbie MacGroven who is the chief financial officer for the Jewish Senior Life. At the October meeting we did present preliminary site plan application for this particular site. By way of reminder, what we are talking about are to construct four 3 story "Green Houses" with 36 Senior living units each and a 3 story independent living apartment building

containing 75 units , accessory buildings and new covered entrances to the existing Jewish Home tower. This is the application that went through incentive zoning and it originally had six building on the site. It has been scaled back. It is in conformance with the incentive zoning approval to the point that it did not mandate for full build out but stated that the maximum of six buildings as well as for the independent living building with a foot print for a maximum of 75 apartment units.

We are proposing for purposes of this application this evening that the independent living building will be a 65 unit building as was originally discussed with this Board as part of the incentive zoning review as well as at the town board. Although the Town Board gave us the flexibility that if we wanted to stay within the foot print we could have more units. Right now we are designed as far as parking and all the rest of our bulk to deal with the 65 units which are being shown. If it changes from 65 to 75 the net result is going to be we will have more one bedroom units and less two bedroom units. So essentially this density will remain the same but for full compliance purposes we are depicting it on the 65 units.

The project itself has access through Winton Road and also through Meridian Center Boulevard. The Meridian Center Boulevard access boulevard does provide for the existing Jewish Home building and the rest of the buildings to access the Meridian Center light. So people going south on South Winton Road they did not have to go through the traffic signalized intersection which is near the express way. We think overall this is a very nice plan. It does not increase the density of what is being done to the Jewish Senior Life basically what we are doing we are moving units out of the building and into the "green house" buildings and converting a lot of double rooms into single rooms and doing some interior modifications at the Jewish Home and we feel it will be beneficial for operations as well.

We did have a couple of the smaller buildings depicted for storage and the generator as well as the generator that will be down on the south part of the site. These take the place of those we originally talked about at the incentive zoning and an addition to that existing building. As part of this plan and the modification to the plan we had to get variances from the Zoning Board of Appeals. We went to the Zoning Board of Appeals in November and we did obtain variance approvals for a variance aspects of the site including issues such as height

of fence, the actual size of the storage and generator buildings and the observation areas adjacent to the ponds. So all of our variances have been obtained and we are fully code compliant and we are here this evening for Final Approval and with that we will address any questions the Board may have.

MR. CHAIRMAN: Has there been a change in the alignment of the main drive coming in has that changed since your prior layout where you had more buildings.

MR. SPENCER: Andrew Spencer. Yes, our original layout did have a little bit of a different configuration. Now the drive basically stubs into this external ring if you will. Previously this drive came through unimpeded and this access north so actually through this roadway and actually calling for the table raising for cross walks to control traffic, traffic speed etc.

MR. CHAIRMAN: Are you comfortable with this configuration. It would appear there would be multiple conflicts.

MR. SPENCER: I don't think there will be any problems. The majority of the traffic is generated by the employees not from residents coming and going. There are busses and all the turning radius's have been reviewed plus emergency vehicles as well. We did provide a letter of response to the comments we received. But from this Board and the Conservation Board and the staff has been identified and we have made responses.

MR. CHAIRMAN: Is there something new in the way of oxygen storage?

MR. SPENCER: Yes, through the program of Jewish Senior Life they would like to have a more regionalized or some type of oxygen tank location. It will be located in the rear loading dock area located in the rear area back in this area here and it will be fenced and I know right now through talk with town staff that will get reviewed by the Fire Marshal as well.

MR. BOEHNER: What I didn't talk to you about is the specifications that you guys submitted showed barbed wire fencing and that is prohibited in the Town. That may be something you might want to go for a variance for.

MR. SPENCER: That was a very standard detail that was provided.

MR. BOEHNER: I thought I should bring it to your attention.

MR. SPENCER: Understood, I don't believe that is something that we are going to be going forward with at this time.

MR. BOEHNER: You got your Architectural Review Board approval?

MR. SPENCER: Yes, and we reviewed the plans with the Conservation Board and they have approved the revisions to the plan. They most noted there was a lack of landscaping in the phase 2 portion of the site. We did revise the plans to show that. We do have Architectural Review approval for the architecture.

MR. GOLDMAN: We are going to revisit one issue on the buildings with the ARB on the December 22 meeting and it is a modification that is desired by the Project Oversight committee and it in no way affects anything on the site plan.

MR. SPENCER: It is purely an aesthetic treatment of the exterior façade.

MR. WENTWORTH: Getting back to the oxygen tanks I assume the Fire Marshal will get into this.

MR. SPENCER: Yes. Part of the approval process in the incentive zoning process was a reduction in the number of parking spaces. Jewish Senior Life came forward to retain the number of spaces on the site as they exist today. So what we did is added spaces here and made sure we had enough and when the second phase goes in it will be removed, the fire lane will be installed and basically we will just reduce the number of parking spaces. It will not affect the overall utilization of the site.

MR. OSOWSKI: On page 17 kind of in the middle of the page it mentions three viewing platforms and the plans show four?

MR. SPENCER: We need to get a variance for those platforms. I believe that maybe a misprint we have asked and received variances for four platforms and I will double check that.

MR. CHAIRMAN: Any thing else? Thank you. This is a public hearing is there anyone in the audience that cares to address this application? All right, we will move on.

11P-NB1-15 Application of Genesee Regional Bank, owner, and Wegman Companies, Inc., contract vendee, for Preliminary Site Plan Approval to construct a 3-story 55,000 +/- sf medical office building with associated parking on property located on Sawgrass Drive, known as Tax ID #'s 1491.06-1-5/BR and 149.06-1-5/RH. All as described on application and plans on file. TABLED AT THE NOVEMBER 18, 2015 MEETING – PUBLIC HEARING REMAINS OPEN – POSTPONED TO THE JANUARY 20, 2015 MEETING AT APPLICANT’S REQUEST.

12P-NB1-15 Application of Kaupp Family, LLC, owner and Marathon Engineering agent, for Preliminary Site Plan Approval to construct a 5,622 +/- sf building addition and to expand a parking lot on property located at 1500 Brighton Henrietta Town Line Road. All as described on applicatoni and plans on file.

MR. TOMLINSON: Good evening I am Matt Tomlinson from Marathon engineering with me tonight is John Kaupp, and George Lucas from J K Jewelry as well as Kirk Cacola from Marathon Engineering who is the project engineer on this. J K Jewelry is located at 1500 Brighton Henrietta Town Line Road we are requesting Preliminary Approval for a 6,000 sf building addition on the Southern Drive side , It is located at the intersection of Brighton Henrietta Town Line Road and Southern Drive and what we are proposing is an addition to the Southern drive or rear side of the building. J.P Kaupp has been on this site since 1997 and has expanded over the course of that time. There

have been a couple projects that have come in parking lot expansion for employees and things of that nature. So the proposed building addition was to expand manufacturing space for updated machines and that type of thing there is not any intent to increase employees but they need additional space for new processes, new material and handling and that kind of thing. As part of this right now with the current number of employees as well as the configurations of the loading docks and dumpsters we are proposing an expansion of 10 parking spaces on the end of the existing parking in the front yard of the Southern Drive side and that is one of the variances that we will have to get modified for parking in the front yard.

One of the things that expansion allows us to do with the new drive aisle out to Southern Drive is relocate the dumpster which currently is located in the front of the Brighton Henrietta Town Line side adjacent to the loading dock which causes issues if there is a trailer there when the trash comes, that kind of thing as well as being a not great visual from the main traffic corridor along the frontage.

We are proposing less than 20,000 sf of disturbance, no slip is needed and we have put together a memo to the Town Engineer for that and we will work on any comments he may have on that. There is some existing stone edge treatment on the parking that goes to the drainage along Southern Drive and we will be expanding that to do some treatment of storm water. We did appear before the Conservation Board last week and there were no comments other than check the size of the planting material, some of the pine tree materials we were smaller in size than town code so we will make that adjustment. And finally the additional variance that we need to get is for density on the project and the industrial 10,000 sf per acre we are asking for a variance and we made application yesterday for that and we will be appearing in January for that variance as well as the modification of the existing front yard parking variance.

So with that I would like to open it up to any questions that the Board may have and like I said I do have some representatives from J K Jewelry here to answer any questions that may come up that they can answer.

MR. BOEHNER: One of the things that was lacking in the application was a good breakdown of parking. This is a manufacturing facility?

MR. TOMLINSON: Correct.

MR. BOEHNER: Is the addition going to be a manufacturing facility?

MR. TOMLINSON: Correct, yes.

MR. BOEHNER: What we would need is a breakdown on the parking that is needed by code for a manufacturing facility which I am not going to get into now but is based on other things other than number of employees. The reason is that I was going to say that is that we need to make sure you have enough parking on site because if you don't you may need to expand the parking and get another variance. You can verify if it meets code from the various number of spaces.

MR. TOMLINSON: We can provide that breakdown and again.

MR. BOEHNER: We want to make a check that there is not going to be another change in the plan or that you need a variance or what you are going to do.

MR. TOMLINSON: Understood, we can provide that.

MR. BOEHNER: What is the actual size of the addition?

MR. TOMLINSON: It's 5922 sf I believe is the exact square footage. There is a small existing bump on the rear of that building that has to be removed. So we will be removing a small portion of that existing building. At the time when we put together the preliminary application and the architectural's hadn't been 100 percent completed so that is why that 6,000sf plus or minus is in the application.

MR. CHAIRMAN: Is there any lighting proposed on the exterior buildings?

MR. TOMLINSON: There will be emergency lighting at the egress door we have one shoebox fixture at the

end of the proposed parking that matches the style of the existing light currently on the site. They are full cut off shoeboxes.

MR. BOEHNER: You are going to need a lighting plan?

MR. TOMLINSON: Yes.

MR. FADER: I have some concerns with your storm water management. The original plan shows it but the new plan doesn't and I would like to see something meaningful on that.

MR. TOMLINSON: We will work with the Town Engineer on that.

MR. WENTWORTH: Are there any flammable or chemicals being used on the site?

MR. TOMLINSON: John do you want to come up and answer that?

MR. KAUPP: John Kaupp. We have like a finishing system that use soaps and different kinds of solvents or cleaners and we have a state of the art water treatment facility that cleans that without and problems and we also have an electro plating facility which is a closed aluminum facility that has no doesn't dump anything it is an enclosed loop. So it is constantly refurbishing it. In terms of hazardous materials everything is controlled by Monroe County and we are inspected every month and we are always in compliance.

MR. WENTWORTH: And more of the same will go on in the addition?

MR. KAUPP: Actually in the addition there will be just manufacturing. We are not adding labor intensive equipment. It is a very competitive business and the equipment would be automatic that runs at night when we are not there and this is expanding those areas that we are already working on.

MR. WENTWORTH: Do you have any gases that you use?

MR. KAUPP: We have hydrogen. We have ovens that we use for aneo metal and we have an ammonia tank that cracks it into hydrogen and nitrogen and you burn the hydrogen and the nitrogen provides the atmosphere that doesn't allow the metals to oxidize. It is a pretty standard thing that is going to go by the law.

MR. CHAIRMAN: That area is not expanding?

MR. KAUPP: No and there is a 1200 gallon tank that stores it.

MR. BOEHNER: Is it a propane tank?

MR. KAUPP: No it is a gas tank an ammonia tank.

MR. BOEHNER: Okay.

MR. WENTWORTH: Does any of that discharge?

MR. KAUPP: Not intentionally.

MS. CIVILETTI: Since that is running over night is there any noise or vibration?

MR. KAUPP: No It is not a pounding type of operation that is shaking the foundation or anything like that.

MR. OSOWSKI: Are you proposing an emergency generator?

MR. KAUPP: We have one now but not for the manufacturing equipment that draws too much power to really make that a feasible thing. If the power goes out we supplying computers and lighting and that is about it. It costs too much for manufacturing equipment. It would be nice.

MR. WENTWORTH: Do you have any trucks coming in or out?

MR. KAUPP: Either we have UPS or Fedix or post office very day and then occasionally we would have larger delivery of machinery but it is not an every day occurrence, once or twice a month and that is serviced off of Brighton Henrietta Town Line Road.

MS. CIVILETTI: Where is the generator located currently?

MR. TOMLINSON: It's right there. There is a two side entrances. It is small maybe 4 by 6 by 3 just handling alarm systems and computers and what not.

MS. CIVILETTI: Will it be relocated?

MR. KAUPP: I don't think we have discussed that. I don't like it I would like to relocate it up on the roof but I don't think you can get somebody to service it on the roof.

MR. CHAIRMAN: I would ask you to do a quick recap of where you are and where we are going, have you received comments from anyone in the town engineer?

MR. TOMLINSON: We have not so we are going to be appearing before the Zoning Board the first week in January and in the mean time we will get the comments from town staff and the town engineer and set up a meeting if we have to discuss them. Address those comments in writing and come back to you guys with the final after hopefully receiving our variances.

MR. BOEHNER: Where are you with Architectural Review Board?

MR. TOMLINSON: Architectural Review Board we intend to go in January as well? We will check on that and let you guys know. I believe they are going to be in January.

MR. BOEHNER: One of the comments the Conservation Board had in addition to the questions about the size of plantings is the addition of impervious surfaces along Southern Drive for the access point. It is not a very big parking lot and you already have two curb cuts, one substantial one along that Western Drive, so why do we need another one off of –

MR. TOMLINSON: Sure that was discussed at the Conservation Board a little bit again that is primarily to service the relocated dumpster. We did look at putting the dumpster facing this way but provided a very long back up from the garbage truck to the parking lot. We don't believe it will add traffic to Southern Drive than what is already there. It is there to come in and back up without having to make a really long back up and we are under the total impervious requirements of 35 percent green space and we are well within excess of that and it added quite a bit of safety for not much more impervious area we felt.

MR. CHAIRMAN: Okay thank you. This is a public hearing. Is there anyone here to address this application? We will move on then.

12P-NB2-15 Application of Richard M. Greene M.D., P.C., owner for Demolition Review and Approval of Preliminary Site Plan Approval and Preliminary Subdivision Approval to raze an existing single family home and a converted office building, subdivide two lots into one and construct a 6,700 +/- sf medical office building with associated site improvements on properties located at 2122 and 2140 South Clinton Avenue. All as described on application and plans on file.

MR. JANLIS: Jim Janlis from MRB Group. Tom Fromberger also from MRB Group. We are here for Preliminary and Subdivision and demolition approval. This is the existing site plan that shows the building lot now. There are two residential style buildings that are going to be removed to construct the medical building.

Both of them are two stories with a walk out basement and the one on the 2122 has an in ground pool in the back yard and the one at 2140 was a former Allstate Insurance company. They both

have parking and there is 50 percent green space on both properties and there was in 2009 an approval for expanding the parking lot on there existing facility to meet their code requirements, So the plan for us is to build off on that parking lot expansion and wrap around that proposed building and provide driveway access and handicapped parking for the first floor and also the second floor on the back side. Total parking would be 85 spaces and provide for the full building with 6 handicapped spaces. The green space is about 36 percent which the mimum.

MR. BOEHNER: The 36 percent is for the full building?

MR. JANLIS: That is for the whole building . We have parking here and around here and they really don't need one space per 150 sf but the code requires that but for green space it is full build out.

MR. CHAIRMAN: You are going a little bit you are mixing the existing property with the proposed what us through it a little slower. You said there is 50 percent green space on the two properties.

MR. JANLIS: Yes, on this property and this property on both.

MR. CHAIRMAN: And a portion of the property that is going to be redeveloped will allow for additional parking to support the building that is to the south?

MR. JANLIS: Yes.

MR. CHAIRMAN: So how much of the north property is being used to support parking for the southern property?

MR. JANLIS: Twenty-seven spaces.

MR. CHAIRMAN: Parking for the new building this is going to be two stories,

MR. JANLIS: Yes, it is the total parking needed to meet the code. I combined them together and I apologize for

that but it is 43 spaces and then there is 14 spaces in there so the new building meets the required with 43 and there is an additional 27.

MR. JANLIS: I apologize there is 28 parking spaces on existing and there is 14 built into the easement to bring that to code and then for the new building we needed 43 parking spaces to give it a total of 85.

MR. CHAIRMAN: These properties are going to be in the name of the Greenes?

MR. JANLIS: Yes.

MR. CHAIRMAN: You are not looking to combine it into a single overall parcel.

MR. JANLIS: No, just the two with the with the existing residential they want to combine into one parcel.

MR. BOEHNER: How many parking spaces are covered by that easement right now?

MR. JANLIS: Just 14.

MR. BOEHNER: Is that easement given the right to construct the land banked parking spaces?

MR. JANLIS: Yes, it is just access easement and I didn't get into the language of it. It was just labeled as an access easement.

MR. BOEHNER: I think it is a parking easement too?

MR. JANLIS: Yes, I am going to have to get more information on the language of it.

MR. CHAIRMAN: The land banked parking spaces is closer to the building rather than the further.

MR. JANLIS: It is just ease of construction and we can get more landscaping around the building. They don't

anticipate ever needing it but we need to show that parking in order to have that square footage.

MR. CHAIRMAN: What kind of a doctor is this?

MR. JANLIS: Dermatologist, a specialist.

MR. BOEHNER: For both buildings?

MR. JANLIS: Yes, I believe in our meeting they were thinking about renting it out but now there are just going to do a full blown expansion.

MR. BOEHNER: Have you done an asbestos study for those two buildings?

MR. JANLIS: Not yet.

MR. BOEHNER: You need to do that.

MR. JANLIS: Yes.

MR. OSOWSKI: There seems to be a discrepancy with the landbank parking spaces, there is 13 if you add it up is there another one there?

MR. JANLIS: No, you are correct.

MR. CHAIRMAN: The architecture of the building is that going to be similar to what it is now?

MR. JANLIS: Yes. We want to keep the existing foliage of the existing building. They want to keep the same look and style.

MR. CHAIRMAN: Have you made application to the ARB?

MR. FROMBERGER: Application has been made. The initial goal is to keep the same building foot print based on site coverage and green space. It was reduced and overall length so we need

to provide an updated actual architectural design. The intention is keep the same look to it, the same character, like Jim said I know the parking is further away and they want to have two forms of access.

MR. CHAIRMAN: You have a subsurface design for storm water?

MR. JANLIS: Yes.

MR. CHAIRMAN: Tell us about that.

MR. JANLIS: We used "silicut" phonetic at the Arched points for that. We provided five pavers with their designs which calls for an isolator chamber for that first flush for that first storm water event. This row is wrapped with fabric and that allows any trash or sediment to fill up in this first chamber in here and you can flush this out. The rest of those chambers actually sit a foot and a half higher. So you can fill up the rest of those chambers for the ten year, twenty five year and one hundred year events. And then discharging into the manhole through there and it has a choke down of a 4 inch opening from a 12 inch pipe. So that way the run off will be less than the existing conditions. I think it is a 7 percent reduction in one year, 36 percent reduction for the ten year and 18 percent reduction for the one hundred year. And all of them have stone bases so they will try to get a little infiltration but within the calculations I just assumed it would be a concrete bottom and all the water was going to flush through.

MR. CHAIRMAN: Will the soils infiltrate at all?

MR. JANLIS: There soils that do but not well so –

MR. CHAIRMAN: Was there any consideration given to one curb cut for both of these properties.

MR. FROMBERGER: We did consider that but these are intended to be two separate businesses. Although they are sharing parking and we have to look at the easement and the language but the intention is in the future they may want to sell one of these buildings but the intention right now is to keep them under single ownership but that

is why we did not merge all three parcels. The existing access is quite a steep drop off, they have two already the intention is to keep the depth flow going through here and we looked at lining up across the street and we kind of made an offer for movement of getting traffic in and out and focused a lot of activity near the entrances. We felt it would be a little bit more safer.

MR. WENTWORTH: Can you explain the two sidewalks at both entrances? How they enter the building?

MR. JANLIS: The one on the backside will be pretty much flush with what the concrete pavement is, try to keep it a 2 percent slope away from it. With the curb cut mapped out the first one is a small ramp that goes out about 7 feet right in front of the building and there is two bollard lights in front of the building and also in the back to provide lighting for early mornings or late evenings.

MR. CHAIRMAN: All right, thank you, this is a public hearing. Is there anyone who cares to address this application?

MR. CHAIRMAN: The public hearings are closed.

PRESENTATIONS

NONE

COMMUNICATIONS

Letter from Ramsey Boehner, Historic Preservation Commission Secretary, dated November 20, 2015, stating that the Historic Preservation Commission will not schedule a public hearing to consider landmark status for 2122 and 2140 South Clinton Avenue.

Letter from Andrew Munoz, BME Associates dated December 10, 2015, requesting postponement of application 11P-NB1-15 to the January 20, 2015 meeting.

PETITIONS

NONE

12P-01-15 Application of Anthony J. Costello and Son (Joseph) Development, LLC, owner, for Preliminary/Final Site Plan Approval and Preliminary/Final Subdivision Approval to construct five 4-story buildings containing a total of 144 Condominium units and to construct a 3,400 +/- boat house and to reconfigure six lots on property located on Reserve View Blvd. ("The Reserve" housing development). All as described on application and plans on file.

MR. OSOWSKI: I move to close the hearing on 12P-01-15.

MR. BABCOCK STINER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. WENTWORTH: I move to approve the Findings, SEQRA and with the following conditions based on the testimony given and plans submitted.

FINDINGS:

The Planning Board finds that suitable park or park lands of adequate size cannot be properly located on the proposed subdivision, requiring payment of a sum of money as adopted by the Town Board in lieu of the setting aside of recreation land.

SEQRA:

The proposed project does not materially change the environmental impacts identified by the Planning Board its original review and approval of the Project under SEQRA. The proposed project is consistent with the Planning Board's Findings Statement for the Project under SEQRA.

CONDITIONS

1. A parkland fee in lieu of recreation land shall be paid prior to the issuance of a building permit for construction of all dwelling units.
2. A railing should be provided along the ease perimeter of the Boathouse parking area to prevent vehicles from accidentally driving over the retaining wall and into the underground access drive.
3. All buildings shall comply with the New York State Uniform Fire Prevention and Building Code.
4. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
5. Meet all requirements of the Town of Brighton's Department of Public Works.
6. All Town Codes shall be met that relate directly or indirectly to the applicant's request.
7. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control
8. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
9. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered and fertilized prior to , during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
10. Maintenance of landscape plantings shall be guaranteed for three years.
11. Any contractor or individual involved in the planting maintenance or removal of tress shall comply with the requirements of the Town's Excavation and Clearing (Chapter 66). Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance

as required by Chapter 175 of the Comprehensive Development Regulations.

- 12 Meet all plat filing requirements of the Town of Brighton's Department of Public Works.
- 13 All outstanding Site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed.
- 14 All outstanding Site Plan comments and concerns of the Town Engineer regarding soil erosion, storm water control, water system and sanitary sewer design shall be addressed
- 15 All County Development Review Comments shall be addressed.
- 16 All easements shall be submitted to and reviewed by the Deputy Town Attorney. The approved easements shall be filed with the Monroe County Clerk's Office. A copy of the filed easement shall be submitted to the Building and Planning Department for its records.
- 17 All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
- 18 All easements must be shown on the subdivision map with ownership, purpose, and liber/page of filing with the Monroe County Clerk's Office. A copy of the filed easement shall be submitted to the Building and Planning Department for its records.
- 19 A letter of credit shall be provided to cover certain aspects of the project, including but not limited to, landscaping, storm water mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.
- 20 The applicant's architect shall evaluate the project relative to the Town of Brighton's sprinkler ordinance to determine if the building needs to be sprinklered. This evaluation shall be submitted.
- 21 The applicant shall verify that all buildings comply with all height requirements. The height of the proposed buildings shall be shown on the plans. Elevation drawings showing the height of the structure in compliance with the June 24, 2015 Incentive Zoning approval shall be

submitted. The loft building may have maximum elevation to the roof peak of 65 feet above the finished first floor elevation (established by the Planning Board as 509 feet for the two easterly left buildings and 512 feet for the remaining loft buildings).

22. Prior to any framing above the deck, an instrument survey showing setback and first floor elevation shall be submitted to and reviewed by the Building and Planning Department.
23. The applicant shall ensure that elevations and floor plans produced by the project architect and site and other plans produced by the project engineer conform to one another regarding the building footprint of buildings and the grading surrounding the building. The architectural elevation shall accurately reflect proposed grading and shall include corner ground elevations as shown on the approved site plan.
24. Elevations for Each side of all buildings verifying compliance with all height requirements shall be submitted with the final application. The architectural elevations shall accurately reflect proposed grading and shall include corner ground elevations. In particular verification that the Loft Buildings meet the requirements of the Town of Board Incentive Zoning Resolution.
25. The generators must be designed in accordance with the Code of the Town of Brighton. Cut sheets and the appropriate details must be provided demonstrating that the proposed generators comply with the Code of the Town of Brighton requirement of 72 decibels.
26. Any fences or walls, including retaining walls, shall be limited to a maximum of 3.5' in height in the front yard and 6.5' in the side or rear yards.
 27. All comments and concerns of the Town Engineer as contained in the attached memo, dated December 14, 2015 from Michael Guyon, Town Engineer, to Ramsey Boehner shall be addressed.
 28. Prior to filing of the Subdivision Map, all private roads shall be labeled as such and a note shall be added to the map stating that the private roads will not be built to town specifications and will not be dedicated to the Town of Brighton.

- 29 The applicant must demonstrate that the radius of the emergency access route can accommodate emergency vehicles.
- 30 The architectural design and building materials of the proposed buildings shall be reviewed and approved by the Town of Brighton Architectural Review Board.
- 31 Meet all subdivision filing requirements of the Town of Brighton's Department of Public Works.
- 32 All required variances shall be obtained from the Zoning Board of Appeals.
- 33 The parking space layout of the parking garages shall be redesigned to address Section 205-16 of the Town of Brighton Comprehensive Development Regulations.
- 34 A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
- 35 Details of the dumpster enclosure shall be submitted.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

12P-02-15 Application of the Jewish Senior Life, owner, for Final Site Plan Approval and Final Subdivision Approval to subdivide two lots into one and construct four 3-story "Green House" buildings with 36 senior living units each, a 3 story independent living apartment building containing 75 units, accessory buildings, now covered entrances to the existing Jewish Home tower and other site improvements on property located at 2021 Winton Road South. All as described on application and plans on file.

NEW BUSINESS

10P-NB1-15 Application of Jewish Senior Life, owner, for Preliminary Site Plan Approval and Preliminary Subdivision Approval to subdivide

two lots into one and construct four 3-story "Green House" buildings with 36 senior living units each, a 3-story independent living apartment building containing 75 units, accessory buildings new covered entrances to the existing Jewish Home tower and other site improvements on property located at 2021 Winton Road south. All as described on application and plans on file. TABLED AT THE OCTOBER 21, 2015 MEETING – PUBLIC HEARING REMAINS OPEN.

MR. FADER: I move to close applications 12P-2-15 and 10-PNB 1-15.

MS. CIVILETTI: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MR. FADER: I move to approve the Parkland Findings and Determination of Significance based on the testimony given and plans submitted with the following conditions:

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton finds the actin to be an Unlisted Action pursuant of the SEQRA. 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.

PARKLAND FINDINGS FOR RESIDENTIAL SUBDIVISION:

I move that the Planning Board finds that suitable park or park lands of adequate size can not be properly locaed on the proposed subdivision, requiring payment of a sum of money as adopted by the Town Boad in lieu of the setting aside of recreation land.

CONDITIONS

1. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth 585-784-5220).

2. A parkland fee in lieu of recreation land shall be paid prior to the issuance of a building permit for construction of the proposed independent living units..
3. If used, all dumpsters shall be enclosed with building materials that are compatible with the existing building.
4. Meet all subdivision filing requirements of the Town of Brighton's Department of Public Works.
5. A letter of credit shall be provided to cover certain aspects of the project, including but not limited to, landscaping, stormwater mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.
6. The height of the proposed structure shall be shown on plans. Elevation drawings showing the height of the structure in relationship to proposed grade shall be submitted.
7. Prior to any framing above the deck, an instrument survey showing setback and first floor elevation shall be submitted to and reviewed by the Building and Planning Department.
8. Prior to the issuance of any permits the applicant shall obtain and submit a 239-F Permit from Conroe County DOT.
9. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
10. 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 the Secretary of State Pursuant to section one hundred and one of the Executive Law.
11. All fences, walls, and retaining walls shall be shown on plans with description of type and height. A detail of each fence and wall proposed shall be provided. Applicant shall verify and plans shall show, that retaining walls and fences meet height requirements or that a variance has been obtained. Fencing and

retaining walls shall not exceed a height of 3 and a half feet from grade in any front yard or 6 and a half feet from grade in any side or rear yard. Barbed wire is not permitted by Town Code.

12. Cross Access easement should be provided between the parcel and the Summit parcel.

13. The entire building shall comply with the most current Building and Fire Code of New York State.

14. Prior to issuance of any building permits, all plans from utility and stormwater 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.

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

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

17 The project and its construction entrance shall meet the New York State standards and Specifications for Erosion and Sediment control.

18 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.

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

20 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.

21. The parking lot shall be stripped as per the requirements of the Brighton Comprehensive Development Regulations.
22. Fire hydrants shall be fully operational prior to and during construction of the building.
23. The proposed buildings shall be sprinklered if required by NYS or Brighton Regulations.\
24. Erosion control measures shall be in place prior to site disturbance.
25. The applicant shall review the site plan, elevations and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board approval.
26. The grading plan should show elevations at the corners of each new building. Architectural drawings should show the same corner elevations along with accurate grading and building height dimensions and notes on each side of the building to confirm that the building will meet height requirements.
27. All easements must be shown on the subdivision map with ownership, purpose and liber/page of filing with the Monroe County Clerk's Office. A copy of the filed easement shall be submitted to the Building and Planning Department for its records.
28. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
29. Prior to any framing above the deck, an instrument survey showing setback and first floor elevation shall be submitted to and reviewed by the Building and Planning Department.
30. Permits will be required from the Town's Sewer Department and may be required from other jurisdictional agencies.

31. Any proposed signs shall obtain all required approvals.
32. All County Development Review Comments shall be addressed prior to final Approval.
33. All outstanding site Plan comments and concerns of the Town Engineer and Fire Marshal shall be addressed.
34. Applicant shall contact the Town Fire Marshal, Christopher Roth, for comment on the proposed plans. The Fire Marshal shall review and approve the proposed centralized oxygen tank pad.
35. All comments and concerns of the Town Engineer as contained in the attached memo from Michael Guyon to Ramsey Boehner, dated 12/13/15 shall be addressed.
36. Prior to the issuance of any permits fro construction the applicant shall enter into a contract and to continue to enter into a contract for non-emergency medical transportation for the residents of the facility.
37. The site plan shall be revised to indicate the 6 independent apartment units are proposed to be constructed.
38. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

MR. WENTWORTH: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

12P-NB1-15 Application of Kaupp Family, LLC, owner and Marathon Engineering agent, for Preliminary Site Plan Approval to construct a 5,622 +/- sf building addition and to expand a parking lot on property located at 1500 Brighton Henrietta Town Line Road. All as described on applicatoni and plans on file.

MR. FADER: I move that the application be tabled based on the testimony given and plans submitted. Additional

information is requested in order to make a Determination of Significance and to have a complete application. The following information is required to be submitted no later than two weeks prior the next Planning Board meeting.

1. All required variances shall be obtained.
2. Architectural Review Board approval shall be obtained.
3. The applicant shall ensure that plans and descriptions are consistent.
4. Plans shall be revised as necessary so that all information provided is consistent and accurate.
5. Existing and proposed gross floor area shall be included in Site Plan notes. Also, required building setback from Western Drive and southern Drive (town streets) is 60'. This should be corrected in site notes.
6. Regarding floor area of the addition:
The applicant form states 5,622 sf (as amended by the project engineer)
The site plan shows 133'by 44'=5,852 sf
The floor plan shows 133'by 45.29' = 6,024 sf.
All notes, plans and calculations shall consistently and accurately show the proposed area.
7. The applicant's architect shall provide an analysis of the requirements for sprinklers in the building based on Chapter 73, Article III of the Town Code. Sprinklers shall be installed as required by the Town Code and/NYS fire and Building Code.
8. Plans shall be revised as necessary to meet accessible parking requirements.
9. A shed attached to the existing building is notes on the demolition plan to be relocated but is not shown on the site plan. If this is the case the shed shall be shown on the site plan and all zoning requirements shall be met.

10. A lighting schedule and light contours shall be provided. The height of existing and proposed lights shall be provided.
11. The following comment of the Conservation Board shall be addressed
 - The Board questions the need for the Southern Drive access and the additional impervious surface associated with it.
 - Evergreen tree plantings at 7-8ft in height.
12. Additional landscape screening shall be provided for the dumpster.
13. The entire building shall comply with the most current building & Fire Codes of New York State.
14. There shall be no exterior storage without further town approval.
15. Any proposed signs will require separate approval.
16. 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.
17. Meet all requirements of the Town of Brighton's Department of Public Works.
18. All Town Codes shall be met that relate directly or indirectly to the applicant's request.
19. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control
20. 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.
21. 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.

- 22 Maintenance of landscape plantings shall be guaranteed for three years.
- 23 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.
24. All outstanding Site Plan comments and concerns of the Town Engineer regarding soil erosion, storm water control, water system and sanitary sewer design shall be addressed prior to final approval.
- 25 All other reviewing agencies must issue their approval prior to the Department of Public Work issuing its final approval.
- 26 The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.
27. The location and screening of any proposed exterior mechanicals shall be provided.
28. A letter of credit shall be provided to cover certain aspects of the project, including but not limited to landscaping, stormwater mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.
29. All required permits and approvals of the Town of Brighton's Highway and Sewer Department shall be obtained.
30. The applicant shall contact the Brighton Fire Marshal regarding the project. All comments of the Fire Marshal shall be addressed. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585=784-5220)
31. All Monroe County comments shall be addressed.

32. All comments and concerns of the Town Engineer as contained in the attached memo shall be addressed.
33. 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

12P-NB2-15 Application of Richard M. Greene M.D., P.C., owner for Demolition Review and Approval of Preliminary Site Plan Approval and Preliminary Subdivision Approval to raze an existing single family home and a converted office building, subdivide two lots into one and construct a 6,700 +/- sf medical office building with associated site improvements on properties located at 2122 and 2140 South Clinton Avenue. All as described on application and plans on file.

MS. CIVILETTI: I move to close application 12PJ-NB2-15.

MR. FADER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

MS CIVILETTI: I move the Planning Board approves the application based on the testimony given, plans submitted and with the Determination of Significance and with the following Conditions:

DETERMINATION OF SIGNIFICANCE

I move that the Planning Board of the Town of Brighton finds the actin to be an Unlisted Action pursuant of the SEQRA. 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. An asbestos survey shall be submitted for each of the buildings to be demolished.
2. Architectural Review Board approval shall be obtained.
3. A restoration plan following demolition should be provided to be used in the event that the construction of the new building is delayed.
4. Silt fencing, a stabilized entrance, and a stockpile/staging area should be shown on the demolition plan.
5. A sequence of demolition & construction activities should be provided.
6. It is unclear from the plans whether the thirteen landbanked parking areas were accounted for in the calculations of impervious coverage. This should be made clear on the plans.
7. Existing access and parking easements should be replaced or modified as necessary so that the parking requirements of each property is accommodated.
8. The applicant shall review the plans and notes to ensure that plans and descriptions are consistent and accurate.

The area of the new resubdivided lot should be confirmed and included on site data;

- Subdivision map .854 acres
- Site Data Lot Sizes $.321 + .537 = .858$
- Site Data Proposed Impervious + Proposed greenspace: $.560 + .316 + .876$.
- The proposed setbacks shown in the site data don't match what is shown on the site plan.
- The site plan shows 13 parking spaces to be landbanked on the new lot. Site Plan data breaks down the proposed parking as 67 standard, 14 landbanked and 4 accessible. Based on the Site Plan, this chart should be revised to read 66 standard, 12 landbanked and 6 accessible.

- There are discrepancies on the lighting plan:
 - The pole graphic shows 20' total height, a note under the lighting schedule says that all luminaries will be mounted at 15" above grade.
 - The lighting schedule notes the lights with both high pressure sodium and metal halide.
9. Proposed impervious coverage should be given as a percentage of lot area as well as acreage. Impervious coverage shall not exceed 65 percent of the lot area or a variance will be required.
 10. The finished floor elevations of the neighboring buildings and the two buildings to be demolished shall be provided on the plans.
 11. The grading plan should account for all proposed landscape grading.
 12. Plans show an existing light to remain that is located on one of the landbanked parking spaces. Plans should address the disposition of this light and the impact on the lighting plan if these parking spaces are developed.
 13. An existing light is shown on the demolition plan to be relocated. The new location of this light should be shown on the plans.
 14. Light intensity at the north property line is show +/- 5 feet. Light trespass onto adjacent properties should be prevented.
 15. The following comments of the Conservation Board shall be addressed.
 - The Board encourages the use of green infrastructure techniques.
 - Evergreen tree plantings at 7-8 ft in height.
 - Deciduous shade/street tree plantings at 3 – 3 and ahlf inches in caliper.
 16. An alternative for the chain link gage with inserts on the trash enclosure should be presented (@207-14 (1)(3) .

17. An alternative location for the dumpster shall be investigated that provides better access for service.
18. The applicant shall review the site plan, grading plan, architectural elevations, and floor plans to ensure that the areas and dimensions provided on those plans and the grading show around the building agree with one another. Both the grading plan and the architectural elevations shall show the ground elevation at each of the bildng corner. Architectural elevation shall show grading around the building that conforms to the grading plan.
19. All easements must be shown on the subdivision map with ownership, purpose and liber/page of filing with the Monroe County Clerk's Office. A copy of the filed easement shall be submitted to the Building and pLanning Department for its records.
20. The project shall comply with the requirements of NYSDOT. Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Birhgotn, Lead Based Paint Removal. In addition to any other requirements of Code Rule 56, the applicant shall verify that the project will comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, and Sections 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants. The proerty owner shall ensure that the licensing requirements of Section 56-3 and asbestos survey and removal requirements of Section 56-5 are met.
21. Meet all plat filing requirements of the Town of Brighton's Department of Public Works.
22. Any proposed signs shall require separate approval.
23. The entire building shall comply with the most current Bulding & Fire Codes of New York State.
24. 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. Prioie to any occupancy, work proposed on the approved plans shall have

been completed to a degree satisfactory to the appropriate authorities

25. Meet all requirements of the Town of Brighton's Department of Public Works.
26. All Town codes shall be met that relate directly or indirectly to the applicant's request.
27. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control. Erosion control measures shall be in place prior to site disturbance.
28. 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.
29. 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.
30. Maintenance of landscape plantings shall be guaranteed for three years.
31. 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.
32. All outstanding Site Plan comments and concerns of the Town Engineer regarding soil erosion, stormwater control, water system and sanitary sewer design shall be addressed prior to final approval.

33. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
34. The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.
35. The location of mechanicals and proposed screening shall be provided.
36. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to landscaping, stormwater mitigation, infrastructure and erosion control. The Applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.
37. All required permits and approvals of the Town of Brighton Highway and Sewer Department shall be obtained.
38. The applicant shall contact the Brighton Fire Marshal regarding the project. All comments of the Fire Marshal shall be addressed. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal. (Chris Roth 585-784-5220)/
39. All Monroe County comments shall be addressed. Confirmation shall be submitted that MCDOT has approved the access plan.
40. It is recommended that the applicant provides a joint reciprocal access easement on both properties.
41. All comments and concerns of the Town Engineer as contained in the attached memo shall be addressed.
42. A letter or memo to respond to all Planning Board and Town Engineer comments and conditions shall be submitted.

MR. CORDOVA: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

1418 Joeval's Formalwear LTD for a building face sign at 2249 Monroe Avenue 11.24.15 postponed.

1419 Fonte Home Medical Equipment & Uniforms for a building face sign at 1900 S. Clinton Avenue.
Approved as submitted

1420 Mr. Deals Buy-Sell for a building face sign at 2680 W. Henrietta Road.

Approved as recommended

OLD BUSINESS

1403 Abar, Abstsruct, Avino, Premium Mortgage for a building face sign at 2541 Monroe Avenue.

Denied without prejudice.

MR. CORDOVA: I move to approve sign application 1419 as submitted, 1420 as recommended and 1418 postponed. Sign 1403 is denied without prejudice.

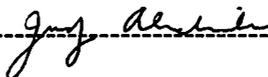
MS. CIVILETTIE: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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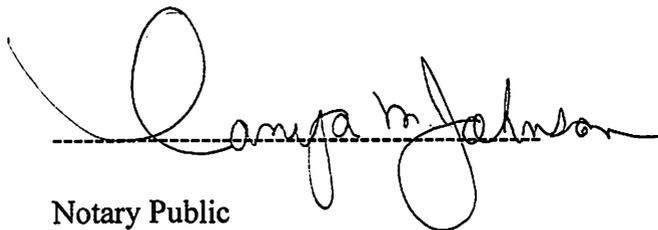
CERTIFICATION

I, Judy Almekinder, 7633 Bauer Van Wickle Road,
Lyons, New York 14489, do hereby state that the minutes of the December 16 , 2015
Meeting of the Town of Brighton's Planning Board at 2300 Elmwood Avenue,
Brighton, New York, is a true and accurate transcription of those notes to the best of my
ability as recorded and transcribed by me.

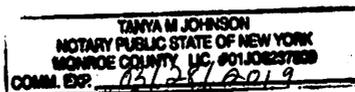


Judy Almekinder

On this 21st day of ~~December~~ in the year 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 acknowledges to me that she executed the
same.



Notary Public



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[Handwritten signature]

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STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
ALBANY, N. Y.