

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Brighton Zoning Board of Appeals 5/3/17

PROCEEDINGS HELD BEFORE THE ZONING BOARD OF APPEALS AT
2300 ELMWOOD AVENUE, ROCHESTER, NEW YORK ON MAY 3RD, 2017 AT
APPROXIMATELY 7:25 P.M.

May 3rd, 2017
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

DENNIS MIETZ, Chairperson
JUDY SCHWARTZ
DOUGLAS CLAPP
JEANNE DALE
CHRISTINE CORRADO
JENNIFER WATSON
ANDREA TOMPKINS WRIGHT

DAVID DOLLINGER, ESQ.
Town Attorney

RICK DiSTEFANO
Secretary

REPORTED BY: RHODA COLLINS, Court Reporter
EDITH E. FORBES COURT REPORTING SERVICE
21 Woodcrest Drive
Batavia, New York 14020

Brighton Zoning Board of Appeals 5/3/17

1
2
3 CHAIRPERSON MIETZ: Good evening. I'd like to
4 call to order the May session of the Zoning Board of Appeals.
5 Rick, was the meeting properly advertised?

6 MR. DiSTEFANO: Yes, Mr. Chairman, it was
7 advertised in the Brighton-Pittsford Post of
8 April 27, 2017.

9 CHAIRPERSON MIETZ: Okay. Will you please
10 call the roll?

11 MR. DiSTEFANO: Please let the record show all
12 members are present.

13 CHAIRPERSON MIETZ: So looks like we have the
14 minutes of the March meeting to go through.

15 MS. SCHWARTZ: On Page 5, Line 4, delete the
16 last word, of; on Page 6, Line 19, the second to last word
17 should be then; on Page 32, Line 13, insert the word, be,
18 between would and great, would be great. On Page 36,
19 Line 10, the word should be agreement not agreed. Page 38,
20 Line 20, insert the word, do, between to and is at the end of
21 the sentence. Page 70, oh, the person's name is Gordon,
22 G-o-r-d-o-n, it's Gordon.

23 Page 75, Line 5, I believe, and you can all
24 look at this, to me it should be posed. I've got a couple
25 kind of lingering questions many of which you have already

Brighton Zoning Board of Appeals 5/3/17

posed to the applicant, rather than opposed to the applicant.

And then I had no sense with Lines 15 and 16, when they are much more traffic, but yet access from the same road.

CHAIRPERSON MIETZ: Which page?

MS. SCHWARTZ: Still 75, Lines 15 and 16, when they are much more traffic, but yet access from the same road. Something's not quite right.

MR. DiSTEFANO: Okay. Sometimes you just leave it. If we can't make heads or tails --

MS. SCHWARTZ: It might be where there's more traffic.

Then Page 84, Line 25, the word is hear, h-e-a-r.

Page 87, Line 21, delete at the end the word does -- I'm sorry, delete the word to and change to doesn't.

Page 93, Line 20, the name is Oviat, O-v-i-a-t.

Page 108, Line 4, the first word is arrangement.

Page 109, Line 9, the third word is did.

Page 110, I need help everybody. Dennis, this is you.

Brighton Zoning Board of Appeals 5/3/17

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRPERSON MIETZ: Okay.

MS. SCHWARTZ: Line 25, so, again, as I say, there's lobbying, vision, et cetera.

CHAIRPERSON MIETZ: I know what I'm saying afterwards about the snowstorm. I don't know, maybe I would delete that first sentence. Where it says, so you know is fine. Take that first line out. Delete, yeah, so, again, as I say, there's lobbying, vision, et cetera period, and then it will start. So the rest of it's fine.

MS. SCHWARTZ: On Page 114, Line 16, delete the word last.

Page 116, Line 15, the first word is here, h-e-r-e.

On Page 124, Line 19, sort of in the middle, the word shorn, it should be shoehorned.

Page 130, Line 4, add the word and after the word manner.

Page 131, Line 20, should read root rot.

Page 132, Line 4, the first word is order.

MS. CORRADO: Page 3, Line 9, the last word should be approve.

Page 41, Line 4, the second word is Dennis.

Page 43, Line 19, it should state ruled

Brighton Zoning Board of Appeals 5/3/17

1
2
3 against the applicant on most or almost all, so deleting at
4 and replacing own with on.

5 Page 52, Line 22, replace insulation with
6 installation.

7 Page 99, Line 9, a question for all here, it's
8 not clear who was speaking beginning on Line 9. Is that
9 Mr. Goldman? Page 99, Line 9, the statement begins, the
10 facade of the building was reviewed.

11 MS. DALE: I believe it was Mr. Goldman
12 speaking Line 9.

13 MS. CORRADO: Page 127, Line 4, insert a comma
14 after the word properties and replace the second word like
15 with the word light.

16 Line 13, insert a comma between configured and
17 encumbered.

18 Line 14, insert a comma between buffered and
19 bordered.

20 That's all I've got.

21 CHAIRPERSON MIETZ: Anyone else have anything?
22 Can I have a motion to amend the minutes?

23 MS. SCHWARTZ: Motion to move.

24 (Second by Ms. Watson.)

25 (Mr. Clapp, yes; Ms. Schwartz, yes;

1 Brighton Zoning Board of Appeals 5/3/17

2
3 Ms. Tomkins Wright, yes; Ms. Dale, yes; Mr. Mietz, yes; Ms.
4 Watson, yes; Ms. Corrado, yes.)

5 (Upon roll call, motion to approve with
6 corrections carries.)

7 CHAIRPERSON MIETZ: Thank you. That was a
8 long one. It was difficult because there was a lot of cross
9 conversation going on in the room.

10 Rick, when you're ready, the first case.
11 APPLICATION 5A-01-17.

12 5A-01-17 Application of Image360, agent, and
13 Jewish Home of Rochester, owner of property located at 2021
14 Winton Road South, for Sign Variances from Section
15 207-31.B(1) to allow a free standing identification sign to
16 1)be 63.5 sf in size in lieu of the maximum 16 sf allowed by
17 code, 2)be 10.5 ft. in height in lieu of the maximum 6 ft.
18 allowed by code, and 3)be internally illuminated where not
19 allowed by code. All as described on application and plans
20 on file.

21 CHAIRPERSON MIETZ: Good evening.

22 JACKIE CIRESI: Good evening, I'm Jackie
23 Ciresi, one of the owners of Image360, 275 Marketplace Drive,
24 Rochester, 14623.

25 CHAIRPERSON MIETZ: Thank you.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 We met with the architectural board two weeks
4 ago and they gave us some suggestions that they wanted us to
5 address. I'm going to hand out some updated documents.

6 CHAIRPERSON MIETZ: Is this replacing the
7 entire packet?

8 JACKIE CIRESI: No, sir. I will go over them.
9 We are just going to start with the monument.

10 So the original monument sign is shown on the
11 left. It's currently a three-foot-by-ten-foot little sign in
12 a horizontal manner. It's obviously quite outdated. It
13 actually is currently internally lit with a light bulb. So
14 what we were looking to do was to give it a much more
15 updated, warmer look.

16 Utilizing the logo in the shape of the sign,
17 it is internally lit, but it's more of a, what we call,
18 push-through acrylics which I brought some samples for you
19 here. It's much softer lighting, it does light up but it's
20 not the entire box, it's just the lettering. And the only
21 ones that will light up, which is in your packet, will be the
22 Jewish Senior Life and the address itself.

23 The changes we made were, we had put the
24 address on the top without using the Winton Road. We were
25 just trying to make that work, so obviously that wasn't good.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 So we made that correction and added the actual word so it
4 didn't just look like numbers. They actually added a new
5 donor, which is Farash, so the Farash Tower was added and we
6 combined the Wolk Manor and the Lodge together instead of
7 repeating that.

8 So some of their concerns were with the letter
9 height, et cetera, so we addressed that. I'm not sure what
10 you guys would want me to address tonight, other than the
11 actual variance in the size and the lighting, et cetera. So,
12 any questions?

13 MS. SCHWARTZ: Yes, when I go through it's
14 really hard I think even for you to really tell all that's
15 going to be here really, because you've got the fences up all
16 over, you don't have the roads completed, and there's
17 construction going on.

18 JACKIE CIRESI: Yes.

19 MS. SCHWARTZ: I am asking, has any thought
20 been given to waiting to see when everything is cleaned up,
21 when landscaping is in, to see what is truly needed, because
22 to me 17 signs is kind of --

23 MR. DiSTEFANO: Judy, we are just talking
24 about the freestanding right now. We'll get into the way
25 finding in the next application. Freestanding only right

Brighton Zoning Board of Appeals 5/3/17

1
2
3 now.

4 MS. SCHWARTZ: I do think bringing the address
5 down. When I looked, I thought the home is older than that.

6 JACKIE CIRESI: That's what everybody said and
7 I didn't see it.

8 MS. SCHWARTZ: There's a huge difference in
9 the height, a huge difference in the height, and I am just
10 wondering, I mean, this is gigantic. We gave you a variance
11 to have your big banner, advertising and so on, but carrying
12 over to do this I think is really, really, really big.

13 JACKIE CIRESI: Well, one of the things and
14 why I brought this and I'd like to just explain it, this is
15 three foot and this is three foot, so the current sign is
16 actually six-feet tall, so we tried to do it to scale as much
17 as possible with the rendering. So the new sign will only be
18 four-foot taller and it's much less wide.

19 MS. SCHWARTZ: However, the colors and the
20 design to me is far more -- well, powerful is not the word I
21 want. It really gets you. And I don't think you even need
22 that. I think it should be -- it's just huge. It's just in
23 your face.

24 MS. DALE: This one was mine and I agree. So
25 it's in the same location as the existing.

1 Brighton Zoning Board of Appeals 5/3/17

2
3 JACKIE CIRESI: That's correct, yes. The
4 monument and the sign will both come out, that brick thing,
5 yes.

6 MS. DALE: And so I think the existing sign is
7 29 square feet, is my understanding.

8 JACKIE CIRESI: It's 36 by -- well, it's
9 almost 3 by 10, so it's 36 square feet.

10 MS. DALE: Okay. I had 9.91 --

11 JACKIE CIRESI: Or 30 square feet.

12 MS. DALE: And what you're requesting
13 is 63.5.

14 JACKIE CIRESI: Yes.

15 MS. DALE: Yeah.

16 JACKIE CIRESI: They've added more addresses,
17 which is kind of the thought process to that as well. The
18 original one was just a single address. So this is now an
19 entire complex and getting the -- so one of the things the
20 architectural board wanted us to do is make sure that the
21 letter heights were large enough, so to be able to do that we
22 felt like we had to go a little bit bigger.

23 MS. DALE: Okay. I mean, I think part of the
24 problem on the square feet perspective is that it looks like
25 it's based upon the highest point.

1 Brighton Zoning Board of Appeals 5/3/17

2

3

JACKIE CIRESI: Right.

4

5

6

7

8

9

MS. DALE: I think it's attractive, I think it's a good looking sign, I do. And I certainly understand that rebranding is nice in some of this, it's just, like, it's just so big. So I don't know, there's a lot going on as far as all of the different -- so I do empathize with, you know, you've got a lot. Man, I do empathize.

10

JACKIE CIRESI: Right.

11

12

13

MS. DALE: What hurts you a little bit also, is there's also the footer, the 12-inch high, it's called a skirt or something.

14

JACKIE CIRESI: Yeah.

15

16

MS. DALE: Which it isn't even calculated into your 63 and a half --

17

CHAIRPERSON MIETZ: It's like a base.

18

JACKIE CIRESI: Actually, it is.

19

20

MR. DiSTEFANO: It's calculated in the height but not in the square footage, correct?

21

22

MS. DALE: But I got ten and a half feet high --

23

JACKIE CIRESI: By . . .

24

25

MS. DALE: -- or nine and a half feet with the skirt. And if I multiplied that by six-and-a-half-feet wide,

Brighton Zoning Board of Appeals 5/3/17

1
2
3 I get the 63 and a half based on without the skirt. So I
4 could have done it wrong or something here. But, you know, I
5 empathize that that makes it also appear larger than it is.

6 JACKIE CIRESI: Yes.

7 MR. DiSTEFANO: And on that same note, I just
8 want to clarify, that's going to be on top of that berm,
9 which adds another two and a half feet, or is that berm going
10 to be gone?

11 JACKIE CIRESI: Yeah. We're going to level
12 that out. It was really hard to show that on the photograph.
13 We're going to go down to grade.

14 MS. SCHWARTZ: So it reduces it by how much
15 then?

16 JACKIE CIRESI: At least two to three, yeah.

17 MR. DiSTEFANO: It's about two -- two to three
18 foot.

19 CHAIRPERSON MIETZ: It won't get all the way
20 to zero.

21 JACKIE CIRESI: And that's kind of the hard,
22 like, in the construction process it is definitely hard to
23 try to show exactly what it's going to look like.

24 CHAIRPERSON MIETZ: I think we get it.

25 MS. DALE: I actually think the narrower sign

Brighton Zoning Board of Appeals 5/3/17

1
2
3 will make it easier to see cars coming behind it. Currently
4 it's so wide a whole car can hide behind it.

5 JACKIE CIRESI: Yes. That was kind of one of
6 the thought processes too. And so the hard thing will be
7 making sure we meet, you know, certain letter heights because
8 all that does have to be on there so that that's visible.
9 And then how do we make it so it's not obtrusive? Which is
10 why we went with some softer, darker colors.

11 MS. SCHWARTZ: Did regulations change from the
12 first sign to the second as far as height of the letters or
13 is this just your own designs?

14 JACKIE CIRESI: Those letters got a little bit
15 larger. They asked us to do some kerning and a little bit
16 more height.

17 MS. SCHWARTZ: This is the ARB you're saying?

18 JACKIE CIRESI: Yes.

19 MS. DALE: And the height that they're
20 concerned about is not of the logo the Jewish Senior Life,
21 they're worried about, like, the Summit and Brighton. Those
22 are the letters they're worried about, right? Not --

23 JACKIE CIRESI: Right. And the Jewish Senior
24 Life on the current sign has seven-and-a-quarter-inch letter
25 height. Jewish Senior Life on the new sign has seven-inch

Brighton Zoning Board of Appeals 5/3/17

1
2
3 letters. So even though it might seem bigger, I think, you
4 know, you kind of take the thing and tip it over it's not as
5 big as it seems.

6 MS. DALE: Well, I mean, it's 63-and-a-half
7 square feet versus a code of 60 feet.

8 JACKIE CIRESI: Right. But, again I think you
9 brought a good point because we're going from here to here
10 and this is a lot of dead space.

11 MS. DALE: Yeah.

12 JACKIE CIRESI: So these are just kind of nice
13 effects. So I could go back and recalculate that for you if
14 that would be helpful.

15 MS. DALE: Yeah, I don't know.

16 MS. TOMPKINS WRIGHT: Did the ARB express any
17 concerns about height at all?

18 JACKIE CIRESI: No.

19 MR. DOLLINGER: I think you have to put this
20 on a perspective of what's here.

21 MS. DALE: I get it, but when I read the
22 application and it's tough, I get that.

23 MR. DOLLINGER: I'm sorry, there's a lot going
24 on here.

25 MS. DALE: I don't know that I believe that --

Brighton Zoning Board of Appeals 5/3/17

1
2
3 I don't know that I believe having the larger sign is going
4 to help with traffic flow like it said. I know that the
5 project and the campus is larger, but I struggle with I think
6 everybody, you know, it's -- I think the Jewish Home has been
7 there for, what, a hundred years about. I think everybody
8 knows what is there.

9 MR. DOLLINGER: Did you make the Jewish Senior
10 Life smaller?

11 MR. DiSTEFANO: No. What concerns me a little
12 bit about it is that I think people will actually start
13 slowing down and reading that sign and say, is this where I
14 go in for the Wolk building, instead of just having Jewish
15 Senior Life, and everybody knows I have to go to Jewish
16 Senior Life. And then once you get on site, now you got your
17 way-finding signs.

18 I almost feel that this becomes a little bit
19 of a distraction to drivers because they are slowing down to
20 read and say, I used to go to the Summit by going around the
21 corner and going down, can I go in here or can't I go in
22 here? So that's a little bit of the problem I'm seeing with
23 the sign. There's just too much on it to -- on Winton Road.

24 MS. SCHWARTZ: Rick is right. Everybody
25 really does know Jewish Senior Life, they really do.

1 Brighton Zoning Board of Appeals 5/3/17

2
3 JACKIE CIRESI: Right. Do you want to address
4 that?

5 I have Deb here from the Jewish Senior Home.

6 DEBBIE MCILVEEN: Debbie McIlveen,
7 M-c-I-l-v-e-e-n.

8 CHAIRPERSON MIETZ: Same address?

9 DEBBIE MCILVEEN: 2021 Winton Road South.

10 One of the things that's important about this
11 that's different for us is it's important to have the 2005 to
12 2021 because those new greenhouses that are out front
13 actually have different addresses. Everybody knows the
14 Jewish Home is 2021, but now we have three buildings that
15 will be 2005-2009, so that's important to have.

16 And the other issue is that not everybody --
17 everybody knows the Jewish Home, not everybody knows Jewish
18 Senior Life and what goes along with that. So that's
19 important to us to have the names of Wolk Manor and the
20 others so that everyone knows we are associated.

21 CHAIRPERSON MIETZ: I guess to follow up on
22 that concern that Rick raised, you know, it is a traffic
23 issue that people would stop there to read this, which sort
24 of in my mind resembles a mini billboard of some sort. And
25 also, you know, there's really no directional ability from

Brighton Zoning Board of Appeals 5/3/17

1
2
3 it, so you don't gain any information from it other than
4 maybe gets you in the right complex because you know the word
5 Wolk Manor, or you know the word Summit, or you know the word
6 Farash Tower, or whatever. But it certainly isn't assisting
7 anybody to move anywhere and having them pause to read that
8 thing, which is rather extensive, is a little bit of a
9 concern. I think that that spot where the traffic is needs
10 to move. That's really the main interest of the --

11 MS. DALE: I mean, they are horizontal. I
12 agree with Jennifer's point about wanting them to be able to
13 see if there's other cars coming, so I'm not saying I think
14 this is easy.

15 JACKIE CIRESI: Right. And I guess my only
16 question to that is, three of the four things are already on
17 the existing sign at the same letter height, and I think a
18 little harder to read because it's black on white instead of
19 white on a darker color. So it's not different as far as
20 that, it's just a different shape.

21 MS. WATSON: I actually have a different take
22 on it. For me, I'm not as familiar with the Jewish Home
23 versus the Summit versus Wolk Manor. If somebody told me
24 they have a meeting at Wolk Manor I'd be looking for that.
25 So personally, I don't like that. I mean, I would slow down

Brighton Zoning Board of Appeals 5/3/17

1
2
3 and look at the white sign trying to figure out where I'm
4 going than black signs. I actually have a very positive
5 feeling towards being able to read it. It's not blocking
6 traffic, it's not that the road is substantial, it's what's
7 around it, it's not going to be blocked or in the way about
8 it.

9 MR. CLAPP: I'm also concerned about the
10 height of the sign, and given in relation to other structures
11 along that route, and I just don't care for large signs. I
12 also note that the nighttime version only says Jewish Senior
13 Life, it doesn't have any other things, so six months of the
14 year that point becomes kind of irrelevant. I would much
15 rather see a shorter sign than this Jewish Senior Life. I do
16 like the fact that the address doesn't look like --

17 JACKIE CIRESI: Like yours, which I didn't
18 see.

19 MR. CLAPP: And I certainly appreciate the
20 importance of acknowledging the owners and that, but I think
21 having the Jewish Senior Life identifies a location and the
22 address added and the height --

23 MS. DALE: Well, it said Jewish Senior, you
24 know, the 2005 to 2021 Winton Road South. The idea is that
25 that is legible and can be read by people. If it said Jewish

Brighton Zoning Board of Appeals 5/3/17

1
2
3 Senior Life at that same size and font exactly above that,
4 presumably that would also be legible to the community or
5 whatever and we wouldn't need the stacking of those three
6 words in that logo. So I think you could avoid much of the
7 height if you just made the Jewish Senior Life smaller and
8 put it, you know --

9 MS. TOMPKINS WRIGHT: We're not -- we can't
10 design the sign for them.

11 MR. DOLLINGER: No, absolutely not. That's
12 not our job.

13 MR. DiSTEFANO: No, but I think the problem is
14 that --

15 MS. DALE: I'm saying, I think -- one of the
16 questions is, is there another way to solve the problem?

17 MR. DiSTEFANO: And I think what leads to its
18 height and its size is on trying to get all of this
19 information on it.

20 MR. DOLLINGER: That's correct.

21 MR. DiSTEFANO: If that information wasn't
22 there I think the size and height would be reduced. My
23 question is that, do you really want Wolk Manor people
24 driving in at this location then weaving themselves around to
25 get over to Summit? Or really, do you want to keep those

Brighton Zoning Board of Appeals 5/3/17

1
2
3 people down to Meridian, make a right, go into Summit? Do
4 you really want to direct those people in at that location,
5 because now they're weaving all the way through the entire
6 complex instead of just going Meridian to Summit.

7 MR. DOLLINGER: You know, it's interesting.
8 We get those calls, we get, you know, I'm going, have to sign
9 a deed and I'm at Wolk Manor. I mean, if there's -- there's
10 got to be some implication on the sign that Wolk Manor is
11 here.

12 MS. DALE: I'm not saying take those away, my
13 issue is more to Jewish Senior Life being stacked and --

14 MR. DOLLINGER: When we're talking to a client
15 and the client lives at Wolk Manor --

16 CHAIRPERSON MIETZ: Hold on.

17 JACKIE CIRESI: Can I just respond to that?

18 CHAIRPERSON MIETZ: Yes.

19 JACKIE CIRESI: Because on Winton Road there's
20 no indication where Wolk Manor or Summit is because that's
21 off Meridian Center. So we do want that up front, the name
22 of Summit and Wolk because if you don't -- if you think it's
23 associated with the Jewish Home there's no way to find that
24 unless you actually turn onto Meridian. There's no sign on
25 Winton Road that says Wolk Manor this way or the Summit this

Brighton Zoning Board of Appeals 5/3/17

1
2
3 way, so you have to know you turn onto Meridian. This way
4 they can come onto our campus, they can drive through the
5 Jewish Home and right directly to Wolk Manor and the Summit.

6 MR. DiSTEFANO: True, but I think that's the
7 way it's kind of been for the last, you know, how many years.

8 JACKIE CIRESI: But we are trying to fix that
9 now.

10 MR. DiSTEFANO: Well, I hear what you are
11 saying.

12 CHAIRPERSON MIETZ: I don't think that's a fix
13 either. I mean, I go there all the time because I'm one of
14 the paramedics on Brighton Ambulance and obviously I go there
15 all the time. And I think it's very easy when the address
16 comes up as Summit Circle that you know that's Summit Circle
17 and you turn on Summit Circle. I just don't understand how
18 it would be beneficial to have people driving through that
19 complex to wander over then across Meridian Center. I just
20 don't see the logic in that.

21 MS. SCHWARTZ: It's been at least 16 years, if
22 not 17 years, that Wolk and the Summit have been there. And
23 I don't -- I mean, I'm there a lot and I know people who go
24 there a lot. I've never heard anybody say to me they had a
25 hard time finding their way.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 MR. DOLLINGER: I feel a lot of these
4 people -- I've never had anyone who lives at Wolk Manor who
5 said, oh, I live at 55-75, these are older people. They
6 don't say I live at 55-75 Summit Boulevard, or whatever the
7 address is that you're telling me. They say, I live at Wolk
8 Manor, Room 5571.

9 CHAIRPERSON MIETZ: Right, but there's an
10 address for it, Summit Circle.

11 MR. DOLLINGER: Right, but when I'm directed
12 to go there people don't tell me the address. They tell me,
13 I live at Wolk Manor, I live at the Jewish Home.

14 MS. TOMPKINS WRIGHT: I also --

15 MR. DOLLINGER: You know, I think it's -- I
16 mean, I feel somewhat strongly about this. Go there. And
17 I'll tell you right now, I've also driven around in there a
18 bunch of times trying to find parts of Wolk Manor.

19 MS. DALE: Well, there's a second request for
20 the directional sign, so we are just talking about the big
21 one. Does there need to be additional help to locate the
22 campus? The application says, yes, because it's bigger. And
23 I am saying I don't think that just because there's going to
24 be more people or just because there are more buildings at
25 this campus, I don't think it makes it harder to find and

Brighton Zoning Board of Appeals 5/3/17

1
2
3 necessitates a sign that is so much larger -- it's
4 400 percent larger than what the code allows and it's more
5 than twice as big as what exists there today.

6 So we can talk about all the directional stuff
7 later, but I don't think that it fits the criteria for
8 approving when it says -- is there another way to solve it?
9 I think, yes, is it substantial, I think yes.

10 MS. TOMPKINS WRIGHT: I just want to point out
11 that I don't see this as being twice as large because of the
12 amount of dead space that, you know, the space, because of
13 the architectural features. It is bigger, I just don't think
14 it's twice as big because you've got to take into
15 consideration the fact that it has these features that make
16 it measure larger than the sign actually is.

17 MS. DALE: Sure.

18 MS. TOMPKINS WRIGHT: I think it's probably
19 like 20 square feet, probably, or 4 square feet of dead
20 space.

21 JACKIE CIRESI: Yes. That would have been a
22 good thing to really check for you guys and I apologize that
23 I don't have that. So and that's why we listed the letter
24 heights because it's -- the letter heights are not bigger at
25 all, they're literally the same.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 And I think one of the questions I just wanted
4 to address with not lighting the bottom ones was we were
5 concerned about getting the internally lit passed, so we
6 thought it would be most important to have the Jewish Senior
7 Life and the addresses lit, so and then you have that much
8 white and it might just start to kind of run together.

9 CHAIRPERSON MIETZ: Let's do this, because we
10 have time to deliberate this later about our opinions about
11 these things, but is there any other questions or information
12 you guys may have?

13 MS. SCHWARTZ: I just have one question: Is
14 the logo -- or how different, size wise, height wise, is the
15 logo from the old sign to the proposed sign?

16 JACKIE CIRESI: That's a good question. These
17 are scaled pretty close to each other, so the letter heights
18 definitely look about the same. I would say it's pretty
19 close to the same size. It might be slightly bigger, but I
20 wouldn't say a lot. I could get that answer for you.

21 CHAIRPERSON MIETZ: You said the letters were
22 seven inches, Jewish Senior Life.

23 JACKIE CIRESI: Seven inches here, seven and a
24 quarter inches.

25 CHAIRPERSON MIETZ: That's about the size of

Brighton Zoning Board of Appeals 5/3/17

the logo is about the size of the three lines below.

JACKIE CIRESI: Yes.

CHAIRPERSON MIETZ: So you're talking about 21 or 24 inches, something like that.

MR. DOLLINGER: How many people live on this campus, when it's completely done, how many people will be living here?

DEBBIE MCILVEEN: I would say 500 or more, because there's 360 in the Jewish Home, there's about 110 in the Summit, and 78 to 80 people in Wolk Manor.

MR. DOLLINGER: Including the new?

MR. DiSTEFANO: It's the same.

MS. TOMPKINS WRIGHT: And that is with greenhouses and everything?

DEBBIE MCILVEEN: Yes.

CHAIRPERSON MIETZ: Are there any other questions for the applicant that we need? Everyone is okay? Thank you very much.

JACKIE CIRESI: Okay.

CHAIRPERSON MIETZ: Is there anyone in the audience that would like to speak regarding this application? There being none, then this public hearing is closed.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 APPLICATION 5A-02-17.

4 5A-02-17 Application of Image360, agent, and
5 Jewish Home of Rochester, owner of property located at 2021
6 Winton Road South, for a Sign Variance from Section 207-31 to
7 allow for a series of free standing "way-finding" signs
8 throughout the project site where not allowed by code. All
9 as described on application and plans on file.

10 CHAIRPERSON MIETZ: Is there anything that
11 changed about these?

12 JACKIE CIRESI: The only change in these were
13 a little bit of kerning on the letter heights. They asked
14 that we double check the letter size and spacing. We added
15 maybe a -- and kerning is spacing between the letters, in
16 case anyone doesn't know what that is.

17 The other thing that they want us to do and
18 it's not represented yet at this time, but where the posts
19 are we're just showing the rendering with grass all the way
20 around it. They've asked that we change the bases to do
21 something where there's like stone or something around it so
22 that the weed whackers don't ruin it.

23 And then the last thing was the order of
24 sequence of the -- of the locations on the signs Side A
25 and B, which I have not changed yet because we did them in

Brighton Zoning Board of Appeals 5/3/17

1
2
3 the manner of this is what you go to next. So the line
4 you're at is the first thing, the next one is the next thing,
5 the next is the next. So to change that Side A, Side B,
6 didn't really make sense to me, so I'm open to have that
7 discussion, but that's why we did what we did.

8 So other than that, the only slight changes
9 were Greenhouse Cottage, it should be two words, which you'll
10 see here. And then it went from A, B, C, to 1, 2, 3. So
11 there's really not a lot of changes other than a few little
12 things.

13 CHAIRPERSON MIETZ: Okay. So again, this is a
14 large complex as you've discussed in the previous application
15 and with the new greenhouses and trying to get people -- I
16 gather, from what we understood when the original
17 presentation was made to us about the greenhouses is that
18 there will be occupants that will live in those greenhouses
19 that are nursing home patients that move from the tower to
20 those buildings, correct?

21 JACKIE CIRESI: Correct.

22 CHAIRPERSON MIETZ: And then within the tower
23 there will be more rehab-type activities or other types of
24 supported activities. So you won't be inhabiting residents
25 that replace those residents in the tower, is that still

Brighton Zoning Board of Appeals 5/3/17

1
2
3 correct? Generally speaking, okay.

4 So thus, the number of actual people living in
5 this campus is not going up, because if you add all of those
6 up so that's just represented. I just want to make sure for
7 the Board members, they're all clear about that. So there
8 may be more incremental traffic because there's people
9 visiting people there for rehab in the tower, but there are
10 not going to be more people living in the tower, you know, in
11 addition to the greenhouses. Okay?

12 So, again, directing people to these is an
13 important issue and I guess my only concern about it is,
14 again, that these signs are just so verbose that they're
15 difficult. And I'm not sure I have any idea how to do it
16 better, it's just that, you know, people are looking for
17 something, then when you've got a long laundry list it just
18 makes it difficult, especially when they are older folks.

19 JACKIE CIRESI: Right.

20 CHAIRPERSON MIETZ: And like I said, I don't
21 have a solution really. But I just think that it may be just
22 somewhat confusing for them to try to figure this out. Have
23 you thought of anything else, I guess is my --

24 JACKIE CIRESI: Well --

25 CHAIRPERSON MIETZ: I'm not trying to redesign

Brighton Zoning Board of Appeals 5/3/17

1
2
3 the sign.

4 JACKIE CIRESI: No, no, that's fine. A couple
5 of things we did do -- and I think the hardest part are the
6 Greenhouse Cottages. We took rehabilitation and changed it
7 to rehab so it says out-patient rehab now. Which I think --
8 I guess that's not on the sample, so I apologize.

9 And then the Wolk Manor we added those
10 together, Wolk Manor and the Lodge instead of trying to do
11 two separate lines.

12 CHAIRPERSON MIETZ: And that makes sense.

13 JACKIE CIRESI: And then other than that, we
14 did actually print some of these in full scale just to make
15 sure, you know, the legibility. And, like I said, we put a
16 little bit of kerning in between it, space out the letters a
17 little for ease of reading.

18 We actually did do a site drive-through and as
19 I think Judy mentioned earlier, there's still some
20 construction going on, so some of these might have to be
21 adjusted slightly. But we tried to keep them to three
22 standard sizes, again, the white letters are on the dark
23 background, actually easier to see, especially for older
24 folks. And then we just tried to put them in the place that
25 would allow for them for smooth movement.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 I will just show you an example. So when you
4 come in the drive, straight ahead is that Number 1, which is
5 that location one is the first low one, and then either
6 directs you to the right or to the left. That's the one that
7 directs you around to Wolk and the Summit. And it keeps them
8 from going through the complex, so that's the whole reasoning
9 for that is kind of shuffling all that traffic to the left.

10 And then we go on to Number 2 and I didn't, if
11 you want --

12 CHAIRPERSON MIETZ: Go right ahead, just walk
13 through it.

14 JACKIE CIRESI: All right. So they get a
15 little less wordy as we go because they're starting to
16 eliminate some things. So the first one is the larger kind
17 of low monument, so again, not covering the gazebo, not
18 trying to take up a bunch of space and be messy.

19 So that one then takes us to two, which we
20 don't have people turning in here to the greenhouse, we've
21 actually just purposefully put the sign up here so that
22 they're not trying to do this quick turnaround. So they're
23 going to come up to this one and see that they can go in this
24 way. Now they can enter or exit either, but the traffic --

25 CHAIRPERSON MIETZ: More gradual turn.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 JACKIE CIRESI: Right. That's kind of the
4 thought process. Then this is a circular drive, they have to
5 go one way, so this is where two is and this is where three
6 is, purposefully for those two reasons.

7 As they go into the parking we actually kept
8 these because this is employee, visitor, employee, so it's
9 not just all one way or all another way. So we kept two
10 signs there, just to make that clear. And then, so that's
11 four, five, six, seven, this is all parking signs. Ten then
12 directs us and these are obviously really easy to read
13 because we put only one thing on them.

14 Ten then will start to direct us -- this
15 building is going to be adult daycare. So at this point when
16 you're coming through you're going to make a decision, that
17 directs us to the daycare receiving or Wolk Manor and the
18 Lodge.

19 And then the reverse side, some of these,
20 like, you wouldn't put Wolk Manor and the Lodge on that sign
21 going this way because it's behind you. There's no way to
22 list that, so that's kind of one of the things I wasn't sure
23 they were looking for at the architectural board.

24 Eleven then shows you the Summit, Wolk Manor
25 and Lodge again. Twelve is facing actually this way, because

Brighton Zoning Board of Appeals 5/3/17

1
2
3 this not a main thoroughfare, this is, so we have them going,
4 Side A, the adult day program is the only thing there to the
5 left, along with receiving, and the Summit's this way.

6 Thirteen is again, if you're coming through
7 this way, you've got the Summit, Brighton, Wolk Manor, Lodge.

8 And fourteen then, is more coming through this
9 way or this way, so this one is trying to account for anybody
10 coming up Summit Circle or if they're in the complex they can
11 see that going either way.

12 Fifteen again, is coming through here. So
13 we've got the A and the B, so that once they turn this way
14 they still know to go there, towards the Summit or Wolk.

15 And then sixteen, we did a similar here with
16 that turn, we're going to keep moving them through and have
17 them go this way instead of having them quickly turn into
18 something.

19 And then seventeen, takes you back to the
20 greenhouses and starts you all over again.

21 CHAIRPERSON MIETZ: Okay. So Board members,
22 do you have any specific questions about either the layout or
23 the proposed signs?

24 MR. CLAPP: I have a question. If you are
25 approaching on Winton from the south would there be any

Brighton Zoning Board of Appeals 5/3/17

1
2
3 signage suggesting a turn onto Meridian and then Summit
4 Circle? Just struck me sitting here, you're coming up over
5 the hill, down the bridge, I don't see anything until those
6 large mounds, so I've already passed --

7 JACKIE CIRESI: Right. So that will be
8 another variance that we would have to ask for a pretty major
9 sign there to get people on Winton to -- and then that might
10 be --

11 MR. CLAPP: Right. And I'm the guy that
12 doesn't like signs. I think you've got a point there.

13 JACKIE CIRESI: So that might be the splitting
14 up of this and that if, you know, if you want the Wolk and
15 everything here off of Winton, but yeah, it's a tough call.

16 MS. TOMPKINS WRIGHT: Was the plan -- just to
17 follow up -- is the plan currently to not have the monument
18 sign in that corner or is that just in the future?

19 DEBBIE MCILVEEN: I believe we've asked for
20 that in the past and it's been turned down buy this group.

21 CHAIRPERSON MIETZ: That's correct.

22 DEBBIE MCILVEEN: So that's why we're trying
23 to do what we're doing.

24 MS. DALE: I understand the need for the signs
25 is largely spurred by the construction, correct?

Brighton Zoning Board of Appeals 5/3/17

1
2
3 JACKIE CIRESI: There are actually 17 signs on
4 the property at this time. Yeah, so we try to keep the
5 number the same, but redirect as best we could.

6 MS. DALE: Okay. I was just wondering, has
7 there been confusion or traffic congestion problems in the
8 past or was it anticipated in light of the construction?

9 DEBBIE MCILVEEN: Two things, the synopses you
10 gave at the beginning was very good. We're going to have
11 more rehab beds, more people that have never been to our
12 community because they're only there for a short-term stay.
13 So they'll be coming and they are not as familiar as all of
14 you are and thank you for being familiar.

15 JACKIE CIRESI: And residents.

16 DEBBIE MCILVEEN: But they will be there --
17 they've never been there before, it's like going to a
18 hospital, trying to figure out where to be. We have, before
19 we started construction, and there's a large sign that had
20 directions going all different ways and we did have people
21 very confused by that. So we were hoping that this would
22 really center people to know where they were going.

23 MS. DALE: Thank you.

24 CHAIRPERSON MIETZ: Okay. So any other
25 questions by the Board members at this point, need any other

Brighton Zoning Board of Appeals 5/3/17

1
2
3 information?

4 MS. DALE: One question, some of the signs,
5 Greenhouse Cottage B, Greenhouse Cottage C, you're going the
6 same direction, not all of them but some of them, is it
7 feasible or logical to just consolidate B and C?

8 JACKIE CIRESI: You know, we looked at that
9 and then because we try to keep these, again, not too bulky
10 but within a certain size, then you either have to decrease
11 the letter height. So, yeah, it's a tough -- I don't know.
12 I don't know the answer to that honestly, because it's
13 already pretty tight on those right now. And actually, the
14 greenhouse they asked for the change to make that a little
15 more legible. So now I've got even a little less room.

16 MS. DALE: Fewer words would be less to read.

17 JACKIE CIRESI: Yeah, which I agree with
18 completely. I'm --

19 CHAIRPERSON MIETZ: The width.

20 JACKIE CIRESI: Yeah, we'd have to change the
21 widths of the signs.

22 MS. SCHWARTZ: Are you going to always refer
23 to Greenhouse Cottage or are they going to say cottages
24 sometimes and therefore could the wording change --

25 JACKIE CIRESI: That's a great question.

1 Brighton Zoning Board of Appeals 5/3/17

2
3 DEBBIE MCILVEEN: Greenhouse is very specific
4 to what we are doing there, so after maybe 15 years, maybe,
5 we can shorten it. But we -- you don't want it to be.

6 JACKIE CIRESI: Right.

7 MS. TOMPKINS WRIGHT: Has there been an issue
8 with people not understanding where to park such that you
9 need a good number of signs to differentiate from the
10 employee parking and standard parking?

11 DEBBIE MCILVEEN: One of the things we really
12 wanted to concentrate on is that the residents and their
13 family have some place to park. So it's very clear to our
14 employees, you're not parking close to a building, that the
15 middle section is for the -- employees don't always follow
16 the directions. We don't want our residents to have to walk
17 all the way from the corner.

18 CHAIRPERSON MIETZ: Thank you very much.

19 JACKIE CIRESI: You're welcome, thank you very
20 much.

21 CHAIRPERSON MIETZ: Is there anyone in the
22 audience who would also like to speak regarding this
23 application? There being none, the public hearing is now
24 closed.

25

Brighton Zoning Board of Appeals 5/3/17

1
2
3 APPLICATION 5A-03-17.

4 5A-03-17 Application of Kris and Sarah Beutel,
5 owners of property located at 1330 Crittenden Road, for Area
6 Variances from Section 205-2 to 1) allow a garage addition to
7 extend 7 +/- ft. into the 20.25 ft. side setback required by
8 code, and 2) allow said attached garage to be 936 sf in lieu
9 of the maximum 900 sf allowed by code. All as described on
10 application and plans on file.

11 CHAIRPERSON MIETZ: Good evening.

12 KRIS BEUTEL: Good evening, Kris Beutel, 1330
13 Crittenden Road, Sarah Beutel, if you want to talk to her. I
14 guess we're looking for putting a small addition on our house
15 for living space and then we wanted to add a third garage
16 bay. When we looked into side setbacks and that kind of
17 thing, we actually are going over that, so we're asking for a
18 variance on that. And we also found that there was
19 900-square-foot standard garage space allowance and we're
20 going over that by about 50 square feet.

21 CHAIRPERSON MIETZ: Could you describe the
22 purpose of the addition onto the garage?

23 KRIS BEUTEL: We have three vehicles, a number
24 of houses though the neighborhood had three-car garages and
25 we felt we could go ahead and do that and it would add to the

Brighton Zoning Board of Appeals 5/3/17

1
2
3 property value and at the same time it could accommodate our
4 vehicles and those kinds of things.

5 CHAIRPERSON MIETZ: Okay.

6 MS. SCHWARTZ: Are you going to lose any of
7 the trees along the driveway?

8 KRIS BEUTEL: We wouldn't want to. Right now
9 what we drew in for the driveway pattern there is kind of
10 just a concept. We haven't actually drawn it in, but we are
11 not in favor of getting rid of them.

12 MS. SCHWARTZ: So you are going to try to keep
13 them?

14 KRIS BEUTEL: Yes.

15 CHAIRPERSON MIETZ: Okay.

16 MR. DiSTEFANO: Can you guesstimate
17 approximately how much of the addition actually extended into
18 the side setback?

19 KRIS BEUTEL: The side setback, linearly it's
20 about seven feet in if you count the roof area. That
21 triangle there I want to say is probably in the neighborhood
22 of 30-40 square feet, but I don't think I calculated that.

23 MR. DiSTEFANO: Approximate.

24 KRIS BEUTEL: Yes.

25 MS. SCHWARTZ: How many did you say?

1 Brighton Zoning Board of Appeals 5/3/17

2
3 KRIS BEUTEL: It's 30 or 40 square feet, it's
4 not a lot but it's over the line.

5 MR. DiSTEFANO: And if the house sat evenly
6 between the side lot line, not cockeyed on angle you wouldn't
7 need a variance at all; is that correct?

8 KRIS BEUTEL: That's true. We didn't realize
9 how skewed that lot really was when we bought the place a
10 year ago.

11 CHAIRPERSON MIETZ: The way the house was
12 built is kind of encumbrance there because it's really not
13 parallel to the road.

14 MR. CLAPP: I see it says, see driveway
15 agreement. Am I correct in understanding, is that a
16 right-of-way to the applied lot back there, so that actually
17 are you pushing the side --

18 KRIS BEUTEL: We have a couple of interesting
19 things there and frankly the side setback threw us a little
20 bit when we saw that because we actually have two other
21 properties that encroach on our property with constructions
22 of their own. One is that road driveway, it goes back to the
23 property that's behind the group home that's next door to us.
24 And, you know, everybody gets along very nicely, but that
25 actually does come onto our property back towards the back of

Brighton Zoning Board of Appeals 5/3/17

1
2
3 the lot, midway back, and that's what that driveway reading's
4 about.

5 The other one is a building from the
6 University of Rochester that is actually coming over our
7 property line on the other side.

8 MR. CLAPP: You're really not pushing close to
9 anybody's house by any means.

10 KRIS BEUTEL: No, not even, no. If you've
11 driven by it there's a big distance there from our property
12 there on that side.

13 CHAIRPERSON MIETZ: Okay. Any other
14 questions?

15 MR. DiSTEFANO: Yes, actually I just want to
16 kind of clarify for the record that the required setback is
17 probably a little more than what we're showing on here and as
18 advertised, and unfortunately I didn't catch this right away.
19 But when the applicant took the lot width he made a straight
20 line across the property. The way the code reads is that you
21 take a line at the front setback, parallel to the road. So
22 because the line is at an angle if it's parallel to the road,
23 it's actually a longer line than if you draw it straight,
24 perpendicular to the lot lines.

25 KRIS BEUTEL: Right.

1 Brighton Zoning Board of Appeals 5/3/17

2
3 MR. DiSTEFANO: So 15 percent of 167, that's
4 about 142, 43, something like that, so it's 15 percent.

5 CHAIRPERSON MIETZ: You can do that.

6 MS. TOMPKINS WRIGHT: The survey says the lot
7 line is 146.

8 MR. DiSTEFANO: So about 22 feet, give or
9 take. So the setback required here is really a little larger
10 than what is advertised, it's about 22 plus or minus feet,
11 not 20 feet. So it's a little bit more of a variance
12 request.

13 CHAIRPERSON MIETZ: Can you just maybe speak
14 to, you know, you mentioned that this is living space. Could
15 you mention to us were there any other alternatives that
16 could have avoided this variance and how you designed the
17 addition, or was there other ones? And was there a reason
18 why this was the preferred one?

19 KRIS BEUTEL: There is a long litany there,
20 I'll try to keep it short. We had the house for about a
21 year, we had been looking at extending back towards the back
22 rather than off to the side, but the issue there is we have a
23 septic system that's behind the house there and it kind of
24 limits what we could do going in that direction.

25 We really didn't want to bring it out toward

Brighton Zoning Board of Appeals 5/3/17

1
2
3 the front of the house, kind of felt like the front of the
4 house looked nice, didn't really want to bring it too much
5 further towards the road or anything like that, so that was
6 the logical place to go, I guess.

7 CHAIRPERSON MIETZ: And the square footage
8 that you had lost there is what you believed was the minimum
9 you needed to do this to support the addition?

10 KRIS BEUTEL: Yes.

11 CHAIRPERSON MIETZ: Okay, that's good.

12 Any other questions for --

13 MR. CLAPP: Just to be clear in my mind, if
14 there's a problem with the driveway agreement, is that
15 something in the deed now or is that a verbal agreement? I'm
16 just trying to think ahead if this gets built and somebody's
17 wanting to extend the house next door, but there's a driveway
18 there and agreements, nothing's going to happen to that,
19 right?

20 KRIS BEUTEL: Right, right. The attorneys had
21 to get affidavits saying that there was no disputes over the
22 property line and they signed and that's now part of the
23 record on that property.

24 MR. CLAPP: Thank you.

25 CHAIRPERSON MIETZ: Very good. Thank you very

Brighton Zoning Board of Appeals 5/3/17

1
2
3 much.

4 Is there anyone in the audience that would
5 like to speak in regards to this? There being none, the
6 public hearing is now closed.

7 MR. DiSTEFANO: Just so you know, 21.45, so we
8 will correct that when we make the motions.

9 CHAIRPERSON MIETZ: Sure.

10 APPLICATION 5A-04-17.

11 5A-04-17 Application of Clint Battista,
12 architect, and Genesee Reserve Supply, Inc., owner of
13 property located at 200 Jefferson Road, for a Variance from
14 Section 73-27 - Fire Sprinkler Systems, in accordance with
15 Section 73-35, to allow a new storage building to be
16 constructed without a sprinkler system as required by code.
17 All as described on application and plans on file.

18 CLINT BATTISTA: My name is Clint Battista,
19 I'm the architect for the property for Genesee Reserve
20 Supply, the address is 2387 Westside Drive, North Chili, New
21 York.

22 I apologize, but I brought some handouts we
23 didn't have in a timely matter to submit before today's
24 meeting, we just got a lot of the information yesterday, but
25 we are trying to show some of the costs for some of the items

Brighton Zoning Board of Appeals 5/3/17

1
2
3 that we are looking into as different options.

4 So last month we were here looking for
5 variances mainly on the setbacks and location of the building
6 that's proposed and all of those were approved with typical
7 conditions. During that meeting Rick had brought up the
8 question should this building have sprinklers? And according
9 to the New York State building code this building is not
10 required to be sprinklered. However, the Town of Brighton
11 has a more specific code regarding sprinklers. It turns out
12 that any new building in Brighton is supposed to have a
13 sprinkler system. So we are here tonight to request a
14 variance to not have a sprinkler system.

15 MR. DiSTEFANO: Yes, just a little
16 clarification. Any new building that requires a C of O that
17 is not a one or two family dwelling or utility building, they
18 do not require sprinkler systems. This building in
19 conversation with our town architect, she would be issuing a
20 C of O for this building because there's going to be people
21 in and out of it quite frequently, so she feels strongly that
22 this building would require a C of O, therefore requiring
23 sprinkler systems.

24 CHAIRPERSON MIETZ: Okay.

25 CLINT BATTISTA: Thank you. So as I sit over

Brighton Zoning Board of Appeals 5/3/17

1
2
3 here tonight to request a variance to not have a sprinkler
4 system in this building, the basic function of this building
5 is purely for storage. There's an existing storage building
6 here now that is deteriorating so they are trying to be
7 proactive in removing that and replacing it.

8 So there are -- it's not meant to have people
9 occupied in there with offices or bathrooms or any of that.
10 Basically what would happen is product is delivered, they off
11 load it from trucks or trains with a forklift and it would be
12 moved into the storage building. And then it would not be
13 touched until it is sold, and at which time they would use a
14 forklift to load it onto a truck and it would be delivered.

15 Right now, there's storage next to the storage
16 building, but it's outside, so we are not proposing to have
17 any additional product stored on the site, basically just
18 covering more of the storage that is already there. The main
19 purpose of that is they want to bring some of their products
20 inside that are prone to the, either deterioration or damage
21 from weather, getting wet, sun damage, things of that nature.

22 Right now, the main warehouse in the middle of
23 the property is sprinklered. We can't add this building to
24 that system, so right now there's no infrastructure to
25 provide a sprinkler system at the building that's there now.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 The existing building is not sprinklered either. First we
4 reached out to the insurance company for Genesee Reserve
5 Supply and explained what we were trying to do. They
6 actually -- Exhibit E in your packet is the e-mail from them
7 that states that they would not require this building to be
8 sprinklered, they would be willing to cover without having
9 that.

10 Then we looked at three other options.
11 There's the existing sprinkler vendor, we reached out to them
12 to see if they could give us a quote to provide a stand-alone
13 system in the storage building, that is Exhibit B. And
14 basically what they'd have to do is run a new line from the
15 sprinkler main that goes to the existing building and be a
16 complete separate system. Between a hundred in piping, it's
17 basically a brand new system, so that would be a \$68,000
18 rough number. And Genesee Reserve Supply has a budget on
19 this building of about 150,000, so 68 -- or 45 percent of the
20 budget would actually be taken up by the sprinkler system if
21 we went with that option.

22 The second option we looked at was to provide
23 a dry sprinkler system in the building, which would basically
24 be just installing the piping. And if a fire had happened a
25 fire truck could come up to it, connect to it, put water in

Brighton Zoning Board of Appeals 5/3/17

1
2
3 the building and then that's when the sprinkler would work.
4 That is your Exhibit C, and that came in at roughly \$20,000.
5 That will be about 14 percent of the overall budget.

6 And then the last item we had looked at was if
7 we used fire retardant treated wood in the building instead
8 of just combustible regular wood. So, basically, the timber
9 poles that are part of the pole barn, they have an inherent
10 resistance to fire. We would propose to have the treated
11 lumber be the purlins and the trusses would also be
12 protected. All of the siding and the roofing is metal so
13 that's already a non-combustible material.

14 The up-charge of that was roughly \$14,000 and
15 that's about 9 percent of the budget, so we were hoping that
16 by providing fire treated on those members, as well as
17 connecting this building to the existing fire alarm system
18 that's already on site with heat sensors, they're per code,
19 there's no requirement for a fire alarm system to be in this
20 building, but we're trying to go kind of above and beyond,
21 offer something in lieu of having a sprinkler.

22 So I realize that the town says we are
23 required, but we feel we are not really making the situation
24 or the property any more hazardous than what currently
25 exists. So I'd gladly take any questions.

Brighton Zoning Board of Appeals 5/3/17

1
2
3 CHAIRPERSON MIETZ: So you provided these
4 alternatives, so what is the owner saying that he wants to
5 do? Is he still saying he wants no sprinkler system in this
6 building? What is he saying?

7 CLINT BATTISTA: What we would like to do is
8 to make the project as cost effective as possible for him is
9 to provide the fire treated lumber option and also provide
10 the fire alarm connection to the existing system.

11 CHAIRPERSON MIETZ: You're acknowledging that
12 you believe that you should do something?

13 CLINT BATTISTA: Yes.

14 CHAIRPERSON MIETZ: But you would like to take
15 the best possible alternative solution.

16 CLINT BATTISTA: Yes.

17 MR. DiSTEFANO: Do you have a copy of that
18 solution? You handed out the costs on options C and B.

19 CLINT BATTISTA: What I have is budgetary
20 numbers that were generated --

21 MR. DiSTEFANO: I'm just seeing if there's
22 something that we could --

23 CHAIRPERSON MIETZ: Also, the scope --

24 MR. DiSTEFANO: If the Board decided that
25 was a --

Brighton Zoning Board of Appeals 5/3/17

1
2
3 CLINT BATTISTA: Yeah. I have budgetary
4 numbers that Genesee Reserve Supply ran, but we haven't been
5 able to get any contractors to actually give firm pricing on
6 the building as a whole. So I do have information on the up
7 charge of the fire treated, if you would like to see that.

8 CHAIRPERSON MIETZ: Let's see.

9 MS. DALE: I was wondering if you could
10 describe the products that are stored in the facility and
11 what the materials are.

12 CLINT BATTISTA: It could be any range of
13 building material, it could be cultured stone veneer, it
14 could be structural like glulam, large pre-engineered pieces
15 of lumber, it could be ridged insulation. I don't have any
16 exact -- we're trying not to limit what they can store.

17 CHAIRPERSON MIETZ: That's not anything we're
18 going to do.

19 CLINT BATTISTA: Pardon me?

20 CHAIRPERSON MIETZ: We have no intention of
21 doing that.

22 MS. TOMPKINS WRIGHT: The other three storage
23 buildings on site, is there currently any fire protection
24 methods?

25 CLINT BATTISTA: The other buildings that

Brighton Zoning Board of Appeals 5/3/17

1
2
3 are -- the storage buildings that are separate from the main
4 building, none of those buildings are currently sprinklered,
5 but they are all connected to the fire alarm system with heat
6 sensors, so we would be providing the same thing here. But
7 also those buildings are constructed in the past, so that
8 could have been code compliant when those were constructed.

9 MR. CLAPP: Have you had a chance to review
10 the letter from our Fire Marshal, his comments?

11 CLINT BATTISTA: I have not received a letter
12 from the Fire Marshal. I did meet with Chris, but I didn't
13 receive a letter.

14 MR. CLAPP: His comments, and I'm sure his
15 concerns would be mine as well, are for people maybe working
16 in the building in the event if something sparked, that they
17 have either a way on hand to put the fire out, fire
18 extinguishers or a way to get out of the building.

19 And then the other concern is first responders
20 might be coming to a building on fire. First is, and I
21 looked at plans of the building, have an emergency exit for
22 people who might be -- I understand that it's mainly storage,
23 but a way to get out or extinguishers. And then the other is
24 for the dry hose connection, which I understand is somewhat
25 costly but nowhere near the 68 grand.

1 Brighton Zoning Board of Appeals 5/3/17

2

3

Do you have a response to either suggestion?

4

5

MR. DiSTEFANO: It's similar to number two
that Doug is referring to is where decreased travel
6 distances --

7

8

9

10

11

12

13

14

15

16

CLINT BATTISTA: Right now, all of the exiting
we are providing is code compliant with the building code and
we would be required to have extinguishers in the building
anyway per code, so those items would be provided. If we did
provide the fire treated option, the coding that's on that
material is self-extinguishing so it won't sustain a fire.
So if something did happen where there was a fire there it
shouldn't spread. The product may catch on fire in there,
but the building itself should stand long enough for first
responders to come and attack the fire.

17

18

MS. TOMPKINS WRIGHT: How many exits are in
the building?

19

20

21

CLINT BATTISTA: Right now we have two man
doors proposed and a large overhead door that would probably
be open all day during business hours.

22

23

CHAIRPERSON MIETZ: It's just a security thing
at night to close them.

24

25

CLINT BATTISTA: Yes.

MS. DALE: And about how many people would

Brighton Zoning Board of Appeals 5/3/17

1
2
3 typically be in there during the day, how many hours would it
4 be occupied?

5 CLINT BATTISTA: I have a Genesee Reserve
6 Supply person here, if he can answer that. I'm not sure.

7 TOM SANGIACOMO: Hi, Tom Sangiacomo, Executive
8 Vice President Genesee Reserve. I'm sorry, I didn't hear
9 your question.

10 MS. DALE: The question was, how many people
11 would typically be coming in and out of there in a day and
12 how many hours is it occupied?

13 TOM SANGIACOMO: We're typically open eight
14 hours during the day, Monday through Friday. And it varies,
15 the number of people inside there, it could be two or three
16 at a time. Typically they're going in and out, pull
17 materials to load it on trucks or to take material in there
18 to stock.

19 CHAIRPERSON MIETZ: Is there any other
20 questions for these gentlemen? There being none, this public
21 hearing is closed. We will take a five-minute break and then
22 we will come back and go over these applications.

23
24 * * *

Brighton Zoning Board of Appeals 5/3/17

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER CERTIFICATE

I, Rhoda Collins, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

Further, that the foregoing transcript is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth.

Dated this 3rd day of June, 2017.

At Rochester, New York


Rhoda Collins

Brighton Zoning Board of Appeals 5/3/17

PROCEEDINGS HELD BEFORE THE ZONING BOARD OF APPEALS AT
2300 ELMWOOD AVENUE, ROCHESTER, NEW YORK ON MAY 3RD, 2017 AT
APPROXIMATELY 9:30 P.M.

May 3rd, 2017
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

DENNIS MIETZ, Chairman
JUDY SCHWARTZ
DOUGLAS CLAPP
JEANNE DALE
CHRISTINE CORRADO
JENNIFER WATSON
ANDREA TOMPKINS WRIGHT

DAVID DOLLINGER, ESQ.
Town Attorney

RICK DiSTEFANO
Secretary

REPORTED BY: RHODA COLLINS, Court Reporter
EDITH E. FORBES COURT REPORTING SERVICE
21 Woodcrest Drive
Batavia, New York 14020

Brighton Zoning Board of Appeals 5/3/17

APPLICATION 5A-01-17.

5A-01-17 Application of Image360, agent, and Jewish Home of Rochester, owner of property located at 2021 Winton Road South, for Sign Variances from Section 207-31.B(1) to allow a free standing identification sign to 1)be 63.5 sf in size in lieu of the maximum 16 sf allowed by code, 2)be 10.5 ft. in height in lieu of the maximum 6 ft. allowed by code, and 3)be internally illuminated where not allowed by code. All as described on application and plans on file.

FINDINGS OF FACT:

MS. DALE: I make a motion to table Application 5A-01-17 for the Sign Variances from Section 207-31.B, leave the public hearing open, in order to allow applicant to consider alternatives that would reduce the variances required.

(Second by Ms. Corrado.)

(Ms. Watson, yes; Mr. Mietz, yes; Ms. Tompkins Wright, yes; Ms. Schwartz, yes; Mr. Clapp, yes; Ms. Corrado, yes; Ms. Dale, yes.)

(Upon roll call, motion to table carries.)

Brighton Zoning Board of Appeals 5/3/17

APPLICATION 5A-02-17.

5A-02-17 Application of Image360, agent, and Jewish Home of Rochester, owner of property located at 2021 Winton Road South, for a Sign Variance from Section 207-31 to allow for a series of free standing "way-finding" signs throughout the project site where not allowed by code. All as described on application and plans on file.

Motion made by Mr. Mietz to approve Application 5A-02-17 based on the following findings and facts.

FINDINGS AND FACTS:

1. Due to the size of the complex and the number of different business activities that are within the complex, it's important that patrons coming off of Winton Road are able to find the various buildings that they need to visit.
2. No other alternative, other than way-finding signs, can meet the desired result of having safe traffic and safe access within the complex to the places that patrons need to visit.
3. No negative effect on the character of the neighborhood and it would result from this there are 17 signs on the property today and these will, enhanced with the new graphics, are again assisting customers to move around the

Brighton Zoning Board of Appeals 5/3/17

complex. These signs are within the complex, they will not be easily visible from any other roadway.

CONDITIONS:

1. The way-finding signs shall be in substantial compliance with that as shown on plans submitted and from testimony given.

2. All necessary Architecture Review Board and Planning Board approval shall be obtained.

(Second by Mr. Clapp.)

(Ms. Corrado, yes; Ms. Watson, yes; Ms. Dale, yes; Ms. Tompkins Wright, yes; Ms. Schwartz, yes; Mr. Clapp, yes; Mr. Mietz, yes.)

(Upon roll call, motion to approve with conditions carries.)

Brighton Zoning Board of Appeals 5/3/17

APPLICATION 5A-04-17.

5A-04-17 Application of Clint Battista, architect, and Genesee Reserve Supply, Inc., owner of property located at 200 Jefferson Road, for a Variance from Section 73-27 - Fire Sprinkler Systems, in accordance with Section 73-35, to allow a new storage building to be constructed without a sprinkler system as required by code. All as described on application and plans on file.

Motion made by Ms. Tompkins Wright to approve Application 5A-04-17 based on the following findings and facts.

FINDINGS AND FACTS:

1. The granting of the requested variance will not produce undesirable change in the character of the neighborhood or be a detriment to nearby properties. The lack of sprinklers will not be visible to neighboring properties and the proposed storage building is located at such a distance to neighboring properties owner's buildings that such lack of sprinklers is unlikely to affect any other property for the property owners.

2. The requested variance is not substantial, the proposed building is not regularly occupied for any extended period of time by persons, and is used only for storage of materials,

Brighton Zoning Board of Appeals 5/3/17

1
2
3 and an alternative fire prevention method is proposed by
4 tenant.

5 3. The benefits sought by applicant cannot reasonably be
6 achieved by any other method. Proposed building has no water
7 service and the costs to install a traditional sprinkler
8 system or dry sprinkler system would range from between 14
9 and 48 percent of the budget for the entire building.

10 4. There is insufficient evidence that the proposed variance
11 would have an adverse effect or impact on the physical or
12 environmental conditions in the neighborhood or district.
13 The storage building is located more than 120 feet away from
14 any building regularly occupied for any extended period of
15 time of persons. And applicant's insurance carrier is
16 acceptable to the storage building not being protected by an
17 automatic fire sprinkler system.

18 5. The State Code does not require this building to be
19 sprinklered in any fashion.

20 6. Tenant has proposed the use of fire retardant wood, which
21 are an alternative building material and has propose hooking
22 the building up to its current heat sensor fire alarm system
23 currently on site, which will provide an alternative level of
24 fire protection for the storage building.

25 **CONDITIONS:**

Brighton Zoning Board of Appeals 5/3/17

1
2
3 1. The variance granted herein applies only to the one
4 storage building described in location as depicted on the
5 application and testimony given.

6 2. Applicant shall provide an alternative level of fire
7 protection for the storage building which shall consist at
8 least of fire retardant building materials and applicant
9 shall connect the storage building to the current heat
10 sensitive fire alarm system at the property, in addition
11 applicant shall provide an additional man-door exit to the
12 building added to the building to reduce travel distances.

13 3. All necessary approvals and permits must be obtained.

14 (Second by Ms. Schwartz.)

15 (Ms. Corrado, no; Ms. Watson, yes; Mr. Mietz,
16 no; Ms. Dale, yes; Mr. Clapp, no; Ms. Schwartz, yes;
17 Ms. Tompkins Wright, yes.)

18 (Upon roll call, motion to approve with
19 conditions carries.)
20
21
22
23
24
25

Brighton Zoning Board of Appeals 5/3/17

APPLICATION 5A-03-17.

5A-03-17 Application of Kris and Sarah Beutel, owners of property located at 1330 Crittenden Road, for Area Variances from Section 205-2 to 1) allow a garage addition to extend 7 +/- ft. into the 20.25 ft. side setback required by code, and 2) allow said attached garage to be 936 sf in lieu of the maximum 900 sf allowed by code. All as described on application and plans on file.

Motion made by Ms. Schwartz to approve Application 5A-03-17 based on the following findings and facts.

FINDINGS AND FACTS:

1. The variance for the proposed garage addition is due to the fact that the placement of the home on the lot runs parallel to the road rather than being centered between the side setbacks.
2. Only a very small corner of the proposed garage addition will encroach into the side setback.
3. There is well established vegetation between this proposed garage addition and the adjoining home.
4. There will be no adverse effect on the character of the neighborhood.
5. The septic system in the back limits the addition from

Brighton Zoning Board of Appeals 5/3/17

being built there. The applicant felt that it would not be attractive to put it in the front yard. This proposed garage is only 36 square feet larger than allowed by code, which is minimal.

CONDITIONS:

1. This variance applies only to the garage addition as presented in testimony and written application.

2. All necessary Architectural Review Board and building permits shall be obtained.

(Second by Ms. Corrado.)

(Ms. Watson, yes; Mr. Mietz, yes; Ms. Tompkins Wright, yes; Ms. Schwartz, yes; Mr. Clapp, yes; Ms. Corrado, yes; Ms. Dale, yes.)

(Upon roll call, motion to approve with conditions carries.)

Brighton Zoning Board of Appeals 5/3/17

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER CERTIFICATE

I, Rhoda Collins, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

Further, that the foregoing transcript is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth.

Dated this 3rd day of June, 2017.

At Rochester, New York


Rhoda Collins