

A G E N D A  
BOARD OF APPEALS - TOWN OF BRIGHTON  
DECEMBER 1, 2021

Due to the public gathering restrictions because of COVID-19 and the adoption of Chapter 417 of the laws of 2021, this Zoning Board meeting will be conducted remotely beginning at 7:00 pm or as soon thereafter as possible. Members of the public will be able to view the meeting via Zoom.

Written comments may be submitted to Rick DiStefano, Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to rick.distefano@townofbrighton.org.

Applications subject to public hearings are available for review on the town's website no later than twenty-four hours prior to the meeting.

The public may join the Zoom meeting and share comments with the Board. For Zoom meeting information, please reference the town's website at <https://www.townofbrighton.org> prior to the meeting.

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approve the minutes of the October 6, 2021 meeting.  
Approve the minutes of the November 3, 2021 meeting. **To be done at the January 5, 2022 meeting.**

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of November 24, 2021 will now be held.

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11A-02-21 Application of Katherine Solano, owner of property located at 4 Cardiff Park, for Area Variances from Sections 203-2.1B, 203-9A(4) and 207-6A(2) to allow for a shed to be located in a side yard and less than 5 ft. from a lot line in lieu of the rear yard no closer than 5 ft. to a lot line as required by code. All as described on application and plans on file.

12A-01-21 Application of Nancy Zimmer, owner of property located at 71 Golfside Parkway, for Area Variances from Section 203-2.1B(6) to 1) allow a standby emergency generator to be located in a side yard in lieu of the rear yard behind the house as required by code, and 2) allow said generator to be 8 +/- ft. from a lot line in lieu of the minimum 10 ft. required by code. All as described on application and plans on file.

12A-02-21 Application of Cornell Construction Design, agent, and Bruce and Mary Vickers, owners of property located at 65 Brooklawn Drive, for an Area Variance from Section 205-2 to allow a covered porch to extend 5 ft. into the 40 ft. front setback required by code. All as described on application and plans on file.

12A-03-21 Application of Jerry Goldman, attorney, and Jagdish Kaur, owner of property located at 30 Jefferson Road, for a Use Variance from Section 203-93A to allow a retail liquor store to be located in an IG Light Industrial District where not allowed by code. All as described on application and plans on file. **POSTPONED TO THE JANUARY 5, 2022 MEETING AT APPLICANTS REQUEST**

12A-04-21 Application of Jerry Goldman, attorney, and Jagdish Kaur, owner of property located at 30 Jefferson Road, for an Area Variance from Section 205-18A to allow front yard parking where not allowed by code. All as described on application and plans on file. **POSTPONED TO THE JANUARY 5, 2022 MEETING AT APPLICANTS REQUEST**

12A-05-21 Application of James Brasley, architect, and Susan and David Rothenberg, owners, of property located at 76 Fernboro Road, for an Area Variance from Section 205-2 to allow a three season room and deck addition to extend 5 ft. into the 40 ft. rear setback required by code. All as described on application and plans on file.

12A-06-21 Application of Carini Engineering Design, agent and John and Karen Gallagher, owners of property located at 25 Northumberland Road, for an Area Variance from Section 205-2 to allow a covered porch to extend 10 +/- ft. into the existing 35 ft. front setback where a 40 ft. front setback is required by code. All as described on application and plans on file.

12A-07-21 Application of Tyler Wolk, owner of property located at 3161 East Avenue, for an Area Variance from Section 205-2 to allow a building addition to extend 17 ft. into the existing 34.5 ft rear setback where a 60 ft. rear setback is required by code. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

Review 2022 Tentative Meeting Schedule.

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Mandeep Malhi, Howard Hanna Realtors, regarding variance request for 30 Jefferson Road (12A-03-21 and 12A-04-21).

Letter from Ron and Joanne Trovato, 52 Northumberland Road, in support of application 12A-06-21, 25 Northumberland Road.

Letter from Ron and Joanne Trovato, 52 Northumberland Road, in support of application 12A-06-21, 25 Northumberland Road.

Letter from Betsy Brugg, Woods Oviatt Gilman, dated November 30, 2021, requesting postponement of applications 12A-03-21 and 12A-04-21 to the January 5, 2022 meeting.

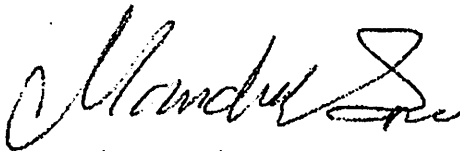
PETITIONS:

NONE

30 Jefferson Road was listed on MLS from 2017 to 2020. It was also on LoopNet, Trulia, Realtor.com, Google and Costar.

It was advertised on Mall Boards and in the Democrat and Chronicle, we received many calls but only one offer and the buyer pulled it before it went to the attorneys.

Septic and zoning is always the main concern for all buyers.

A handwritten signature in black ink, appearing to read 'Mandeep Malhi', written in a cursive style.

Mandeep Malhi  
Howard Hanna Realtors  
2920 E. Henrietta Road  
Henrietta, NY 14467  
Phone: 585-698-2032  
Cell: 585-278-0388

**From: Ron and Joanne Trovato: 52 Northumberland  
Road; joannekirkpatrick@gmail.com**

We are neighbors of John and Karen Gallagher on Northumberland Road, in Brighton. We understand that they are hoping to build a front porch on their home and I wanted to write to convey my support of this plan. It will not only enhance their home, but enhance the neighborhood as well! Please let us know if you have any questions. We can be reached at [joannekirkpatrick@gmail.com](mailto:joannekirkpatrick@gmail.com) or 585-746-6355.

Thank you.

Ron and Joanne Trovato

**From : Florence Wright 33 Northumberland Road: fwright@rochester.rr.com**

There is nothing like a front porch on a home – I should know, since I have one! It's Especially great in the summer, when I sit there, eat lunch or read, or have friends join me.

So I surely have no problem if my neighbors at #25 Northumberland Rd were able to have a front porch as well!

Thank you,  
Florence Wright, 33 Northumberland Rd, (Brighton)



Rick DiStefano <rick.distefano@townofbrighton.org>

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## ZBA application 12A-03-21 30 Jefferson Road- Request adjournment to next month

1 message

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**Brugg, Betsy D.** <bbrugg@woodsoviatt.com>

Tue, Nov 30, 2021 at 2:27 PM

To: "rick.distefano@townofbrighton.org" <rick.distefano@townofbrighton.org>

Cc: "ken.gordon@townofbrighton.org" <ken.gordon@townofbrighton.org>, "Goldman, Jerry A." <jgoldman@woodsoviatt.com>

Good afternoon Rick,

I am forwarding this email to request that the above-referenced application be adjourned from tomorrow's ZBA agenda and rescheduled to the January Zoning Board meeting. (Is that January 5, 2022?) We need the additional time to submit some additional information in advance of January's meeting. I would appreciate if you would please confirm the receipt of this email and adjournment at your earliest opportunity.

Thank you.

Betsy

Betsy D. Brugg, Esq.

Partner

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