

**TENTATIVE AGENDA**  
**BOARD OF APPEALS - TOWN OF BRIGHTON**  
**JANUARY 3, 2024**

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](mailto:rick.distefano@townofbrighton.org).

Applications subject to public hearings and the documents to be considered by the Board will be available for review on the town's website no later than twenty-four hours prior to the meeting to the extent practicable.

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 December 6, 2023 meeting.

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of December 28, 2023 will now be held.

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11A-01-23 Application of Rhonda Kay, owner of property located at 1534 Crittenden Road, for an Area Variance from Section 207-49 to allow for the installation of ground mounted solar panels in lieu of roof mounted panels as required by code. All as described on application and plans on file. **TABLED AT THE NOVEMBER 1, 2023 MEETING - PUBLIC HEARING REMAINS OPEN. POSTPONED TO THE JANUARY 3, 2024 MEETING AT APPLICANTS REQUEST**

12A-01-23 Application of Excelsior Communities, LLC, agent, and Brighton Village Apartments, owner of property located at 1625 Crittenden Road, for an Area Variance from Section 203-30A(1) and 203-2.1B(3) to allow a storage garage to be 2,400 sf in size in lieu of the maximum 600 sf allowed by code. All as described on application and plans on file. **TABLED AT THE DECEMBER 6, 2023 MEETING - PUBLIC HEARING REMAINS OPEN. POSTPONED TO THE JANUARY 3, 2024 MEETING AT APPLICANTS REQUEST**

1A-01-24 Application of Rodney Buffington, agent, and Cameron Sands, owner of property located at 3601 Elmwood Avenue, for Area Variances from Section 205-2 to 1) allow a rear addition to extend 8.5 ft. into the existing 27 ft. rear setback where a 60 ft. rear setback is required by code, and 2) allow a second addition to extend 9 +/- ft. into the 39.1 ft side setback (west) required by code. All as described on application and plans on file.

1A-02-24 Application of Rodney Buffington, agent, and Cameron Sands, owner of property located at 3601 Elmwood Avenue, for an Area Variance from Section 205-2 to allow for total size of attached garage(s) to be 1,114 sf in lieu of the maximum 900 sf allowed by code. All as described on application and plans on file.

- 1A-03-24 Application of Rodney Buffington, agent, and Cameron Sands, owner of property located at 3601 Elmwood Avenue, for Area Variances from Section 207-2 to 1) allow for a 5 ft. high front yard wall with a 6.5 ft. high gate in lieu of the maximum 3.5 ft. in height allowed by code, 2) allow for a side yard (east) wall to be 8 ft. in height in lieu of the maximum 6.5 ft. allowed by code, and 3) allow for sunken garden walls to be 10 ft. in height in lieu of the maximum 3.5 ft. and 12.75 ft. in height in lieu of the maximum 6.5 ft. allowed by code. All as described in application and plans on file.
- 1A-04-24 Application of Rodney Buffington, agent, and Cameron Sands, owner of property located at 3601 Elmwood Avenue, for an Area Variance from Section 203-2.1B(6) to allow a stand-by emergency generator to be located in a side yard (east) in lieu of the rear yard behind the house as required by code. All as described on application and plans on file.
- 1A-05-24 Application of Rodney Buffington, agent, and Cameron Sands, owner of property located at 3601 Elmwood Avenue, for an Area Variance from Section 207-11A to allow an in-ground swimming pool to be located in a yard other than the rear yard as required by code. All as described on application and plans on file.
- 1A-06-24 Application of Thomas Fitzgerald, MRB Group, agent, Robert Hurlbut, owner of property located at 1919 Elmwood Avenue, for an Area Variance from Section 203-16B(2)(a) to allow an addition to a nursing home be 50 ft. from a lot line in lieu of the minimum 100 ft. required by code. All as described on application and plans on file.
- 1A-07-24 Application of Ryan Kelly, agent, and Golisano Business COE, Inc., owner of property located at 150 Sawgrass Drive for 1) an Area Variance from Section 207-2A to allow a front yard wall to be 6.5 ft. in height in lieu of the maximum 3.5 ft. allowed by code; and 2) a Sign Variance from Section 207-32 B to allow for a second free-standing sign where no free-standing signs are allowed by code. All as described on application and plans on file.
- 1A-08-24 Application of Jon Tantillo, agent, and Salafia Nunzio, owner of property located at 125 Old Mill Road, appealing the Historic Preservation Commission's landmark designation of said property, pursuant to Section 224-3F of the code. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS: NONE

OLD BUSINESS: NONE

PRESENTATIONS: NONE

COMMUNICATIONS:

Letter from Rhonda Kay, 1534 Crittenden Road, dated December 20, 2023, requesting postponement of application to the February 7, 2024 meeting.

PETITIONS:

NONE