

A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
JULY 2, 2025

Written comments may be submitted to Anthony Vallone, AICP, Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to anthony.vallone@townofbrighton.org.

Meeting location - 680 Westfall Road, Empire State University (temporary home of the Brighton Town Hall), Rochester, New York, 14620

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.

CHAIRPERSON: 7:00 P.M. - Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approve the minutes of the May 7, 2025, and June 4, 2025, meetings.

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of June 24, 2025, will now be held.

6A-01-25 *Application of Joseph O'Donnell, agent, and Stephanie White, owner of property located at 55 Furlong Rd. for an Area Variance from Sections 203-2.1B (2) and 203-9A(4) to allow for the construction of a 1200 sf. storage shed in lieu of the maximum 250 sf. allowed by code. All as described an application and plans on file. WITHDRAWN AT REQUEST OF APPLICANT*

6A-04-25 Application of Alexis Leanza, owner of property located at 75 Embassy Dr, for an Area Variance from Section 207-2A to allow for a front yard 6 ft. vinyl fence in lieu of the 3.5 ft. maximum allowed by code. All as described an application and plans on file. TABLED PUBLIC HEARING REMAINS OPEN

7A-01-25 Application of Kristine Shanley, owner of property located at 357 Corwin Rd., for an Area Variance from Section 207-2A to allow for a front/side yard 6 ft. vinyl fence in lieu of the 3.5 ft. maximum allowed by code. All as described an application and plans on file.

7A-02-25 Application of Andrew Knipfing, owner of property located at 341 Rhinecliff Dr., for an Area Variance from Section 207-11D to allow for a swimming pool to be installed 7 ft. from the property line in lieu of the 10 ft. maximum allowed by code. All as described an application and plans on file.

7A-03-25 *Application of Claudia Nealon, owner of property located at 41 Southern Pkwy., for an Area Variance from Section 207-2B to allow for a side yard 10 ft. vinyl fence in lieu of the 6 ft. maximum allowed by code. All as described an application and plans on file. POSTPONED AT REQUEST OF APPLICANT*

7A-04-25 *Application of Richard Hunt, Applicant, and Michael Gestetner, owner of property located at 221 Warrington Dr., for 1, Area Variances seeking relief from Section 205-2 for an addition to extend 2.6 ft into the existing 10.1 ft. side setback where a 12.2 ft. setback is required, and to allow a front porch with columns and roof to replace the existing concrete stoop to extend 2 ft 8 in into the existing 36.1 ft setback where a 40 ft. setback is required by code; 2; Area Variance from Section 209-10 to allow Livable Floor Area to be 3,207 sf. (after construction of the addition), in lieu of the 3145.57 sf. as allowed by code. All as described an application and plans on file. POSTPONED AT REQUEST OF STAFF WITH APPLICANT CONCURRENCE.*

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

ZBA Packet and Communication Logistics – Staff Open Discussion

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Email from Intekhab Alam - 45 Embassy Drive, Rochester NY 14618.

Email from Town Engineer RE _flooding at 175 Barclay Square Dr.

Email from Joan Dallis and Jon Eckleben – 11 Glen Ellen Way

PETITIONS:

NONE

From: [White, Tom](#)
To: [Anthony Vallone](#)
Subject: Zoning Board of Appeals Notice of Public Hearing 7A-01-25
Date: Monday, June 30, 2025 1:15:01 PM

CAUTION: This email originated from an external source. Use caution when replying, clicking links, or opening attachments.

Hello Mr Vallone,

I am writing on behalf of my mother, Maureen K White, owner of property located at 341 Corwin Rd. My mother does not have email and is unable to attend the July 2nd Zoning Board Appeals meeting. My mother lives adjacent to the property requesting a zoning variance in the 7A-01-25 document.

Although my mother has no real issue with anyone looking to provide a fence for privacy, animals, or their own personal reasons, she would like to at least voice her concern regarding the potential risk to pedestrian traffic on the sidewalk, as a six foot fence in the front yard would create a blind spot to her or anyone exiting her driveway for westbound pedestrian traffic coming from Fairhaven Rd on the southern sidewalk of Corwin Rd.

Her concern is the risk and liability associated with any potential injury or damage to personal property from backing out of the driveway with a blocked view. Even if she and others were to back in and therefore pull out going forward, there is still expected to be a blind spot, albeit smaller, while exiting the driveway. Additionally, it should not be expected that she or any visitors have to be essentially forced into backing in and pulling out going forward as a result of the fence being installed as requested.

Again, there is no objection to the right of privacy or fencing in your yard for your own personal reasons, but in lieu of being able to attend in person, my mother wanted to make you aware, if you weren't already, that there is expected to be an increased risk due to the creation of an extended blind spot by installing the fence described in request 7A-01-25.

Thank you for your consideration.

Sincerely,
Thomas J White
On behalf of Maureen K. White

INTERNAL

Anthony Vallone

From: Ken Hurley
Sent: Friday, June 27, 2025 2:59 PM
To: Kolodny, Leonard
Cc: Glen Layton; Anthony Vallone; William Haefner
Subject: RE: Rain water flooding at 175 Barclay Square Dr -75 Embassy. This relates to 75 Embassy Variance.
Attachments: 175 Barclay Square.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Kolodny,

Thank you for making the Town aware of your drainage issues and concerns. Representatives from the Town Engineering and Building /Planning Departments did a site inspection of the properties near the Embassy Drive and Barclay Square intersection on June 26, 2025 to investigate if there were any violations of the Town Code.

The Town representatives did not see any issues that were or would create a zoning violation during this visit.

The Town of Brighton Highway Department is responsible for maintaining the roadways and storm drainage within the Town Road Right of Ways and storm structures located in existing easements. The Highway Department does not provide any services on private properties.

Unfortunately, the drainage issues you describe all occur within private properties and therefore are the responsibility of the landowner to address these stormwater issues on their own properties.

Luckily, your property has stormwater structures located north and west of your house. I've attached a copy of the Town mapping. The orange dots represent a draining inlet/catch basin. It would seem that installing a small drainage system on your property could remove any ponding issues on your property.

If you are interested in alleviating ponding/flooding issues on your property, you could apply for a stormwater connection permit through the Brighton Highway Department. The requirements for a stormwater connection is to have a Licensed Engineer prepare a design set of plans indicating the proposed privately owned storm piping/drain system on your property and show how it would connect to the Town's stormwater system. The applicant (yourself) would then submit a request and fill out a form for a stormwater permit and pay a small fee.

The Highway Department can be reached at (585) 784-5280 or additional information can be found on the Highway Department page on the Town Website <https://townofbrighton.org/777/Highway>

Thank you
Ken

Ken Hurley, P.E. | Town Engineer
Town of Brighton
(o) 585.784.5225
(e) ken.hurley@townofbrighton.org

Physical Location:
680 Westfall Road

Rochester, NY

Mailing Address:
Brighton Town Hall
2300 Elmwood Avenue
Rochester, NY 14618

The central portion of Town Hall (2300 Elmwood Avenue) has closed for renovation as of November 13, 2024. Town offices have relocated to 680 Westfall Road during the renovation project. Police, courts, and library will remain at 2300 Elmwood Avenue. Mail should continue to be addressed to 2300 Elmwood Avenue.

-----Original Message-----

From: Kolodny, Leonard <Leonard_Kolodny@URMC.Rochester.edu>
Sent: Thursday, June 26, 2025 11:49 PM
To: Ken Hurley <ken.hurley@townofbrighton.org>
Subject: Rain water flooding at 175 Barclay Square Dr -75 Embassy. This relates to 75 Embassy Variance.

CAUTION: This email originated from an external source. Use caution when replying, clicking links, or opening attachments.

At the town variance meeting for 75 Embassy's fence we brought up the fence may make the flooding worse. There used to be a swale along the property line that the previous owner filled in when his arborvitae died from too much water. He replaced the arborvitae with the ones that are there now. The water then flowed through his property closer to his house. His basement then flooded and he turned his backyard into a dam. The water then pooled behind in 65 Embassy's backyard till it flooded on to my property at 175 Barclay Square. It flooding my backyard and ruining my planting beds and made my mulch run onto my front lawn. My block was built my end first and as they dug basements they pilled the dirt on the other end. That means all the water for all the backyards flows from the other end of the block to mine creating this water problem. My neighbors at 75 Embassy sent me a letter saying they are willing to talk about solving this problem. It is important to get the water out of the backyards but we will also need help getting the water off the front lawns into the storm drain system. I am worried the fence will hamper the absorption of rain water into the ground by blocking the flow if we can't connect to the storm drain system.

Thank you
Leonard Kolodny
175 Barclay Square Drive
Sent from my iPhone

From: [Joan Dallis](#)
To: [Anthony Vallone](#)
Subject: ZBA 7A-04-25
Date: Sunday, June 29, 2025 6:13:16 PM

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111 Glen Ellyn Way
Rochester, NY 14618

June 29, 2025

Town of Brighton
680 Westfall Rd.
Rochester, NY 14620
ATTN: Zoning Board of Appeals

Dear ZBA:

We are writing in response to application 7A-04-25. We urge the ZBA to deny, or at least scale back, the requested variances. Our rear yard abuts the rear and side yards of the subject property. Ours is a neighborhood of modest houses and relatively small setbacks. Further decreasing the setbacks will have a negative impact on the rest of us.

The proposed addition to 221 Warrington will almost double the size of the existing house: the current square footage is 1716 sf (according to the Monroe County website), and the proposed square footage is 3174 sf, an increase of 85%. It is difficult to imagine how anyone could possibly claim that this is not a substantial impact on the visual quality of our streetscape! The resulting house would not, by any stretch of the imagination, be comparable to the immediately surrounding houses.

We note that the owner/applicant applied for similar relief last year for the house next door, citing as justification the fact that the property was not large enough to accommodate his “current and anticipated” family size. While we are happy that the applicant chose our neighborhood to which to relocate, we have to question the logic of buying not one, but two houses, that are too small for his needs and then proposing to encroach on his neighbors’ sight lines to satisfy his quest for larger quarters. Perhaps the owner/applicant would be better served by finding properties that meet his needs.

We are pleased that newcomers to the Rochester area like and appreciate our neighborhood, and we are proud to be part of a community that welcomes new neighbors. But we also like and appreciate the character of our neighborhood, with its nice front yards, and well-proportioned lot coverages. Those of us who have lived here for great lengths of time deserve better than to have to look out on hulking behemoths that are out of character for our neighborhood.

Thank you,
Joan Dallis and Jon Eckleben
111 Glen Ellyn Way

From: [Intekhab Alam](#)
To: [Anthony Vallone](#)
Subject: 75 Embassy Drive
Date: Wednesday, June 18, 2025 12:40:52 PM

CAUTION: This email originated from an external source. Use caution when replying, clicking links, or opening attachments.

Hi, Anthony

I am a homeowner of 45 Embassy Drive, Rochester, NY 14618. I am writing to you about the neighboring property 75 Embassy Drive.

The property owner of 75 Embassy Drive has erected fences around their front yard, which is an eye sore for the neighborhood. The structure does not fit at all with the neighborhood's character and other properties in the area. Because of the property's awkward structure, the value of our property is going down.

I strongly urge the town board to take strong action and order the property owner to remove those structures on the front yard because they have violated the town building codes.

I would also like to request the town board not to grant any variance to the property owner for putting any kind of fence or structure on the front yard.

Please call me at 585 4731177 or email if you need to discuss this issue further or if you have any questions.

Best regards

Intekhab Alam

45 Embassy Drive, Rochester NY 14618.