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**B R I G H T O N**  
**P L A N N I N G**  
**B O A R D**

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August 18th, 2021  
At approximately 7:00 **p.m.**  
Brighton Town Hall  
2300 Elmwood Avenue  
Rochester, New York 14618

**PRESENT:**

WILLIAM PRICE, CHAIRPERSON

KAREN ALTMAN	)	
PAMELA DELANEY	)	
DAVID FADER	)	BOARD MEMBERS
JOHN J. OSOWSKI	)	

KEN GORDON, ESQ.  
Town Attorney

RAMSEY A. BOEHNER  
Town Planner

**NOT PRESENT:**  
JASON BABCOCK-STINER

REPORTED BY: RHODA COLLINS, Court Reporter  
FORBES COURT REPORTING SERVICES, LLC  
21 Woodcrest Drive  
Batavia, New York 14020

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CHAIRPERSON PRICE: Good evening, everybody.  
Welcome to the August 17th -- August 18th meeting of the Town  
of Brighton Planning Board. Since we are now back in a live  
situation, I'd like to remind everybody in the unlikely event  
of an emergency tonight, there are exits directly behind you  
and to my right and your left.

Let's see, Mr. Secretary, will you please call  
the roll?

MR. BOEHNER: Mr. Osowski?

MR. OSOWSKI: Here.

MR. BOEHNER: Ms. Delaney?

MS. DELANEY: Here.

MR. BOEHNER: Mr. Fader?

MR. FADER: Here.

MR. BOEHNER: Mr. Price?

CHAIRPERSON PRICE: Here.

MR. BOEHNER: Ms. Altman?

MS. ALTMAN: Here.

MR. BOEHNER: Absent is Babcock-Steiner.

CHAIRPERSON PRICE: All right, thank you. We  
have meeting minutes for our June 16th meeting that we will  
entertain a motion on, and the July 21st meeting minutes will  
be heard at our September -- or will be voted on at the

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September 15th meeting.

Does anybody wish to make a motion to approve the June 16th meeting minutes?

MR. FADER: I will move to approve them.

CHAIRPERSON PRICE: Okay. Is there second?

MR. OSOWSKI: I'll second.

MR. BOEHNER: There is one revision on Page 5, which says the 6/16/21 meeting, not 7/21 meeting. That's the correction for Mr. Osowski.

CHAIRPERSON PRICE: Correction, thank you. All right, moved and seconded with the correction, Ramsey, please call the roll.

MR. BOEHNER: I called the roll, it's the announcement of the Public Hearings were properly advertised?

CHAIRPERSON PRICE: We have to approve the minutes.

MR. BOEHNER: I'm sorry.

CHAIRPERSON PRICE: We have a motion and a second.

MR. BOEHNER: Member Altman?

MS. ALTMAN: Aye.

MR. BOEHNER: Mr. Price?

CHAIRPERSON PRICE: Aye.

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MR. BOEHNER: Mr. Fader?

MR. FADER: Aye.

MR. BOEHNER: Ms. Delaney?

MS. DELANEY: Aye.

MR. BOEHNER: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. BOEHNER: Minutes approved with  
corrections.

CHAIRPERSON PRICE: Okay, thank you. Okay,  
Mr. Secretary, were the Public Hearings that we're about to  
hold properly advertised?

MR. BOEHNER: Yes, they were properly  
advertised in the Brighton Pittsford Post of August 12, 2021.

CHAIRPERSON PRICE: Thank you.

For the audience, the first application has  
been postponed until September 15th, at the applicant's  
request. That application was 7P-01-21, for the application  
of 150 Metro Park for a conditional use permit and  
preliminary final site plan approval. So, that will be next  
month.

Our second Public Hearing of the night is  
7P-03-21.

APPLICATION 7P-03-21

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7P-03-21 Application of Nicholas Leonardo, owner, for EPOD (woodlot) Permit Approval to remove brush, ground debris stumps and dead fall and to spread topsoil and hydro seed property located at 851 Clover Street. All as described on application and plans on file. TABLED AT THE JULY 21, 2021 MEETING - PUBLIC HEARING REMAINS OPEN.

CHAIRPERSON PRICE: Just introduce yourself once you are set.

DOUG McCORD: Sure. Good evening, folks. My name is Doug McCord with McCord Landscape Architecture, presenting for Mr. Leonardo and his residence and the landscape plan in regard to the woodlot and some questions that were brought up in the past three or four months, and the request for a new landscape plan for that.

So, first of all, I want to apologize for the appearance of my drawing here. We had a little -- this is one of those pretty sticky-type cardboard things, and we had a little trouble getting it on and it was too late to try to do it again. But hopefully everybody has a copy of the plan and also the rendering here, which kind of shows a little more of what's going on with the trees, what we're saving and what's happening with the landscaping in general. And also I hope everyone -- so, does everyone have that, for one thing?

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2  
3 ALL COUNCIL MEMBERS: Yes.

4 DOUG McCORD: Okay. And my response letter,  
5 the same, has everybody had a chance to review that, or  
6 should I go through that?

7 CHAIRPERSON PRICE: Yes.

8 DOUG McCORD: Okay. So, I have to pull my  
9 mask down a little bit.

10 MR. BOEHNER: No, you can pull it down while  
11 you speak, because you are presenting.

12 DOUG McCORD: Okay, great. So, let's go to  
13 some of the important items. We are revising the plan to  
14 show the site as it is now, and with the trees that have been  
15 removed. And, I understand there were a couple trees that  
16 were removed that were originally designated to remain.

17 I am personally impressed with given how tight  
18 the site is and how clustered the trees were right around the  
19 house, how well the contractor was able to save the trees  
20 that we did save. And especially if you folks have been out  
21 there, considering the boulders that they pulled out of this  
22 hole for the -- it was just a nightmare. It was basically  
23 bedrock what they hit, and so if you see the boulders out  
24 there that's basically bedrock, the top of a bedrock layer  
25 that was brought out and put on the site.

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So, we have a new landscape plan, and we're adding to the original landscape plan and the plant list. And the plant list is right up here, hopefully a little more visible than my copy. But, from the original landscape plan that was approved last November, we added some trees to make up for the trees that were brought down.

And by the way, the trouble area was back here around the back of the building here. I think we were a little ambitious about what we wanted to try and save back there. A little too close to where the foundation had to go and then there were sassafras trees, which were not in the greatest shape, but they were still alive. So, we tried to save those and that's what we were showing in the plan, so those were back here.

And to make up for that, we are -- we have added one new red maple, one new red oak, one new basswood, and six new red cedars, and eight new green giant arborvitae. And, I know everybody here, or probably most of you, would rather see native species. We have trouble, the arborvitae is the perfect shrub tree, it's a tree really, to put on the site like this, but the deer love them. And, unless you buy trees that are 20 feet high, which are very difficult to find, they get eaten by the deer.

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So, we have been typically going with green giant arborvitae. It's a western species, but it's western United States species. Looks very similar to our eastern arborvitae, and they're less likely to be eaten by the deer, much less actually.

So, thus, that's what we're showing around the outside perimeter here. Those are the additional trees that we've added since that first plan last October or November that was approved.

CHAIRPERSON PRICE: Could I ask you, do you have same the concern about that new species that you picked, the Taxus species?

DOUG McCORD: Taxus?

CHAIRPERSON PRICE: The Taxus, they get eaten up by the deer too. Do you have the same concern?

DOUG McCORD: About the red --

CHAIRPERSON PRICE: The deer eating them.

DOUG McCORD: Red cedar, no.

CHAIRPERSON PRICE: No, no, no, the Yews, the Canadian Yews.

DOUG McCORD: Yeah, they do get eaten. That's a good point. They tend to come back, Yews are a kind of shrub that you can cut them way back and they'll spring back,

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the next year. So, I'm a little less concerned. They will get eaten though, you are right. The deer like those.

CHAIRPERSON PRICE: Can you just swap that out?

MR. BOEHNER: Yeah, you may want to swap that out, if you think the deer are going to eat it.

CHAIRPERSON PRICE: That's possible.

DOUG McCORD: It's an evergreen. I was trying to have a good mix of evergreens, so the ink berry versus the deciduous. If we want we can put another, if you have another one.

MR. BOEHNER: Yeah, think about it. The one is landscape eaten on it.

DOUG McCORD: I haven't gotten quite to there yet, but that is coming up. Maybe that's the best tree protection that we've added and those are on the plan, have been on the plan and the fence is going to back up the tree protection. Like I said, the contractor has been very good, but it is such a tight site, the fence kind of got obliterated in the process, and that's going back up.

So, we had this 20-foot woodland buffer. I'm not sure whether it was you folks or the Conservation Board that requested that, but it was part of the notes, and that's

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it on the plan now.

So the darker area, 20-foot buffer all the way around the site, except for over here along the -- this is actually the town right of way over here, so we are not bothering that area anyway. But our border on three sides is where we're putting the woodland buffer in. And that's where those native shrubs are going and the trees that we talked about, spread all the way through there.

For those of you who have been out to the site, you will see a native ground cover, Virginia creeper is all over the place. It's actually native and I am thinking let's just leave that where it is, instead of trying to put something else in. It's not invasive, it's a climbing vine, but it's not like poison ivy or something that will just keep growing and growing and take over trees. So, it's a good ground cover, so that's one of the notes on here, let's save that.

Also in the buffer, we had this pile of boulders right here in the -- I had the numbers in the notes there. There's a lot of really big boulders, about 12 of them, 10 to 12. And there's some medium sized one- to two-ton boulders, we're going to spread those around carefully amongst the trees, mostly in the woodland buffer.

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Because, the owner would like to mow most of this to make it usable space around the house up to the woodland buffer.

We kind of rounded off here and there where there were some trees that we want to save that are maybe not quite in the 20-foot buffer a little bit. It's a little bit wider in some areas, in other words.

And then, some smaller boulders we're showing spread around also, and also in a pretty nice cluster of trees we're saving here and kind of defining an area of, it's kind of a more of a woodland area there too that wouldn't be lawn for that area also.

The rest of my notes are just in response to the questions. The notes that we show on the plans. We had added a couple of notes as requested, and those notes were actually on the original plan, but they're on the plan. I think they're typical comments. They are already on the plan.

I think that's -- everything else is kind of -- oh, there was a work zone that was referenced in the Josh landscaping plan that maybe you folks saw it on the last meeting? Does that sound familiar? Sounded like you folks had already seen that plan on the work zone, forget that happened.

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2  
3 This is the plan to look at.

4 CHAIRPERSON PRICE: Right.

5 DOUG McCORD: And additional trees on the  
6 property, there are four trees yet to be removed. They are  
7 actually out of the way, but so they didn't have to be  
8 removed yet, but they are called out to be removed on the  
9 original plans.

10 There's two dead ash trees over here, one, and  
11 that's why we are -- well, that's where we're placing some of  
12 the new trees, but there's another dead ash here, and dead --  
13 or not exactly dead, but in bad shape Norway maple, and a  
14 cherry in the same condition that was also supposed to come  
15 down, has yet to come down. So, those were the four still  
16 remaining to come down out there.

17 So, I think that's about it. Are there any  
18 questions about the plan?

19 CHAIRPERSON PRICE: Doug, I don't have any  
20 questions, just with make a recommendation that you can take  
21 or leave. As you do go about the process of kind of laying  
22 out the boulders, I guess, you know, try to make them more  
23 natural in appearance. I think, you know, we have some  
24 examples like at the corner of Five Mile Line and Atlantic  
25 where they, you know, took boulders and stuck them side by

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side, and that's -- I don't think the owners would ultimately appreciate having boulders just lined up right next to each other, but more of a natural setting, some higher, some lower, some in, some out, so within that, kind of move them in and out.

And the only other thing is, I would consider a 100 percent tall fescue mix for the lawn.

DOUG McCORD: Is that more shade tolerant, do you mean?

CHAIRPERSON PRICE: It will actually grow just about anywhere, shade, sun, anything. But, you know, the buffer area, you could let the same -- use the same seed mix that you're using on the lawn. You can choose to mow wherever, you know, not in the 20-foot, but weaves in and out, you could let the taller grass grow in the 20-foot -- or the same seed grow to a little bit taller. Just an idea.

DOUG McCORD: Okay. The boulders, we're trying to show a random pattern, and I know what you mean as far as lining up the boulders and trying to define an area or something, that's not what we're trying to do with the plan.

And really, there's so many trees out there, what we're asking the contractor to do is put them kind of as far away from trees as possible, but still get them in the

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20-foot buffer and not disturb the roots, you don't want to -- it's going to be -- it's not going to be an easy job, it's going to be delicate, especially with those big ones, so.

CHAIRPERSON PRICE: That's all the questions I have, other Board members?

MR. FADER: I have one question. It just isn't quite clear to me. And that is, are you proposing to further clear the site beyond the approval from September of last year?

DOUG McCORD: Are we --

MR. FADER: Well, are you doing more clearing now than previously approved?

DOUG McCORD: Not really. What we are showing here is the area pretty much that's already been disturbed. Some of this area is in the backyard here, does have the ground cover and it -- I am not sure, it might have been on the original plan as not disturb, but we're showing that as grass now, and so the owner has a useable backyard.

MR. FADER: Well, yeah, you have increased the disturbed area.

CHAIRPERSON PRICE: I think it has, yeah.

MR. BOEHNER: That's why he made this

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application. He wants to increase the area, that's why he made the application.

DOUG McCORD: Yeah, I think you're right, that was the basis of the --

MR. BOEHNER: He wanted to do that, so I told him he needed to come back here and this is --

MR. FADER: Is there a compelling reason?

CHAIRPERSON PRICE: We've kind of had that discussion.

MR. BOEHNER: Discussion last month and we had a very direct conversation with them.

MR. FADER: All right. So, you are okay with this, Bill?

CHAIRPERSON PRICE: Yeah.

MR. BOEHNER: I'm good with the site. David, they did what we told them to do, he did from last month, my opinion. That's my recommendation.

MR. FADER: Okay, never mind then.

CHAIRPERSON PRICE: Pam?

MS. DELANEY: I'm all set.

MR. OSOWSKI: I'm all set.

MR. BOEHNER: I'm all set, Bill.

CHAIRPERSON PRICE: This is a Public Hearing,

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is there anyone in the audience who cares to address this application? Okay, very good.

Thank you very much, Doug, appreciate it.

All right. Believe it or not, it's 7:22 and that was our last Public Hearing. We have some new business tonight and then we will have our application for signs.

Our application for new business tonight is Application 8P-NB1-21.

APPLICATION 8P-NB-21

8P-NB1-21 Application of The University of Rochester, owner, for Concept Review to construct a 3 story, 55,000 +/- sf building addition (LLE Building) and a 102 space parking lot on property located at 250 East River Road. All as described on application and plans submitted.

CHAIRPERSON PRICE: Come on up, guys.

CLAYTON JONES: While my colleagues are setting up, good evening, Chairperson Price and members of the Board. My name is Clayton Jones. I am going to give you a three-minute overview of the Laser Lab for Energetics before I turn it over to my colleagues, talk a little bit more of the nuts and bolts of the project.

But, thank you for allowing us some time on the agenda this evening. We're really excited to be here.

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We've had a great relationship with the Town and are really helpful. So, we thank you and look forward to that continued dialogue.

Just for some background, many of you may know the Laser Lab for Energetics is really a unique world-leading research facility. It provides research and education around laser science and technology. It's actually the largest university-based laser program in the United States and houses one of the largest lasers in the world.

In addition to that, the facility that we have here conducts a range of work that happens there. It's largely focused on lasers and optical materials and advanced technology development. It's also responsible for educating scores of graduate students, undergraduate students, and high school students as well. In fact, some of you may have been at our community forum that we had last month. That's one of the things that we talked about, that many people aren't aware of, which we have a really robust high school program with the Laser Lab.

Over the past 30 or 40 years, we've had some 330 students who have come through that program, 62 of who were from the Brighton Central School District. So, we love the Laser Lab, we love that it's here, but we really love

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that the community is really taking advantage of the world-class resources that are literally in their backyard.

More recently in 2008, you may have heard that the Nobel prize in physics was awarded to three academics from the Laser Lab, as well as the University of Rochester. This was largely around their development and research to enable super high intensity lasers, so certainly we're proud of that as well.

The Laser Lab, I could go on and on, but, you know, it has scores of partners with colleges and universities, over 50 different businesses and organizations. As I referenced last month, we had a very, I think, productive and engaging community forum over at the Laser Lab. We worked into that and had a wide range of residents, as well as Supervisor Moehle and some other Town Board members. We got some really good feedback. We thank you for that feedback, and we look forward to continuing this dialogue as we go through the process and maintain a positive relationship with the Town.

So, before I turn it over to my colleagues here, I just want to thank you again. Really excited to talk to you more about some of the needs that we need in terms of space at the Laser Lab facility.

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I am a point of contact afterwards, so if any of you have any individual questions, you can just circle back. I'll make sure that you have my contact information as well. But, thank you so much again for allowing us some time on your agenda this evening. My name is Clayton Jones, I work in the Office of Government and Community Relations.

MICHAEL DELUCA: Thank you all for the time. I'm Michael DeLuca from Can Designers, we're the lead designers on the team. My partner, Josh, from Passero Associates will be here to talk about much of the site work.

What we were brought on to do, is really help expand the building footprint to meet the research needs, and the office needs of the project of the facility, but at the same time not make a building that is not compatible, not at scale of materials. It very much wants to sit within the center of the existing facility and not go beyond much, and that's been our goal the whole time. Our organization very much focused about, on research facilities like this, so this is right in our backyard. I'm from Buffalo, New York, so right around the corner.

So, I want to walk you through the plan that we have. We have the site plan up here, we also have the render, and I thought this accent will probably give you the

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best view of what we're doing here.

So, the building in white is the existing facility, existing Laser Lab. There's been many expansions to that facility over the years, and the newest expansion will be back in the corner of, this is East River Road right here, and this new facility is going into the back corner of the existing facility, and it is a three-story building. At the outer edge it's two stories, similar materials, brick, that's already on the existing building. Similar materials of glass on the face here, and metal panel on the back. Again, so, materials that are out there now.

The intent of the facility is, again, research and office space. So, organizing the building around those two needs, research doesn't need daylight, but office space needs it, so we aligned much of the office space around the outer edge of the building, research in the center of it.

We created a unique feature right here that abuts to the existing building, we call it the light wedge. In the light wedge it has a social gathering space for the researchers and to be used by this facility for gathering, but most often collaboration. So, within the light wedge we have a glass facade there, some skylights, a lot of natural light in that area.

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On the eastern side, we have more glass that align with the office space there on the two floors. The upper floor that's on the third there, has mechanical space and storage space. So, we put all these uses up on the top floor.

The back again, is mainly a hallway space enclad with metal, in case there is a future expansion on the building. We wanted to put a material there that didn't have the permanence of brick, and had the ability for that expansion.

We're gently touching the sight, with John Latina in the team digging a little more. We're going to make sure there is fire road access around it and additional parking to the side. So, I'm going to show you another elevation, so then we can dig into the site plan.

So, this would be on the eastern side, this is looking at this elevation here. And one aspect of the facility, they have a lot of people like to do social gatherings, much different today, but the good thing is they can, like, go outside. So, they have a large picnic area on the outside that we are going to maintain, maintain the lawn area on this, that prominent piece, because we were told from day one that a hot dog grill was important, so we made sure

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we keep that.

As you see here, on Brighton the existing facility is brick, punch windows and there's currently a curtain wall that we have on the backside, you don't see here, very similar material. So, hole punches for that eastern wall of glass.

On the backside, is, again, where we had the metal building. That part of the plan arrangement that we did, we were trying to make sure we align the hallways with daylight, we have the length of the building, and that is what you would see as well.

We are gently touching the existing building over here, we're expanding the stair one story, so we keep that, using the existing stair, in that back corner.

I think that's all of the material, all of the site. Josh?

JOSHUA SAXTON: Hello, everyone. My name is Joshua Saxton, S-A-X-T-O-N, I'm a civil engineer at Passero Associates, and I have been working on the site work for this project.

As stated previously, the expansion is kind of located kind of in this corner of the existing building. And also previously discussed, there's a road connection that's

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going to loop around the existing storm water management area that's already on site.

The fire access road that was mentioned previously is actually this road right here, so the employees will be parking in this new parking lot, actually drive through here, looping around and parking in this lot.

There is a hundred posts parking spots that's left, with a required amount of 88 accessible units, as well as electric vehicle charging stations. So, kind of from the previous plan that was submitted for this meeting, I had moved the parking lot over a little bit, that means we have avoided this loading dock space. We did not want to connect or be associated with that just for the safety of the employees when they're parking, so they're not going to interfere with the loading area and risking maybe getting hit by a trailer.

For the main portion of the site, there's, you know, proper lighting in that area, approximately about 300 feet, it's also being shared by some residential properties, so it's about 300 feet away. It's still a significant buffer from this development to the residences themselves.

As far as other site conditions go, storm

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water, as I stated previously, there's a very sizable storm water pond located on the nucleus of the site. This takes rain from varying portions of the site. The thing is about, like, six end sections that go into this pond, so it's a very big pond that has a very large outflow structure.

And, we're going to be utilizing that existing pond for our storm water quantity on site, for quality which is set forth by the DEC for actually treating the storm water, we have these two bio-retention areas that are going to be sandwiched in the road here. That's going to take most of the impervious area that we're proposing, treating it, and then discharging into the existing pond.

Not shown on this, just a site plan, but there are existing utilities on site, sanitary water that serves the existing building that will be used for the addition. There is a water main that kind of crosses through this area that has to be relocated. And, as I stated, storm water inlets along the entire site that will collect runoff that will eventually get treated, and then stored on the existing site.

I believe that's the site plan.

MR. FADER: I have a question about the plan. It doesn't really show what's around it. I'm having trouble

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orientating myself. Where was the existing Merlin Drive?

MICHAEL DELUCA: That is off the site here.  
This road kind of loops up, and --

MR. FADER: Where is the existing East River Road, is that off the top?

MICHAEL DELUCA: Yeah. There's a sizable parking lot up in the front of the building, a buffer and then East River Road.

CLAYTON JONES: That is to the north up here in the white, because this would be --

MR. FADER: All right.

ZENA LAUGONEGRO: Good evening. I'm Zena Laugonegro, I'm the Director of Entitlements and Permitting at Passero Associates. And we're here tonight for concept review and to get any feedback that we can from the Planning Board so that we can improve our plan and get ready for the next step, which is preliminary approval.

We've made that application and we are happy to revise our drawings in any way that you may see fit with any conditions or recommendations that you can make for us at this point.

We know that, in addition to Planning Board approval we will also need Conservation Board review,

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Architectural review, an EPOD permit, and eventually a Zoning Board variance for height. The existing campus building is at 65 feet, there was a previous variance granted for that. Our building is proposed at 50 feet, so it will not exceed the height of the original variance that was approved for it, but it does exceed the 40-foot maximum for buildings on the site.

All in all, we are hoping to have our approvals some time at the end of November, beginning of December, and that also includes some time in our schedule if we need to come back multiple times to any one of the Boards and Commissions.

So, at this point we will open up for any questions or comments that you might have.

CHAIRPERSON PRICE: Okay, thank you.

MR. BOEHNER: I have some. I'm not sure who you'll have start this, but one of the concerns that we are having is the right of way. The right of way has a lot of high impacts, and part of the concern we're having is, it was my understanding that you guys familiarized yourself with the IPDs regulations and the environment impact statement and the findings. What we're finding after trying to figure out your drawings and looking at them, it seems that you're impacting

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wetland L, which was not to be at all impacted. And, I was wondering, did you know that or you are not telling us?

ZENA LAUGONEGRO: We were not aware of that. We are aware that we are in a woodlot EPOD.

MR. BOEHNER: Okay. So, what I'm going to ask you to do, Zena, and I had said this during the workshop, this is really important. You have to go back, look at those records, you need to talk to the people at the U of R, that should know what the plans say, have, and all of the previous approvals and documentation that were done for this project.

Because right now, it looks like you go through the vernal ponds and you're impacting the wetlands that are supposed to remain. As of a mitigation for previous projects, if you go into the environmental impact statement and you look at the findings statement, you will find a statement saying, this area is not supposed to be disturbed.

And my concern is, that you guys need to get some approvals, but right now, I haven't started to look at these, because I'm very concerned about the project when I start doing that, because I am familiar with the project and I'm going to go do that when I get a complete set of plans. And at that point you're going to be looking at a supplemental environmental impact statement.

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So, I'm going to ask you guys to go back and take a look, because I think this is kind of a serious matter. One that is talked about, I talked to Bill, I talked with my Commissioner of Public Works, and a few other people. I'm just being real raw, because this is one of the first things I've said when we did our first workshop together.

You've got to study up. I know you guys are new to the project, but you've got to study up. I can't do it for you.

ZENA LAUGONEGRO: I understand.

MR. BOEHNER: And it's really important, because I think there's other things out there that we haven't discovered. Because, once you get us better plans, that's when I tend to think it is going to happen.

ZENA LAUGONEGRO: Is there a map that actually identifies the vernal ponds? I know that I've seen --

MR. BOEHNER: There are maps out there, go through the files. There was the vernal ponds, and the wetlands were create as a part of the last time this building was expanded, as a mitigation for this for their last expansion.

And it's just not on you guys, I'm also saying the U of R needs to, whoever the staff is, needs to bring you

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up to speed. It's important. This project is important. By not doing what you've got to do, you're putting us in a bad spot, not just the University, just not region, but it's not very fair to us.

ZENA LAUGONEGRO: Well, we want to work together and share information.

MR. BOEHNER: Okay, please do.

ZENA LAUGONEGRO: As you mentioned, I am new to the project, new to the sight. We did have our wetland biologist review the site and we submitted a jurisdictional determination request to Army Corp and it came back there was no wetlands.

MR. BOEHNER: But, you guys have made a commitment, you presented it to the Town, saying you're not going to do that. You presented it to the Town many years ago as a mitigation measure. Then you go off and do a delineation, saying, well, it's not in front of wetlands, so we don't have to save it. It doesn't work that way, it really doesn't. So, you've got to really go take a step back, would be my recommendation.

And the last thing I have to say, I'm trying to understanding the necessity of this road. There's Conservation Board comments, you might want to go to the

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Conservation Board meetings, talk with them. They have concerns. I'm trying to understanding if maybe this road could come from the west.

ZENA LAUGONEGRO: The --

MR. BOEHNER: Come from Merlin Drive, that way? And I'm trying to understand why it's looping around, if it's for fire access, it's way overbuilt for fire access.

ZENA LAUGONEGRO: Well, this building is required to have fire access, that's why this road is here.

MR. BOEHNER: So, stop it, wait, don't -- you don't have to run it all the way around and maybe you can come from a different direction.

ZENA LAUGONEGRO: Well, this is going to be gated, that's only for fire access.

MR. BOEHNER: But, do you understand the road is what's impacting what you are doing?

ZENA LAUGONEGRO: Correct.

MR. BOEHNER: So, I'm saying, you shouldn't be impacting that area. You may want to look at the design of the layout of the road.

But, before you start doing that, please understand all of the environmental impacts and all of the things you have to balance there on this project.

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2  
3 ZENA LAUGONEGRO: Correct, correct. And we're  
4 also balancing some of the needs of the site as well. Coming  
5 in from Merlin, we had a conflict with the fact that this was  
6 the loading area, so we don't want our passenger vehicles in  
7 conflict with our delivery trucks, so that's why we didn't  
8 come in from Merlin.

9 MR. BOEHNER: I think -- well, there may be  
10 reasons why you're doing it, but right now we don't have  
11 plans specific enough to see, because it's not mapped out.  
12 We really have to see what you're impacting, how close that  
13 road's coming, and all of those things.

14 But, the road seems to be an overkill because  
15 it's going, cutting right through, and almost going around  
16 all the area that was supposed to be going to mitigation.

17 ZENA LAUGONEGRO: Understood.

18 MR. BOEHNER: So, one thing, look at that  
19 road, because that road looks like it's causing more impacts  
20 than is really necessary, because you're only needing it for  
21 emergency access. So, I'm trying to -- I'm scratching my  
22 head on that, especially when I see that is impacting stuff  
23 that you really should not be going into.

24 ZENA LAUGONEGRO: Understood.

25 MR. BOEHNER: Okay.

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2  
3 CHAIRPERSON PRICE: Okay.

4 ZENA LAUGONEGRO: Any additional comments?

5 CHAIRPERSON PRICE: Yeah. I think there's  
6 just even a higher level. We've all been involved with this  
7 part of the University for 10, 15 plus years going through  
8 the IPD, and all of the things that were associated with that  
9 and the building next door that was constructed.

10 Good evening, by the way, I didn't say hi.

11 You guys need to paint the picture of how you,  
12 you know, you're the University of Rochester, okay? The U of  
13 R has to, you know, bring you all up to speed. There's a lot  
14 of institutional knowledge that you don't have and you have  
15 to get yourself up to speed on.

16 And, how did we get here? Because you're  
17 showing an addition, but there's a master plan that shows  
18 other buildings, shows other roadways, has discussed  
19 utilities out here. You know, we understand this is the  
20 application, but you have to start out the, you know, the  
21 macro level and bring us down into this.

22 So, it would be a good thing to show an  
23 overall master plan that was approved as part of the IPD, all  
24 of the terms and conditions that went along with that  
25 approval. You know, Ramsey mentions one issue, and we've had

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multiple issues out here with regard to parking, getting through the whole IPD.

So, bring us, you know, start us back at the IPD, this is not asking you for a big effort, but show us how this is consistent with what was approved in the IPD. And I believe the building is, I don't think this site plan has been advanced to a very -- I'm a little surprised here that you have already made preliminary application. That is jumping the gun, and that's a little, that's just a little premature.

I think, you know, although, you know, we are interested in the architecture, ARB will take care of that. We're much more interested in the site, we're much more interested in the circulation. You have parking issues out there. I mean, are you going to put the parking down here so people have to walk the distance that they're going to have to walk?

According to this plan -- and I also want to make sure that you're telling us everything about all future expansions to this building that you are aware of. I don't want you to come back and have any issue with segregation, under SEQRA. And, if there's other parts of this building that are in your plans, get them out now, because they were

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at least addressed in the IPD, at least go that far.

So, again, just start out, a little broader view, telling us where this fits into that broader view, and how the improvements that you're going to make are going to be consistent when, you know, you guys come in three years, five years, two years, whatever it is, and we're not going back and reworking things.

So, I do remember there was a lot of discussion about parking, a lot of discussion about circulation, other buildings. I just want to mark sure this fits into that context, so.

ZENA LAUGONEGRO: Thank you.

CHAIRPERSON PRICE: We do, in our concept reviews, we just go around and we do ask each of the Board members to give you their thoughts. I will try to wrap it up at the end, so in case you're hearing things from different directions, so you don't walk out without a semi-clear direction on what to do.

Pam, do you have any thoughts or?

MS. DELANEY: I don't think I have anything else additional to add. I mean, like you said, I could talk about the way the building looks and whatnot, but I don't think that's my goal tonight, so I think I'll leave, you

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know, it with what Ramsey said.

CHAIRPERSON PRICE: David?

MR. FADER: Well, I have been here as long as Bill and Ramsey, pretty much. So, I was a little bit confused and surprised by this, but I think Ramsey and Bill more than covered it with their comments.

CHAIRPERSON PRICE: John?

MR. OSOWSKI: So, I noticed on this miniature-sized plan that there was two building additions shown, and you did mention using the existing storm water facilities, however, it's safe to assume that whatever was built before that handled the storm water, this size property that handled the runoff from the two building additions and whatever parking lot you might end up with, so that is one of my concerns.

CHAIRPERSON PRICE: Karen?

MS. ALTMAN: I don't have the benefit of a long history of the project, but my concerns were focused on, at this point on parking. The amount of parking proposed and then the 102 new spaces, plus the relationship to all the other parking on the site. So, I wondered what other alternatives have been considered to come up with this plan and if you have looked at all of the other parking and taken

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that into context as well?

ZENA LAUGONEGRO: Yes.

CHAIRPERSON PRICE: Okay. So, thank you, Board Members. Just a quick summary, just again, whether you do it in the context of the preliminary application, or we come back with concept, I think you know you have to design a schedule, you may have funding issues that are a concern to you, but you'll probably be making some edits to your plans, but please just take the time to step back, look at the broader master plan, IPD approvals, just been a lot of stuff over the years.

And, you know, technically, you know, really start taking a look and whether that reuse of that pond is going to work and what else is feeding into it, and knowing that the U of R has got at least one other U of R medical, not necessarily a U of R campus, Laser Lab another medical office building proposed on the other side of the one that's there. I don't know where they were planning to send that water in the future.

Just saying, consider the rest of your context and make sure that, you know, two or three years when you're coming back, you're not redoing things. But, very happy for the U of R that this expansion is going on and look forward

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to the project, but we do have to step back and make sure you've reviewed every place we have been, sorry.

MR. BOEHNER: I will also forward comments from the town engineer and the Conservation Board.

ZENA LAUGONEGRO: Please, thank you.

MR. BOEHNER: That echos some of the things I have talked about.

ZENA LAUGONEGRO: Thank you. We'll be happy to respond to that as well. Thank you so much for your comments tonight. We appreciate it, have a good evening.

CHAIRPERSON PRICE: Thank you.

That's it for new business. We -- I just want to make clear we have what, five or six communications sent in. Ramsey, those get entered into the record; is that correct?

MR. BOEHNER: Yes, they are a part of the -- these ones were after the record was closed, so they get put on the agenda.

CHAIRPERSON PRICE: Okay.

MR. BOEHNER: And those folks were informed of that.

CHAIRPERSON PRICE: All right. We do have a few signs to look at.

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3 MR. FADER: We have an application to consider  
4 here.

5 CHAIRPERSON PRICE: Oh, I'm sorry.

6 MR. FADER: I move to close the Public  
7 Hearing.

8 CHAIRPERSON PRICE: This is on Application  
9 7P-03-21.

10 MR. FADER: Yes.

11 CHAIRPERSON PRICE: Okay. Motion to close the  
12 Public Hearing, a second?

13 MS. ALTMAN: Second.

14 CHAIRPERSON PRICE: Karen seconds. I'm going  
15 to do this, Ramsey, all in favor?

16 ALL COUNCIL MEMBERS: Aye.

17 CHAIRPERSON PRICE: Okay, the hearing is  
18 closed.

19 MR. FADER: I move that the Planning Board  
20 finds the proposed action will not have a significant impact  
21 on the environment and the Planning Board should adopt the  
22 negative declaration prepared by staff, and that we approve  
23 the application 7P-03-21, based on the testimony given and  
24 plans submitted and the eight conditions outlined in the  
25 Planning Board report.

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3 1. The proposed landscape plan shall be prepared by a  
4 licensed Landscape Architect. Any and all modification of  
5 the previously approved plans under application 9P-01-20  
6 shall be clearly identified and noted.

7 2. The plan shall be revised to show the trees to be planted  
8 as restitution for the unauthorized tree removal along with  
9 the trees to be planted as approved under application  
10 9P-01-20.

11 3. The project and its construction entrance shall meet the  
12 New York State Standards and Specifications for Erosion and  
13 Sediment Control.

14 4. All trees to be saved shall be protected with orange  
15 construction fencing placed at the drip line or a distance  
16 greater than the drip line. Trees shall be pruned, watered,  
17 and fertilized prior to, during and after construction.  
18 Materials and equipment storage shall not be allowed in  
19 fenced areas.

20 5. Any contractor or individual involved in the planting,  
21 maintenance or removal of trees shall comply with the  
22 requirements of the town's Excavation and Clearing (Chapter  
23 66), Trees (Chapter 175) and other pertinent regulations and  
24 shall be registered and shall carry insurance as required by  
25 Chapter 175 of the Comprehensive Development Regulations.

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6. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for a letter of credit for the proposed project.

7. All comments and concerns of the Town Engineer as contained in the attached memo dated August 17, 2021, from Evert Garcia, Town Engineer, to Ramsey Boehner, shall be addressed.

8. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.

CHAIRPERSON PRICE: I will second that.

Any discussion?

Okay, we have a motion, a second, we have discussed, call the roll.

MR. BOEHNER: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. BOEHNER: Ms. Delaney?

MS. DELANEY: Aye.

MR. BOEHNER: Mr. Fader?

MR. FADER: Aye.

MR. BOEHNER: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. BOEHNER: Ms. Altman?

MS. ALTMAN: Aye.

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MR. BOEHNER: Approved with conditions.

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**SIGNS:**

1621 TC Nail Bar, for a building face at 2900 Monroe Avenue.

1622 Brighton Gardens Apartment Homes, for a freestanding  
sign at 2125 Monroe Avenue.

CHAIRPERSON PRICE: Signs.

MR. BOEHNER: All right, 1621 is motion to  
approve as presented.

MS. ALTMAN: Moved.

MR. FADER: Second.

MR. BOEHNER: Ms. Altman?

MS. ALTMAN: Aye.

MR. BOEHNER: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. BOEHNER: Mr. Fader?

MR. FADER: Aye.

MR. BOEHNER: Ms. Delaney?

MS. DELANEY: Aye.

MR. BOEHNER: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. BOEHNER: Approved.

1622 is motion would be to table the  
application.

CHAIRPERSON PRICE: So moved.

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MS. ALTMAN: Second.

MR. BOEHNER: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. BOEHNER: Ms. Delaney?

MS. DELANEY: Aye.

MR. BOEHNER: Mr. Fader?

MR. FADER: Aye.

MR. BOEHNER: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. BOEHNER: Ms. Altman?

MS. ALTMAN: Aye.

MR. BOEHNER: Tabled.

\* \* \*

## 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 14th day of September, 2021.

At Rochester, New York

*Rhoda Collins*  
Rhoda Collins