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2 **BRIGHTON**3 **PLANNING**4 **BOARD**5
6
7 November 17, 2021
8 At approximately 7 p.m.
9 Brighton Town Hall Zoom Meeting
2300 Elmwood Avenue
Rochester, New York 1461810
11 PRESENT:

12 RAMSEY A. BOEHNER, TOWN PLANNER

13 WILLIAM PRICE, CHAIRPERSON

14 JOHN OSOWSKI)
15 JASON BABCOCK-STINER)
16 JULIE FORD) BOARD MEMBERS
PAM DELANEY)
DAVID FADER)
KAREN ALTMAN)17 KENNETH GORDON, ESQ.
18 Town Attorney19
20
21
22
23 REPORTED BY: HOLLY E. CASTLEMAN, Court Reporter,
24 FORBES COURT REPORTING SERVICES, LLC
25 21 Woodcrest Drive
Batavia, NY 14020

1 CHAIRMAN PRICE: Good evening, everyone.
2 And welcome to the November 17th meeting of the Town
3 of Brighton Planning Board. Due to COVID regulations
4 we are again having these meetings virtually. We hope
5 to get back to Town Hall and in-person meetings as
6 soon as possible, but until the laws are changed,
7 we're going to continue under this format.

Under this format, as many of you have been with us before, we will hear the public hearings and applications. Applicants and their consultants will have an opportunity to present their projects and some of the details. After which, the Planning Board members will ask questions that we have along with staff. And once we've asked our questions, we will open up to all public comments.

16 There is a feature on the bottom of your
17 screen for raising your hand to say that you are
18 interested in speaking. If you can't find that or if
19 you have problems, usually Ramsey and Jeff are able to
20 see you frantically waving or some kind of maneuver
21 letting them know that you would like to speak. We do
22 want to hear everybody that does want to participate
23 in the --

24 MR. BOEHNER: Bill, you just got muted.

25 MS. ALTMAN: There you go.

1 MR. BOEHNER: Now I can hear you.

2 CHAIRMAN PRICE: I didn't do it. All right.

3 Let's start the meeting by asking Ramsey to please
4 call the roll.

5 MR. BOEHNER: Fader?

6 MR. FADER: Here.

7 MR. BOEHNER: Osowski?

8 MR. OSOWSKI: Here.

9 MR. BOEHNER: Babcock-Stiner?

10 MR. BABCOCK-STINER: Here.

11 MR. BOEHNER: Delaney?

12 MS. DELANEY: Here.

13 MR. BOEHNER: Ford?

14 MR. FRISCH: She's joining the meeting right
15 now.

16 MR. BOEHNER: Price?

17 CHAIRMAN PRICE: Here.

18 MR. BOEHNER: Altman?

19 MS. ALTMAN: Here.

20 MR. BOEHNER: Ford? I see her. Julie,
21 could you try again? Julie, can you hear us?

22 CHAIRMAN PRICE: Just type in the chat if
23 you can hear us.

24 MR. BOEHNER: I don't think she's there. We
25 do have quorum. Give her a few more minutes, if we

1 could. And if we can't, we'll continue on. And we'll
2 know when she joins us.

3 CHAIRMAN PRICE: Let us -- can you -- with
4 the review of the meeting minutes from our
5 September 14th meeting, did everybody receive the
6 meeting minutes and does anyone have a motion on those
7 minutes?

8 MR. OSOWSKI: Yes. This is John. I'll move
9 that we approve those minutes including the
10 corrections that I sent to Ramsey Boehner.

11 MR. BOEHNER: Holly, I will forward those
12 corrections to you.

13 CHAIRMAN PRICE: I'll second the motion to
14 approve. Any further discussion? All right. Ramsey,
15 please call the roll.

16 (Ms. Altman, aye; Mr. Price, aye; Mr. Fader,
17 aye.)

18 MR. BOEHNER: Delaney?

19 MS. DELANEY: I was absent.

20 (Babcock-Stiner, aye; Mr. Osowski, aye.)

21 MR. BOEHNER: Let's try Julie again. Ford?

22 CHAIRMAN PRICE: She's having technical
23 difficulties.

24 MR. BOEHNER: It seems to be that way.
25 Julie, do you hear us? We don't hear you. Could you

1 unmute yourself?

2 MS. FORD: Can you hear me now?

3 MS. ALTMAN: Yes.

4 MR. BOEHNER: Yes.

5 MS. FORD: Sorry about that.

6 MR. BOEHNER: We're taking attendance. Let
7 it be known that Member Ford has joined the meeting.
8 And we're now voting on the September 14th, 2021,
9 minutes. Member Ford?

10 MS. FORD: Yes.

11 (Motion to approve the minutes passes.)

12 CHAIRMAN PRICE: All right. Moving on to
13 our public hearings. Before we have those Ramsey, can
14 you confirm that the public hearings have been
15 properly advertised?

16 MR. BOEHNER: Yes. They were properly
17 advertised in the Daily Record of November 10th, 2021.

18 CHAIRMAN PRICE: All right. Thank you. Our
19 first application tonight will be 11P-01-21.

20 **Application 11P-01-21**

21 Application of 2900 Monroe Avenue, LLC,
22 owner, and Chris Fogarty, Baldwin Real Estate
23 Corporation, agent, for Site Plan Modification to
24 construct a new dumpster enclosure on property located
25 at 2900 Monroe Avenue. All as described on

1 application and plans on file.

2 CHAIRMAN PRICE: Chris, are you here or is
3 someone representing.

4 MR. FOGARTY: Yes, I'm here. Can you see
5 me? Can you hear me?

6 CHAIRMAN PRICE: We can see you. Yes. Hi.

7 MR. FOGARTY: Hi. How are you?

8 CHAIRMAN PRICE: Good, thanks. If you could
9 just give us a little brief background, I think we --

10 MR. FOGARTY: Yes. Sure. This property is
11 Clover Commons. It's on 2900 Monroe Avenue. The
12 proposed plan, as you can see, there's a current
13 existing dumpster enclosure. The said enclosure is in
14 very rough shape, mostly made of -- a wood enclosure
15 with some metal fence beams.

16 What we're proposing to do is rebuild that,
17 take it apart and make it more of a masonry dumpster
18 enclosure with some wood panel front doors. The new
19 enclosure is slightly -- a little larger, not too much
20 larger, large enough to fit both the recycling
21 container and the big garbage container inside of it.
22 Right now the current enclosure is not big enough to
23 house both containers and we don't like that. It's
24 kind of an eyesore. And we'd like to -- the owner
25 really wants to fix that up and we're in agreement

1 that it desperately needs it.

2 So it's also -- the way it's constructed
3 currently is it's not ideal for a hauler to come in
4 and pick up the trash as efficiently and the ability
5 to do it an uninterrupted -- to minimize interruption
6 to the people in the parking lot and the businesses at
7 the building. So we're trying to just slightly
8 reorient the dumpster enclosure area and rebuild it.

9 CHAIRMAN PRICE: Jeff, I believe we had some
10 renderings of this. Could you scroll through that and
11 just give folks an idea.

12 And, Chris, does the brick match the
13 building? Or are you going to attempt to match that?

14 MR. FOGARTY: I think the attempt -- I think
15 we're trying to get as close to it as possible.

16 MR. BOEHNER: Are they actually bricks or
17 are they blocks?

18 MR. FOGARTY: I believe they're concrete
19 blocks, actually now that I think of it. I think it's
20 concrete block.

21 MR. BOEHNER: Yeah. So you don't
22 necessarily want to try the mimic the brick if
23 you're --

24 CHAIRMAN PRICE: No, that's okay.

25 MR. BOEHNER: Yeah. I just want to point it

1 out that it's more a block.

2 CHAIRMAN PRICE: Now that you show it this
3 way, it does look like a block.

4 MR. FOGARTY: It is kind of weird how they
5 changed the color of the block there. It must have
6 been a rendering thing.

7 MR. BOEHNER: Is the block colored or --
8 what type of -- what's the block look like?

9 MR. FOGARTY: I don't -- I don't know for --
10 I don't have that detail. I can probably get that
11 pretty easily because the guys within my organization
12 are the ones that'd be doing it. So I could --

13 MR. BOEHNER: That's kind of important. The
14 other thing is that you have a very, very long gate
15 swing. And the problem with the last dumpster
16 enclosure is the gate did not survive well.

17 MR. FOGARTY: Okay.

18 MR. BOEHNER: And I'm curious of how that
19 gate is going to work and be maintained and be kept
20 closed.

21 The other thing that I wanted to ask you is
22 there -- are there going to be like a person door on
23 the side so you can keep those gates close and they
24 would be able to enter and put the trash in without
25 having to open that gate?

1 MR. FOGARTY: I don't think that's currently
2 in the plan. I could certainly --

3 MR. BOEHNER: No, it's not. I was just
4 asking did you consider it because a lot of dumpster
5 enclosures we see have that feature and it helps on
6 the wear and tear of the gate.

7 MR. FOGARTY: It's certainly something that
8 we can look at. I don't see that being a huge ask. I
9 can ask.

10 MR. BOEHNER: Then ask. I'm just telling
11 you to mention it because the last dumpster had a lot
12 of problems with those doors. And, you know, right
13 now you're orienting this more to the trail.

14 MR. FOGARTY: Yeah.

15 MR. BOEHNER: So those gates need to be kept
16 closed.

17 MR. FOGARTY: Okay.

18 MR. BOEHNER: There's been a problem at that
19 plaza.

20 MR. FOGARTY: Okay. I can do some --

21 MR. BOEHNER: You need to really look at the
22 actual detail of how it's going to be built.

23 MR. FOGARTY: Okay.

24 CHAIRMAN PRICE: Those -- those gates could
25 go on could -- could have wheels on the bottom --

1 MR. BOEHNER: Yes, they could.

2 CHAIRMAN PRICE: -- to help --

3 MR. BOEHNER: Yeah.

4 CHAIRMAN PRICE: To help guide it.

5 MR. BOEHNER: I think that's what they're
6 going to have to try to do.

7 CHAIRMAN PRICE: Yeah. That's a long --
8 that's quite a span to get those not to sag over time.

9 MR. BOEHNER: No. Even with the wheels they
10 need -- the more you use them, the more they get worn.
11 And that's where I was saying, hey, would a door help
12 at all? You know, so you just go in there through --
13 you know, just like a side door.

14 MR. FOGARTY: Yeah.

15 MR. BOEHNER: Can I ask you why you changed
16 the orientation of the dumpster?

17 MR. FOGARTY: I think for the sake of how
18 the -- the traffic flow into the parking lot and how
19 it would be a little bit easier for a hauler to
20 actually get in. Right now, the garbage people have
21 said that it's tough to get in and -- in and out and
22 grabbing the container the way it's currently
23 oriented.

24 MR. BOEHNER: How do they pick it up?

25 Because you have one-way going towards the dumpster,

1 are they ignoring the one-way or --

2 MR. FOGARTY: No. They are going through
3 the back. They are going through the back.

4 MR. BOEHNER: Going the wrong way on the
5 one-way, is that what they're doing?

6 MR. FOGARTY: No. So if you come off
7 Clover --

8 MR. BOEHNER: Yeah.

9 MR. FOGARTY: -- to the back of the
10 property, that one-way is going towards the dumpster.

11 MR. BOEHNER: To the dumpster. And it's a
12 front lift?

13 MR. FOGARTY: Yeah. It's a front -- the
14 front of the dumpster is actually facing the one-way
15 road. Yes.

16 MR. BOEHNER: Okay gotcha.

17 MR. FOGARTY: Yup.

18 CHAIRMAN PRICE: Makes it square up a little
19 better.

20 MR. FOGARTY: Yeah.

21 MR. BOEHNER: Yeah, it does. I can see that
22 now. That explains why they're doing that.

23 MR. FOGARTY: So, I mean, it's more or less,
24 you know -- I think the biggest -- the biggest thing
25 is it's an eyesore the way it's currently sitting.

1 MR. BOEHNER: That is true.

2 MR. FOGARTY: And we -- the owner and I kind
3 of agree that it needs to be fixed. And we want to do
4 it in a way that's going to last more than a couple of
5 years. So there's no better way to do that than a
6 masonry enclosure.

7 MR. BOEHNER: Yeah. That's true.

8 MR. FOGARTY: So -- but I can certainly go
9 back to the guys and the architect and say, hey, can
10 explore these other options and see what we can do
11 about that.

12 MR. BOEHNER: Yeah. And you may -- they may
13 understand what we're saying.

14 MR. FOGARTY: Yeah. Yup.

15 MR. BOEHNER: And to think.

16 MR. FOGARTY: Yup.

17 CHAIRMAN PRICE: All right. Thank you. Are
18 there any other Board members that have questions of
19 Chris?

20 MR. OSOWSKI: Yeah. This is John. I
21 noticed there's two dumpsters and two of those little
22 toters that are also alongside. Is one of those
23 dumpsters intended just for cardboard recycling and
24 then the toters for other types of recycling?

25 MR. FOGARTY: Yeah. Smaller -- Yup.

1 Smaller garbage. Yup. Yup. One's the large trash,
2 one's the large recycling and the other toters are for
3 smaller --

4 MR. OSOWSKI: Smaller recycling like
5 beverage bottles and --

6 MR. FOGARTY: Yup. Yup.

7 MR. OSOWSKI: Okay. All right. Thank you.

8 MR. BOEHNER: The last thing I have to say,
9 you're taking up two parking spots. You have vacancy
10 right now --

11 MR. FOGARTY: Yes.

12 MR. BOEHNER: -- to Starbucks' left and they
13 demand more parking than usual. Your next tenant that
14 comes in, you're going to show how you meet the
15 parking code minus those two spots.

16 MR. FOGARTY: Yeah. I think with this
17 enclosure, we lose one spot. We would lose one spot
18 based on what I saw on-site. Because the way this is
19 oriented the dumpster that's already there is already
20 taking up like one-half spot.

21 MR. BOEHNER: I see two spots. I'm sorry.
22 At least on the drawing you submitted.

23 MR. FOGARTY: Yeah. It's -- I mean, it's --
24 we got it as close.

25 MR. BOEHNER: All I'm saying, you need to

1 give us an engineer drawing or something a little bit
2 more detailed than this so we can get down to what
3 exactly you're doing. Because right now you are short
4 two spaces.

5 MR. FOGARTY: Okay.

6 MR. BOEHNER: And you may be fine with that,
7 but you have to understand with that -- with the next
8 tenant you're going to have, you know, either make up
9 for that loss of parking or -- you know.

10 MR. FOGARTY: Yeah. Yup. Okay.

11 CHAIRMAN PRICE: Other Board members have
12 questions?

13 MS. DELANEY: I'm all set.

14 CHAIRMAN PRICE: Thanks, Pam.

15 MS. FORD: All set.

16 MR. BABCOCK-STINER: Good.

17 MS. ALTMAN: All set.

18 CHAIRMAN PRICE: Okay. Thanks, Julie.

19 David Fader, you're all set?

20 MR. FADER: Yeah, I'm fine.

21 CHAIRMAN PRICE: Great. Thank you. All
22 right. This is a public hearing. Is there anyone in
23 the audience tonight that cares to address this
24 application? Please raise your hand or --

25 MR. FRISCH: I don't see anybody.

1 CHAIRMAN PRICE: All right. Well, if
2 somebody does come up, we'll -- we'll let them speak.
3 But for now, Chris, thank you.

4 MR. FOGARTY: No problem.

5 CHAIRMAN PRICE: All right.

6 MR. BOEHNER: Bill if you could announce the
7 postponements too.

8 CHAIRMAN PRICE: Yes. I'm going to. Yeah.
9 So on the agenda if anybody's looking at it, we now
10 have new business. And both applications 10P-NB1-21
11 for 1950 to 1966 Monroe Avenue, Qickle's, they've
12 asked to be postponed. And then application
13 10P-NB2-21 application of James Tabbi for a project on
14 Highland Avenue, 830 Highland Avenue, has asked to be
15 postponed 'til our December 15th meeting.

16 We now have an old business project, which
17 is the 8P-NB1-21.

18 **Application 8P-NB1-21**

19 Application of The University of Rochester,
20 owner, for Concept Review to construct a three-story,
21 55,000 +/- square foot building addition (LLE
22 Building) and a 102 space parking lot on property
23 located at 250 East River Road. All as described on
24 application and plans submitted.

25 CHAIRMAN PRICE: Let's see. I thought I saw

1 David Cox.

2 MR. COX: I'm here.

3 CHAIRMAN PRICE: David, good evening.

4 MR. COX: Good evening, Board members. So I
5 am here with -- well first, I'm David Cox with Passero
6 Associates. I'm one of the owners and also the Civil
7 Department Manager for Passero Associates. And also
8 with me we have a bunch of folks from U of R in
9 differing positions to help me answer any questions
10 regarding that. We also have -- I have a couple other
11 additional people from Passero Associates. And then
12 we have Ashley and Jared from Nixon and Peabody to
13 answer any legal-type questions.

14 So I can kick it over to U of R to just give
15 an opening statement. Clayton, are you there?

16 MR. JONES: I am here. Thank you. Can you
17 hear me okay?

18 CHAIRMAN PRICE: Yes.

19 MR. JONES: Wonderful. Thank you.
20 Appreciate that David. Good evening. As David said,
21 my name is Clayton Jones. I'm the Senior Direct of
22 Local Government and Community Relations here at the
23 University. First, want to thank you so much for your
24 time this evening, allowing us to come before you
25 again to discuss this project around the Lab for Laser

1 Energetics.

2 This project really reflects a true
3 partnership between the University and the Town. So
4 we want to thank you for all of the engagement
5 throughout this process so far. And going back seven
6 months ago to May, we've had so much good engagement
7 with the Town around this project and several concept
8 presentations, the Conservation and Architecture Board
9 presentations, several rounds of staff meetings and
10 certainty the public community forum we held with the
11 residents back in August.

12 This level of engagement from the Town is so
13 important to the University. We think it not only
14 reflects the importance of our working relationship
15 with the Town itself but also the importance of the
16 project itself. We know the Laser Lab has a
17 world-renowned reputation as a premier research
18 facility, but arguably its most important impact is
19 felt right here at home in Rochester, in Brighton.

20 The laboratory partners with over 50
21 companies across the OPI industry. It generates 850
22 direct and indirect jobs and is responsible for 16
23 million in local purchasing. And that's in addition
24 to the many community partnerships and all the robust
25 programming that goes on at the lab. I talked before

1 about the high school partnership that we're very
2 proud of that brings STEM students into the state of
3 the art facility right here in their backyard where
4 they can receive hands-on learning experiences.

5 But with that said the University really
6 considers itself fortunate that the lab is part of
7 this specific community. So before we get into the
8 presentation, we just want to thank you again for your
9 diligence and ensuring that the project moves along
10 and in the correct fashion. And we look forward to
11 the continued engagement and partnership with the Town
12 throughout this process. And we're appreciative,
13 again, for some time on tonight's agenda.

14 So with that I'm going to turn it over to my
15 colleagues who will continue to present on our plan.
16 Thank you very much.

17 MR. COX: Thanks, Clayton. Thank you very
18 much. So just to let everyone know that this project
19 does require site plan approval, a conditional use
20 permit and a woodlot EPOD. So those are all three
21 things that we would be looking for from the Planning
22 Board.

23 Here on the first slide just want to kind of
24 give everyone a background of the different types of
25 engagement we've had with the Town starting on

1 May 25th with the Town staff workshop meeting. Then
2 we were before the Planning Board on -- or -- we made
3 our concept submission on July 20th. We were before
4 the Planning Board on August 18th. And then before
5 the Conservation Board on the 7th of September. Back
6 to the Planning Board on September 14th. Went before
7 the Architectural Review Board on September 28th,
8 which they were in favor of the architecture. And
9 then on October 12th, back to the Conservation Board.
10 After we had made some modifications, which I'll talk
11 about, they were much more favorable towards those
12 modifications and changes that we made. We had
13 another Town staff workshop on the 20th of October.
14 And then here we are tonight, again, for another
15 Planning Board concept meeting. And then the next
16 meeting we're anticipating would be the December 15th
17 Planning Board for preliminary. Next slide.

18 MR. BOEHNER: David, I have a question for
19 you.

20 MR. COX: Sure.

21 MR. BOEHNER: Did you get ARB approval?

22 MR. COX: Yes.

23 MR. BOEHNER: I don't see that you were
24 approved.

25 MR. FRISCH: They were approved.

1 MR. BOEHNER: They were approved?

2 MR. FRISCH: Yup.

3 MR. BOEHNER: Okay. Okay. Go ahead.

4 MR. COX: All right. Thank you. So I just
5 want to give some background and just let you go --
6 kind of go through some of the documents they went
7 through from the previous approvals. So it's kind of
8 made up of three main documents. So you have the
9 SEQRA Finding Statement, the IPD South Campus
10 Regulations and the Amenity Agreement. And then in
11 addition to that is the DGIS, FGIS and the SEIS
12 documents as well that are -- that are back up. So
13 I've gone through all of those.

14 And I'm going to start by just kind of going
15 through the Finding Statement matrix. Jeff, if you
16 could go back a slide.

17 So what we did is we went through every
18 single page of the Finding Statement and looked at
19 every item and put it down and then put a response to
20 it if it needed a response. So the first part of the
21 Finding Statement really just goes through the
22 amenities that were part of the amenity package. So
23 there was a donation of a parcel of land. There was
24 an agreement to the hundred-foot planting buffer,
25 elimination of no future access to Crittenden, some

1 drainage improvements. Next page.

2 Some more drainage and then also an annual
3 deposit for the Town of Brighton based on square
4 footage. So as additional square footage is added,
5 that's additional -- additional tax and revenue for
6 the Town there.

7 The next -- you can go to the next page. So
8 the next -- and then you can go again. So the next
9 section was on topography, geology and soil, which
10 mostly have to do with wetlands and SWIP. So the
11 first part has to do with that hundred-foot buffer.
12 There's a hundred-foot buffer that needed to be
13 preserved to the southern residential area. So we are
14 preserving that and staying well away from that and
15 also discussions about the wetlands. And I will get
16 into more detail later in the presentation where we
17 talk about wetlands.

18 And then next page. The next is -- mostly
19 all have to do with SWIP. So the SWIP is all handled
20 with the preliminary application. So all those items
21 are addressed in that SWIP that was submitted. We did
22 do a geotechnical report on March 25th. So we did
23 that -- part of that.

24 And then we go on to the next part, which is
25 water resources. So that has a -- still a lot to do

1 with SWIP and runoff and things like that. That's all
2 items that we address in the SWIP. Next page.

3 So here's again the reference -- you know,
4 make sure that geotech is done. Make sure channels
5 are maintained and all these other things are -- you
6 know, follow New York DEC and Town requirements for
7 stormwater. And the SWIP. Yup. Next page.

8 And this one still has to do with different
9 drainage stuff that was completed and things to be
10 addressed in the SWIP. Next page.

11 More SWIP calculations. And then number 3
12 gets into terrestrial and aquatic ecology. So that
13 has to -- we're talking about the woodlot EPOD, which
14 I did mention before we do need a woodlot EPOD permit.
15 We do have some disturbance, about 0.64 acres to the
16 woodlot EPOD. We have provided a tree mitigation plan
17 that mitigates for the loss of those trees in the
18 woodlot as well as we have done a tree survey of that
19 entire area, which is also part of the requirements of
20 the Finding Statement and IPD. Next slide.

21 So I'll get to another part in my slide that
22 will talk about the old growth habitats. So there's
23 some old growth forested areas that are a don't-touch
24 area. The area that we are disturbing of the woodlot
25 is newer growth that's not part of this old growth

1 area. So the wood -- or the old growth is still
2 maintained. It mentions, you know, you got to have a
3 mitigation plan, a tree survey, all of the things that
4 we have provided. Next page.

5 All right. And then the next section is
6 specifically on wetlands. Just to give you a little
7 taste, we did go out and have the -- the wetlands and
8 the project limits delineated by a wetland biologist.
9 And then the Army Corps of Engineers also came out to
10 do a field delineation of that as well. And we have
11 received a jurisdictional determination that that area
12 is non-jurisdictional. So it is not under the
13 jurisdiction of the Army Corps. But obviously we are
14 still trying to protect that area as much as we can
15 and also provide mitigation for any disturbance even
16 though it is not regulated by that Army Corps.

17 MR. BOEHNER: So, David, are you telling us
18 that because it is not a non-jurisdictional wetland
19 that you have a right to disturb it? Is it that case
20 you're making here?

21 MR. COX: I'm just -- I'm just making the
22 case that the Army Corps does not have any
23 jurisdiction.

24 MR. BOEHNER: The Finding Statement does
25 though; right?

1 MR. COX: The Finding Statement --

2 MR. BOEHNER: You understand that I
3 understand that you guys think it does not -- is not
4 non-jurisdictional, but the whole idea of the Finding
5 Statement was going to go beyond some of those
6 regulations to protect these areas and the wildlife
7 and the uplands of these areas.

8 MR. COX: Yes. Absolutely.

9 MR. BOEHNER: As to them being
10 non-jurisdictional is helpful, but it's not your
11 justification for you to be able to go in there.

12 MR. COX: Yeah. Yup.

13 MR. BOEHNER: Okay.

14 MR. COX: This section also talks about the
15 vernal pool that was constructed. We are not
16 proposing any development within that vernal pool
17 area. So that area will maintain protected.

18 MR. BOEHNER: David, you guys aren't
19 disturbing though the wetlands; right?

20 MR. COX: Yes. There's a portion of the
21 wetlands, not the vernal pool though.

22 MS. CHAMPION: And Ramsey, just to follow up
23 on our point and not to interrupt you, David. Hi,
24 everyone. It's Ashley Champion with Nixon Peabody,
25 part of the U of R team here. We fully recognize

1 that, you know, the Finding Statement's protected area
2 is different than the wetlands delineation report. I
3 think David, you know -- it is non-jurisdictional -- a
4 DEC permit or any sort of work through the State or
5 federal agencies as far as mitigation. It would just
6 be strictly based on the Finding Statement and
7 protected area and whatever mitigation the Town
8 thought was appropriate there.

9 But that is why it is called out here and
10 why we are proposing mitigation. If, you know, it was
11 just -- if we were just relying on wetlands, we
12 wouldn't need any mitigation. But because the Town
13 has the area as protected, in its Finding Statement,
14 we are proposing mitigation for both that disturbance
15 and the upland area disturbance.

16 MR. BOEHNER: So, Ashley, could you tell me
17 that the wetland that was proposed to be protected,
18 some of that is being disturbed, are we going to have
19 the same amount of wetland area when we're down here?
20 Because I think the proposal is not to establish the
21 amount of wetland that was in the Finding Statement.

22 MR. COX: So --

23 MR. BOEHNER: If I'm understanding this
24 right --

25 MS. CHAMPION: We will get into --

1 MR. BOEHNER: So what you're basically
2 saying is want to reduce the wetland areas. Is that
3 what you're asking?

4 MR. COX: No. We are more than --

5 MS. CHAMPION: No. It's a replacement. Go
6 ahead, David. It's a replacement.

7 MR. COX: Right. Our intent is to, you
8 know, have a mitigation plan working with the Planning
9 Board and Town staff, you know, that is satisfactory
10 to the Town. If the Town wants a -- you know, to
11 maintain the acreage from that original, we can -- we
12 can make that accommodation.

13 MR. BOEHNER: Right. What are you
14 proposing? Let's try that because my understanding is
15 that that's not what you are proposing and that -- and
16 then I'm going on to some other parts as it deals with
17 these wetlands that were mapped as part of the
18 original DEIS. There are other wetlands in that area.

19 So we have the proposed facility that we
20 want built now. And then you showed us another bubble
21 of the area where you want additional buildings. With
22 that bubble you are showing access roads, a few of
23 them. What I'm trying to understand is one, is how
24 that development that you're proposing interrelates
25 with the rest of the master plan because that is

1 something we did ask for is that we want a big view.
2 How what you are proposing relates to the current
3 plan, master plan that was originally reviewed by the
4 Town and so we can understand the impact. Because
5 what you gave us I still think is having those impacts
6 that we originally started with.

7 I'm also seeing what you submitted not
8 really mitigating the loss of the wetland. So I just
9 want to present my review of the information that you
10 gave us. I'm also presenting my understanding of the
11 information that was submitted for the preliminary
12 application. Am I understanding that this is what
13 we're going to go with? And the reason I bring this
14 up, I think this is an important topic. Because I
15 think the information that has been presented has
16 fallen short.

17 I don't mean to stop David's presentation,
18 but we got to this point of the Finding Statement and
19 we're still talking about it.

20 MR. FADER: Ramsey, there's another problem
21 that's coming. I wasn't saying anything because I was
22 going to let David finish, but I'm looking, not at the
23 Finding Statement. I'm looking at the thing they sent
24 out with the nice little pictures. And there's sort
25 of a conflict here that I don't understand. So should

1 I bring that up now or should --

2 CHAIRMAN PRICE: Just wait.

3 MR. COX: I'm going to get to that section.

4 I have maps and other things. I have a specific
5 section in my presentation to talk about that. So I
6 think that would be the optimum time.

7 MR. FADER: Okay.

8 MR. BOEHNER: Okay.

9 CHAIRMAN PRICE: Please continue, David.
10 I'd like to hear the totality of the issues that we
11 have. I've got a checklist started. And let's --
12 let's get through them all so we all know the -- all
13 of the issues associated.

14 MR. BOEHNER: That's right. That is
15 important, Bill. You're right.

16 MR. COX: Thank you.

17 CHAIRMAN PRICE: Proceed. Thank you.

18 MR. COX: Okay. So next page. So this has
19 to do with stormwater and New York State DEC
20 requirements. So with -- again the wetland, which
21 we'll talk about later. Next slide.

22 Still talking about the wetland and we'll
23 talk about the wetland mitigation plan, the vernal
24 pool, how we avoid that area. And next up is land use
25 and zoning. Next slide.

1 So this has to do with the master plan,
2 which I do have -- I have a slide in my presentation
3 later to really talk about the master plan. This next
4 action talks about the hundred-foot buffer that we are
5 maintaining as well as building height. So the area
6 we're in has a max building height of 75 feet. We're
7 proposing 55 feet. So we are below that maximum
8 height requirement. The next part talks about some
9 sidewalks. They have been installed. We can go to
10 the next page.

11 So this gets into talking about maximum
12 density allowance. So there's 1.29 million square
13 foot allowed on the institutional portion of the South
14 Campus. We're right around 500,000. So we're below
15 that requirement. And then the south residential part
16 of the South Campus has additional square footage for
17 a total of 2.5-ish million square feet total. And
18 we're well below those, both of those thresholds.
19 Next slide.

20 There's no chemicals or biological agents
21 that we have to deal with. That talks about it in
22 that section.

23 And it just references that each individual
24 incremental development needs to come back before the
25 Planning Board for approval, which is what we're

1 doing. Next slide.

2 So this talks about building height again.

3 And then I'll talk about the IPD code in my next
4 section. So next slide.

5 So all the LLE additions will be LEED
6 silver. So we are following that process. Bird
7 collisions. It talks about reflective glass. So we
8 have reflective glass. Current walls are not
9 proposed. Talked about LEED more. There won't be
10 any, you know, additional noise from this project then
11 what, you know, you would currently have out there
12 already. We are proposing LED lighting. So that
13 matches. The fact that you had to go to the ARB,
14 which we did do. Then the next section is historical
15 and archeological resources. Next slide.

16 So we did prepare a phase 1A and 1B culture
17 resource investigation. It was performed by Powers
18 Archeology. We did that report and you have that.
19 That's been submitted. And submitted that to SHPO.
20 SHPO reviewed that. And they issued a no impact
21 letter. So there was no -- anything of cultural
22 significance found.

23 The 100-foot buffer is brought up again,
24 which we're well away from. Traffic is up next. Next
25 slide. Next slide.

1 So there's a five-year traffic study. So
2 the U of R is required to do a -- every five years,
3 they need to do a traffic impact update. So the last
4 one they did was in 2018, but it actually never went
5 through the formal process of being approved by
6 Brighton. So we are in the process of making sure
7 that that is approved. The Town has reached out to
8 Stantec to be their engineer to go through that. Once
9 we receive any comments from Stantec -- Fisher is the
10 one that prepared that five-year traffic study. They
11 will be updating that five-year plan to make sure that
12 Brighton is satisfied with that five-year. And then
13 the update will be due in 2023 for the next five-year
14 traffic study update.

15 But in regards to just this specific
16 addition, we did reach out to Monroe County DOT and
17 New York State DOT both. And they both have confirmed
18 that a traffic study is not -- an additional not
19 warranted for this building addition. That there --
20 talks about shuttle service, that they're -- the U of
21 R does have shuttle service that runs between South
22 Campus and their main campus and all around there.
23 Next slide.

24 RGRTA. So the -- in -- just to update
25 everyone with RTS. So in -- because of COVID and

1 ridership changes and that really impacted a lot. In
2 May of 2021, changes were made and they changed routes
3 and things like that. Previously U of R was paying
4 RTS stops at East River Road, Lattimore and Sawgrass.
5 But even with U of R paying for these stops, there was
6 still a lack of bus drivers. And they -- RTS still
7 ended up dropping off some of the bus services.

8 U of R was able to work and maintain service
9 down Elmwood Ave. And as I mentioned U of R still
10 does provide shuttle service between River Campus,
11 Medical Campus and South Campus. And we did confirm
12 with Fisher Associates on a five-year traffic study
13 that they did not take any discounts for RTS service.
14 So they were conservative in their analysis. All
15 right. Next slide.

16 Utilities and energy. So the water
17 authority, which I also -- it's further in my
18 presentation with maps to make it more clear. But the
19 Finding Statement did reference with South Campus two
20 different water connections, a 12-inch main from
21 Crittenden Road and up the Lehigh Valley Trail over to
22 Murlin and an 8-inch connection to West Henrietta
23 Road. So like I said, later in the presentation --
24 I've reached out to the Water Authority. I have
25 clarification on that and maps to kind of show you

1 where that is. And water calculations.

2 Okay. Next slide is the LLE, or Laser Lab,
3 it is in a sewer district. So that's all taken care
4 of. The utility analysis was conducted in the
5 engineer's report. The next is emergency access. So
6 there's not really any changes to access for the
7 property. All the existing access points to public
8 infrastructure or public roads is still maintained,
9 but we are providing a fire department turnaround
10 south of the building addition they would use for fire
11 access. Next slide.

12 Community and neighborhood character. It
13 talks about the master plan, which we'll talk about
14 later. And then this -- the 100-foot buffer is
15 brought up again, which we are maintaining and staying
16 way away from that. Next slide.

17 More master plan. Talks about the
18 amenities, which the amenities were taken care of and
19 addressed. Police, fire, ambulance and impacts. So
20 there's very little impacts or no impact to that. As
21 I was saying, this addition doesn't really create much
22 of any additional demand on those emergency services
23 at all. Next slide.

24 Schools. There's not really any impact to
25 the schools. There's no residential components as

1 part of this project. Recreation opportunities is the
2 next. That's the connection to the Lehigh Trail is --
3 was put in previously. We're staying away from the
4 old growth areas. Next slide.

5 Yeah. Growth induced -- inducement aspects.
6 Next slide. Okay. So yeah. Those are taken care of.
7 So that goes kind of item by item with the Finding
8 Statement.

9 The next item as part of that three-pronged
10 document is the IPD regulations. Next slide. So on
11 August 31st we did provide a letter that highlighted
12 and went through a lot of the IPD regulations and
13 wrote that down. Next slide.

14 That letter did provide kind of the IPD
15 history and the backup when certain items were
16 approved and kind of gives a running storyboard, you
17 know, going back to October 2001 of what happened.
18 Next slide.

19 And then moving all the way through up
20 to 2014 when the Board accepted the SDIS. Next slide.

21 And then we get into the IPD code analysis.
22 So it references the amenities that the Finding
23 Statement also referenced, a donation of land,
24 planting enhancements, elimination of access to
25 Crittenden, revised storm sewer connections, construct

1 a berm to help flooding and an outlet structure on the
2 south wetland to control water surfaces. Next slide.

3 So here we get -- really get into the meat
4 with the compliance of the South Campus. Next slide.

5 So here's that zone map that was referenced between
6 the residential and institutional if you will. So the
7 blue is institutional and the yellow is residential.

8 So those are kind of the different two zones that make
9 up the South Campus. Next slide.

10 Here's that protected zone map. I know it's
11 hard to see. There's some green blobs on the left
12 side. That's that old growth source I was talking
13 about with the mature trees, the older trees that
14 definitely want to be protected. And the Laser Lab is
15 kind of more in the center towards the top right.

16 Yup. Right in there. So we are well away from those
17 old growth areas, not having any impact on those. And

18 Then at the bottom is at that hundred-foot
19 landscape buffer. So that was also that hundred-foot
20 buffer that came up throughout the multiple documents.
21 We are staying well away from that and preserving
22 that. We want to make sure to have a nice buffer to
23 those residential areas -- residential homes to the
24 south. Next slide.

25 So the IPD also references permitted uses

1 and conditional uses. So conditional uses here,
2 number 3, research laboratories for instruction,
3 research and development involving biological,
4 chemical radiological or energy studies. So that's
5 where this LLE addition fits in. So we are a
6 conditional use. And that's why we need that
7 conditional use permit. Next slide.

8 So in my November 3rd letter, you can go
9 down -- scroll down one more. I issue or I wrote out
10 the Town Code Section 217(7) has standards governing
11 conditional uses. So there's A through G or something
12 like that of the different items that you need to look
13 at, the Board needs to look at for the conditional
14 uses. So the Planning Board -- wait for Jeff to --
15 there. There. Makes it easier to read. The Planning
16 Board shall find that the request is at harmony with
17 the general purpose and intent this chapter taking
18 into account the location and size of use, the nature
19 and intensity of operations involved, in or conducted
20 in connection with the use and size of the site with
21 respect to streets giving access thereto.

22 So the proposed project is building an
23 addition to support existing use, providing
24 high-quality jobs, research and government funding to
25 Brighton. The property will be utilized in the same

1 manner that it's being utilized today. So not any
2 change in operation or use.

3 The next is the maintenance and operation of
4 the use applied for. Under the circumstances of the
5 particular case will not be detrimental to the health,
6 safety or general welfare of persons residing or
7 working in the neighborhood of such proposed use or
8 will not be detrimental or injurious to the property
9 and improvements in the neighborhood or to the general
10 welfare of the Town.

11 So it is a building addition to an existing
12 facility that there's not going to be any health or
13 safety, welfare concerns from this project. And the
14 project will meet all applicable federal, state, local
15 guidelines. Next page.

16 The next one is will not result in the
17 destruction, loss, damage of any natural scenic or
18 significant historical resource. So there's not any
19 significant historical resource. The next is will not
20 create excessive additional requirements of public
21 cost for public facilities and services and will not
22 be detrimental to the economic welfare of the
23 community. So as I mentioned before one of the
24 amenities is the LLE actually provides money to the
25 Town. So it's actually going to be an increase in

1 giving back. And as I mentioned there's very little
2 additional need on schools or emergency services or
3 anything like that.

4 E is the proposal will be served adequately
5 by essential public facilities such as highways,
6 streets, fire protection, stormwater, schools. And
7 all the existing and proposed facilities will continue
8 to be served by all those essential public facilities.
9 They're already there. They're already in place.

10 F, the proposal will not result in
11 unmitigated destruction or loss or an unmitigated
12 damage of trees. So that is where since we do have
13 some loss to the woodlot EPOD, we need to have a
14 proposed tree mitigation plan to mitigate the loss of
15 those trees, which we have provided and I'll talk
16 further about it later in my presentation.

17 And then G is conforms to the Town master
18 plan. So it's a world-class facility creating jobs,
19 education. It's a vibrant economic climate. So that
20 all ties in with the master plan of creating those
21 things. So that's the conditional use permit. Next
22 slide.

23 I do have to say, Jeff, you're pretty good.
24 You're doing better than I would do if I was trying to
25 do this. Here's a wetlands map that was part of the

1 IPD that shows the wetlands on the property. The one
2 on the -- kind of the furthest to the south and west,
3 that is the New York State DEC wetland that was
4 referenced and has that 100-foot buffer. The other
5 wetland to the north of that is a federal wetland.
6 And then the wetlands that I spoke of that we had
7 delineated right near the LLE property are shown right
8 there. Next slide.

9 So here's a maximum height map. So the
10 institutional zone has different height requirements
11 than residential. So the blue is the -- or the
12 institutional having the 75 max height, the
13 residential having the 50 foot max height. And to
14 reiterate our building's 55 feet. So we are below
15 that 75-foot max height requirement. Next slide.

16 Next part in the IPD is -- talks about
17 development in woodlot EPOD areas. So if you're going
18 to do any disturbance in a woodlot EPOD, you need a
19 woodlot EPOD permit from the Planning Board. So next
20 page.

21 So this is the -- kind of the requirements
22 in the Town Code for -- you know, for woodlot EPOD and
23 protection. So you need to have a tree survey
24 performed, which we have done. In that tree
25 mitigation plan you need to specify, you know, trees

1 being lost versus trees being removed, which we
2 provided a plan showing that. A landscaping plan,
3 that is our tree mitigation plan. And the integrated
4 site plan to protect the woodlot.

5 And then the other specific practices are
6 notes that we put on our plans, you know, that
7 maintenance of landscaping, you don't have to have a
8 three-year guarantee and certain types of fertilizer
9 and things like that. So we follow all those
10 requirements from the Code. Next slide.

11 And then there is part in the Codes, the IPD
12 talking about facade and architectural stuff, which
13 was addressed at the ARB. And then there's also -- it
14 talks about signage and signs. We're just doing a
15 building addition. We're not changing -- we're not
16 putting any new monument signs. There's not any new
17 signage for the project. So don't have anything to do
18 there.

19 The next thing is sustainability in the IPD.
20 And there is, if you scroll down to the next slide,
21 there's five different areas of sustainability that we
22 need to look at. The first having to do with nature,
23 which is honor, protect and connect habitats, stream
24 and river corridors, minimize disturbance of wetland
25 woodlot habitat to the extent practical.

1 So we have a wetland mitigation plan. And
2 then also if you remember one of our earlier concepts
3 we had a hundred-car parking lot in that woodlot area
4 that after feedback from this Board and the
5 Conservation Board was, you know, can you put that
6 parking elsewhere and save that woodlot. So we have
7 removed that to preserve that woodlot even further.

8 The next is building mass should allow
9 daylight into active outdoor spaces. So the east
10 facade of the building allows for daylight access to
11 view for the majority of workspaces. Lab spaces are
12 concentrated or the interior and they are explicitly
13 located there to control the interior environment.
14 The use and need of landscape pallet as much as
15 possible. So our tree mitigation and landscaping plan
16 uses native plants.

17 The next is energy. Maximize daylight
18 opportunity in building with a balance of solar beam
19 glare and energy use. The east facade features have
20 vertical shading fins to limit the impact of solar
21 gain. And interior shades provide protection from
22 glare. Reduce energy loads on buildings by design,
23 equipment selections, use operation guidelines.
24 Building energy use has a heavy impact on our
25 environment and climate. During the design of this

1 project we have used whole building design energy
2 simulations to identify and implement energy
3 conservation measures. As a result the project is
4 designed by achieving 11 percent energy cost reduction
5 from the ASHRAE 90.1 baseline.

6 The next is people. Include ideas of park
7 once, transit-oriented pedestrian and bicycles from
8 the campus. So LLE has bike racks, sidewalks, we have
9 vehicle charging stations for emergency vehicles and
10 also amenities inside for bicyclists.

11 Next is incorporate alternative means of
12 transportation including municipal transit at
13 University shuttles, bicycles, carpooling. So we --
14 like I mentioned before, the U of R does have shuttle
15 campuses that go around. The LLE has around a hundred
16 students that actually work at the LLE. And almost
17 all of them use that shuttle service from the -- from
18 the University campus down to here. And we also have
19 the charging stations, which I mentioned before, and
20 bike racks and things like that.

21 Next up is water. So develop a campus-wide
22 on-site stormwater management practice to address
23 quantity and quality runoff. So we have that --
24 there's an existing storm water pond just southeast of
25 the Laser Lab. That is our quantity treatment. And

1 then we also are putting bioretention areas to treat
2 stormwater quality as part of that.

3 Reduce potable water through conservation.

4 The project will have, you know, water efficient,
5 low-flow toilets and fixtures and things like that to
6 help reduce water and preserve. There's also no
7 permanent irrigation for LLE. So -- and that -- we
8 are going to maintain that to have that low water use
9 as well.

The next is materials. Choose environmentally sustainable materials and process whenever possible. So the team has -- will perform a whole building life cycle assessment to demonstrate a reduction in environmental impact categories including embodied carbon emissions. Building product selection will emphasize material transparency by requiring environmental product declarations and health product declarations. Building product selections will prioritize those which meet the following criteria; regionally sourced, recycled content, extended producer responsibility and FSC certified wood. And obviously anything we can do to divert things going to the landfill during construction, recycling, anything like that will be used. And local materials wherever we can find for sure. And that is everything on that.

1 Next slide.

2 All right. Now we are into the
3 architecturals. So go to the next slide. And I'm
4 going to hand this over to Mike DeLuca at Cannon to
5 talk about architecture.

6 MR. DeLUCA: Thank you. Thanks, David. So
7 we wanted to give a few facts about why we're looking
8 at locating the building where we have located it. So
9 we put together nine little diagrams here to give you
10 some of the insight of the -- how this got moved
11 about.

12 So item 1 is really the most important piece
13 for us. The north-south bar that you see on the page
14 is the laser bay for the current laser. That area
15 that goes north-south is where the laser expansion
16 from an operational standpoint is critical. So any
17 future work, any evolution of the research with the
18 lasers, requires that any building for future
19 development is right there. So the building we're
20 building right now is support labs and support offices
21 for a future laser building. And it is critical that
22 that location -- that's the hinge to everything to be
23 successful for them to do their laser work in the
24 future. So that's item number 2.

25 Number 2, circulation was really important

1 to -- trying to connect back circulation within the
2 existing building was a pivotal part of the
3 discussion. We want to make sure we connect to the
4 loading docks area and also some of the operational
5 spaces for offices to the north.

6 Item Number 3, we try to utilize the
7 existing stairs. We want to reduce the amount of
8 building footprint we were putting there. And by
9 re-utilizing the existing stairs, we were able to
10 reduce the need to construct more.

11 Number 4, again that's pivotal like number
12 1. That is the loading dock. That supports this
13 addition. That supports the current laser and any
14 future additions. That is the heart, kind of, of the
15 operational needs of bringing goods in and out of the
16 laser facility. Number 4, which I would link 1,4 and
17 5 are the critical pieces. These support the adjacent
18 research labs. So the research labs in blue are
19 existing. The research labs in yellow in the new
20 building are to support those. So all of these pieces
21 on 1, 4, and 5 affect the research that occurs in the
22 building today and the future and any future
23 additions.

24 If you could please the next slide. We also
25 looked at entry. We have -- they have a very nice

1 public entry that currently exists on the northeast
2 side. It's associated to the existing parking lot
3 where people come and visit. There is a public area
4 as soon as you come in the building with the vertical
5 atrium and community space within there. So we wanted
6 to maintain that as is.

7 We also looked at reducing the amount of
8 exterior wall to perform at the highest efficiency of
9 the building. The less exterior wall you build, the
10 higher the performance will be. So putting it within
11 that section of the existing building reduces the
12 amount of exterior wall.

13 Also number 8, by building it at the
14 southeast corner, we're reducing any visual -- any
15 views of mechanicals from the road from East River.
16 So all the mechanicals for this building as you'll see
17 when we show on the future renderings will not be seen
18 from East River and that was the intent of it. And
19 then there's just the efficiency of the mechanical
20 systems. We're supporting the existing building by
21 putting in this point -- at this point we can support
22 the mechanical systems that exist and that are new in
23 the most efficient way. Next slide please.

24 So this area, I'm going to go through the
25 rendering. We showed these at previous meetings.

1 These were presented at ARB and approved. But I want
2 to walk through them one more time. So the building
3 is similar materials to the existing campus, brick
4 curtain wall and glass. Those are the main
5 components. And the scale of the building as David is
6 very similar in height to the existing with the
7 mechanical portion at the top the only piece coming up
8 above the existing building, but not higher than the
9 highest point of the existing building. And also it
10 is not visible from East River Road. Next slide
11 please.

12 This is the southeast -- or looking north --
13 you know, if you're standing to the southeast side
14 looking north at the building, what you'll see here is
15 we have a metal panel wall in this location -- the
16 vertical panel on the building already and the intent
17 to set this building for four expansions for future
18 laser supports, future lab supports. So this wall is
19 permit material, but -- panelized material, but easily
20 removed. And as you'll see in this last slide on the
21 left side there is essentially the idea that you can
22 expand the existing hallways and maintaining the
23 existing efficient operations. So it's very much
24 about connecting to the existing building and
25 supporting the existing lab research and allowing them

1 to grow their lab research and operations. Next slide
2 please.

3 This is the greater detail in the materials
4 to share with you. On the top that is the south
5 elevation. That is the metal panels. To the left of
6 that would be the existing brick area and glass.
7 Again, scaled very similar. And we're using the same
8 glass and brick material. The lower elevation and the
9 east elevation shows the curtain wall, which is lined
10 by offices and working area -- collaborative areas --
11 excuse me -- and maintaining the same stone sills,
12 curtain wall, kind of the campus brick and metal
13 panels.

14 Next slide please. So we also want to show
15 what this meant -- you might have to zoom in a little
16 on this -- what this meant from East River Road. So
17 the top image here you're looking at we took kind of a
18 simple Google Earth where it flattens the landscape,
19 the grade. There's no trees on it. There's no berm
20 there as you'll see on the lower picture. The gray
21 building is the existing and as you can see with the
22 brick and curtain wall in the far distance, that is
23 the addition. So it's very minimal from the street
24 with no landscape and then if you go to the lower
25 image, we made it yellow so you'd be able to get --

1 pop out. But there's trees, there's berm. It's set
2 way back from the road and really won't be visible
3 unless you get right within the perfect spot.

4 Over to the right we also -- that's okay. I
5 do it all the time. No problem. So we also gave
6 views looking from the east back to the west from the
7 Imaging Center. So as you go along East River Road if
8 you were coming back the other way, you won't see the
9 building as it's setback behind the trees and the
10 berm. And if you go to the very top image, that's a
11 little closer, again, reinforcing the fact this is set
12 way off the road in an area that's well landscaped and
13 set back. Next slide please.

14 So, David, I'm going to hand it back to you
15 here to walk through these drawings.

16 MR. COX: Yup. So I just wanted to give
17 kind of a brief overview of the first site plan you
18 saw that had a access road to the east of the building
19 addition and that 100-car parking lot in the back. So
20 quite a large disturbance to the woodlot EPOD area and
21 it also had a disturbance to the vernal pool.

22 So we heard from feedback and then we -- and
23 then if you got to the next slide -- we have removed
24 that access road and put the fire turnaround just to
25 the south of the proposed building addition and

1 reduced impact to that vernal pool. But this still
2 has -- this is the second iteration, but then we -- at
3 this meeting we said, hey, can you get rid of that
4 parking lot?

5 So then that brought us to where we stand
6 now where we are no parking back there, no -- you
7 know, no road looping around there. So really
8 preserving those trees. Next slide.

9 So this one just shows some of the -- go
10 back -- shows some of the things that were, you
11 know -- the Conservation Board brought up, low-mow,
12 no-mow, bio-native planting areas. So we're
13 incorporating those in some different areas. And to
14 have a nice buffer around that wooded area that it
15 flows into a more taller grass as opposed to just
16 straight lawn, which is better for habitat for sure.
17 Next slide.

18 All right. So this is the master plan. So
19 when I spoke to U of R and went through, you know,
20 what are all the kind of possible, you know, projects
21 that could happen. You know, what is anything and
22 everything that you know about. So these are the
23 future development that is potential that could
24 possibly happen. All that would be dependent on
25 funding. And I've kind of circled in yellow here.

1 Mike DeLuca spoke about that, that critical point with
2 some of the laser and equipment that -- that those
3 future additions are really equipment heavy and there
4 needs to be collaboration in close proximity. So that
5 is a very critical part of the building so that we see
6 any of those future potential developments looped
7 around there in that close proximity.

8 And I've kind of added a circle on the
9 red -- it should have been added to this plan --
10 showing the vernal pool and the wetland area would be
11 around that vernal pool area. Our intent is that we
12 would stay outside those -- those wetland areas.

13 Right. Next slide. Now, we're on to
14 wetlands. So as I mentioned, there was a -- we did a
15 wetland delineation recently. And the IPD also
16 references that every five years, you know, if you do
17 a project, that the wetland delineation is only good
18 for five years. So it needs to be renewed. So we had
19 been over five years. So we had a wetland
20 delineation. The Army Corp came out and they issued
21 there non-jurisdictional determination. So you can
22 scroll down couple -- quite a few. That's just the
23 full JD from the Army Corps that we received. One
24 more. So this -- go back up one more. There it is.
25 Just -- that's the area kind of has a hatch to it and

1 a darker area shown. So that's that wetland area.

2 Right there. Yup. Okay. Next slide.

3 So the other thing we had the wetland
4 biologist do was go out there and, you know, give us a
5 feel of what is the quality of the wetland, you know.
6 So we have the limits. So we know the quantity and
7 the size. But we don't have any -- anything on the
8 quality. So he went out there and did a field
9 investigation and then issued this letter. And he
10 came back saying that wetland is low quality because
11 of invasive phragmites.

12 Phragmites is a very invasive plant that we
13 deal with kind of all over here. And it comes in and
14 just takes over and wreaks havoc on habitat and really
15 degrades functional habitat quite a bit. So -- and
16 then he also references he did not see any wildlife
17 while he was out there, but he did say that the area
18 is supportive of some breeding amphibians, red-winged
19 blackbirds, possibly raccoon feeding habitat and also
20 some, you know, standard squirrel, chipmunk, you know,
21 things like that.

22 So his recommendation was -- number 1 was to
23 get the phragmites out of there, that will just
24 continue to degrade that wetland area. So he is
25 recommending you go in there and you actually excavate

1 out that phragmites. I think that, you know, 3 inches
2 so below, make sure you get the roots out, get all
3 that phragmites out of there. And then plant it with
4 some better, more native wetland planting so that you
5 can, you know, restore the functional habitat to the
6 wetland area.

7 He also mentioned adding some fallen logs
8 and some boulders that amphibians like to overwinter
9 under fallen logs and rock and things like that as
10 well as -- amphibians like the -- they like the
11 transition from forest to grassland. That is a
12 critical component. So that's why he recommended, you
13 know, having some of the no-mow or low-mow wildflower
14 seed mix, higher grass area around the wooded area.
15 So that was his letter. Next slide.

16 So here's our wetlands plan. So there's
17 two -- we showed -- there's a -- it's kind of hard to
18 see, but there's a blue line, which shows the IPD 2013
19 wetlands L is what it's referred to in the IPD.
20 That's in blue shown right there. And then in red is
21 the new delineation. So very similar shape and size,
22 but just the wetland has evolved slightly in the last
23 17 years -- or -- 7 years I mean. So there's a slight
24 change there. And kind of there's a finger at the top
25 left of that wetland area. And that is the portion

1 that would be disturbed as part of this project. So
2 about 0.05 acres of disturbance to that area. And
3 that's where we want to enhance that entire wetland as
4 the wetland and biologist, Jean, had mentioned. So we
5 want to take that whole, you know. 0.42 acres and
6 enhance that completely with the new native planting,
7 get rid of the phragmites, add the boulders and the
8 logs in. And then also the no-mow and low-mow meadow
9 mix is kind of in pinkish magenta color.

10 And we also have it kind of tying it to --
11 between that stormwater pond. So the stormwater pond
12 is what's shown to the left. It's kind of -- makes
13 like a backwards C shape. So that will -- with those
14 higher grasses, that'll give a nice transition for
15 amphibians to go from that wooded area or that wetland
16 area to the stormwater pond where they're not going
17 through mowed grass, low grass, where there could be
18 more predators and things like that or they could be
19 seen by birds. So it gives them a little more shelter
20 to get to that stormwater management area. All right.
21 Next slide.

22 Now we're on to utilities. Utilities the --
23 there's a gas main -- a new gas main that we're going
24 to run kind of from the top of the page that's going
25 to come down and tie in. There's existing sanitary

1 sewer in real close proximity. So we just need to
2 have a real short stub to tie into the sanitary.
3 There's some storm sewer that's running through kind
4 of where that turnaround is just south of the building
5 kind stone hatch area. They were going to reroute
6 that storm sewer around that to try to make room for
7 that future -- possible future expansion area. And
8 then there's also some water main that runs through
9 this. So we're going to relocate that water main as
10 well around that area. And then I think that
11 covers -- and then I'll get into water. I think the
12 next slide gets more into water.

13 Okay. So we issued a water analysis that
14 talked about those two connections from the Finding
15 Statement, the water main connection to the west
16 Henrietta Road and the water main connection to the
17 Crittenden Road. So there's two -- go to the next
18 slide. And next slide. Oh, back up one.

19 So this is the letter that is referenced in
20 the IPD and the Finding Statement from 2014 from the
21 Water Authority referencing those two connection
22 points. Next slide.

23 Here's just a map that went along with that
24 letter. I don't need to -- next slide. So this is --
25 I reached out to the Water Authority just for

1 clarification on those two connections and when they
2 were -- would be required. So they got back to me and
3 those two connections are need-based or demand-based.
4 So if you need to make those connections to support
5 whatever project you're working on, then they're
6 required. Down at the bottom it says if you run your
7 analysis and you can just put in some pumps and you
8 don't need to make any of those connections, then you
9 don't need to make those connections.

10 After we ran our water analysis we feel that
11 there's a -- well, and the results show that there's a
12 real benefit to the 8-inch connection of West
13 Henrietta Road. So if you go to the next slide.

14 So the -- back up one. So there's an area
15 in red kind of in the center of the page. That is
16 where LLE is. And that is all in the 670 pressure
17 zone. So that's a lower pressure zone. And then
18 there's a cyan color to the east. That is the higher
19 pressure. So that's in the 751 pressure zone.

20 So we want to make a connection to that
21 higher pressure zone. So to be able to pull in water
22 from there because the lower pressure zone, the static
23 pressures are low. The capacity is not as great. So
24 making a connection to that higher pressure zone
25 actually boosts pressure and flow for the LLE. And

1 because of that higher pressure that it's -- the LLE
2 property and the imaging building are going to then
3 pull water from the that higher pressure zone instead
4 of the lower pressure zone.

5 So under the domestic scenario we're
6 actually going to free up about 230 gallons per minute
7 of domestic flow from this lower pressure zone. So
8 the neighborhood to the south that's in the pressure
9 zone, in the lower pressure zone, right now Laser Lab
10 and the imaging building are pulling water from that
11 -- that area. Where after we make this connection,
12 the majority of the water's going to be pulled from
13 that higher pressure zone. So it's going to reduce or
14 free up -- reduce the amount we're pulling from that
15 lower pressure zone, so freeing up capacity in that
16 lower system. So it is a benefit to the surrounding
17 community as well as U of R. Next slide.

18 So this shows the water main connection. So
19 that is West Henrietta Road on the right side. And
20 right down there at the bottom is our connection to
21 that higher pressure system. We'll run a main down
22 West Henrietta Road and then come over to the imaging
23 building property where it will go through an RPZ and
24 meter and then run through the imaging property and
25 connect into the water main loop in the imaging

1 property. So the imaging and Laser Lab are all on the
2 same water loop. So we'll tie directly into that. So
3 that's that West Henrietta Road connection. Next
4 slide.

5 So we are not proposing at this time that
6 Crittenden connection, but we wanted to put it in here
7 so it was part of the record and understood what that
8 it is. So it's shown in red here. So there would be
9 a connection to Crittenden Road water main, which is
10 all in the lower pressure system. It would run up the
11 Lehigh Valley Trail and then would take a sharp right
12 and run over and tie into Murlin Drive.

13 So right now there is already an existing
14 connection to Crittenden. There's a connection to
15 East River. There's connections to West Henrietta.
16 That this whole area is looped pretty well. So by
17 making this 12-inch connection -- since you're making
18 a connection to the lower pressure zone, it doesn't
19 really -- it doesn't have any benefits on pressures.
20 So this doesn't provide pressure benefit. It does
21 provide some flow benefit, but not as much you would
22 hope because the system is so looped and it's pulling
23 water from so many different directions. It's pulling
24 from East River. It's pulling from the Crittenden,
25 from the neighborhoods of the south. I mean, all

1 water mains are looped together. And that's what you
2 want in a water system is the more looped it is, the
3 less loss that you have in your system.

4 So that's the Crittenden. But that is -- we
5 are not proposing that connection right now. That
6 connection would come later, more when the residential
7 area of the south campus gets built out. Then that
8 connection would be warranted.

9 All right. Next slide. Just to show that
10 we did supply the fire apparatus access and the fire
11 department worksheet. I don't need to touch on that,
12 but I did want to just point that as a Town
13 requirement and we did submit that. You can scroll
14 through that Jeff. All right

15 Next up is culture resource investigation.
16 Next slide. So as I mentioned, we did submit that
17 Phase 1A/1B culture resource investigation. And we
18 did receive the letter back from SHPO, that's what
19 this, saying that they have reviewed the report and
20 they have issued a no impact letter. So no cultural
21 resource issues out there. Next slide.

22 All right. Traffic access and parking.
23 Okay. So these are the letters I referenced when we
24 reached out to New York State DOT. And this is their
25 response back that a traffic study is not required.

1 Then if you go to the next slide we have the same one.
2 This is from Monroe County DOT right at the top there.
3 No traffic impact report is needed. Keep scrolling.

4 We did support a parking demand analysis
5 that goes through the current -- so right now, there's
6 about 390 employees out there. And there's only 347
7 parking spaces. So there's already a deficit of
8 parking spaces for employees. And then with this
9 project it will be adding additional. We're thinking
10 close to 50 when it's fully up and running. So that
11 will bring us up to 440 employees. And that's --
12 that's full-time. That's not including the students.
13 There's about another hundred students that also come.
14 Like I mentioned a lot of those do use the shuttle
15 service though. So we don't need to have parking for
16 them. Scroll down. You can keep -- go to the next
17 page. Sorry. Just more stuff on that.

18 So yeah. Just highlights the parking
19 spaces. So with the -- we're proposing a hundred
20 spaces kind of scattered out throughout around the
21 existing areas. And this will meet the needs of
22 the -- of the building addition. And we feel it will
23 meet the needs of the second -- you know, the second
24 building addition as well. Next slide.

25 All right. Stormwater design. Next slide.

1 So this really shows kind of the scattered parking.
2 So we have some scattered parking on the left side.
3 And the red kind of oval is where we're going to have
4 our RV. So we'll have our bioretention areas for --
5 to do stormwater quality.

6 And then we have more parking on the
7 complete opposite side, on the east side where we're
8 adding to the existing parking lot. And we'll have
9 some stormwater quality and bioretention areas kind of
10 at the bottom right of that parking area. And then
11 the building bioretention area is just east. There's
12 another third red circle. So that's the other
13 bioretention area. So we'll be treating stormwater
14 both for those.

15 And just to the left of that last circle is
16 that horseshoe storm water pond. That's our quantity
17 that the stormwater dumps into there. Next slide.

18 We're getting there. Landscape and
19 lighting. Next slide. I think you might have skipped
20 over one. Can you go back up? Perfect. So we did a
21 tree survey -- or -- U of R did a tree survey on the
22 entire property. And then we show in red the area
23 where there's going to be tree removal. We tallied
24 that up. So there's 93 trees that are being removed.
25 In this, a lot of these are -- it's new growth area.

1 Next slide.

2 Jeff, you're doing a great job by the way.

3 I heard that you're a master and that is true.

4 So here is our landscaping mitigation plan
5 that we really kind of spread out the landscaping and
6 have it -- we took -- you know, looked for areas where
7 it was -- there was gaps or areas that needed to be
8 filled in. So we're really kind of beautifying the
9 whole -- the whole place.

10 So right now, you're taking out some of the
11 trees kind of way in the back that are all congregated
12 together and we're mitigating by really spreading that
13 out over the whole campus to really beautify and help
14 fill in those areas there.

15 Can't really see the lighting, but the
16 lighting will be LED dark sky compliant. It'll have
17 shields to -- you know, to direct light in the area
18 that we want. And it will be 3,000 Kelvin color
19 temperature per town code. So that will meet all of
20 the lighting requirements. And the light will be --
21 you know, we need some lights at the new parking areas
22 and then some building mounted lights around the doors
23 and entryways. Next slide. Town staff comments.

24 Next slide.

25 So just wanted to say on October 6th we did

1 respond to Town staff comments. I think there's six
2 pages that are here. I don't need to go through them,
3 but just know that we did address those and submit
4 those and there's no outstanding comments that I'm
5 aware that we have not addressed from the Town. So
6 that addresses all of those.

7 All right. And then SEQRA. One more slide.
8 So just kind of a highlight, recap of all the things
9 we talked about and hit with SEQRA. Health, safety,
10 air quality, there's really no impact, no change from
11 the IPD. Visual, very small impact. We did the
12 visualization. Showed, you know, that for the most
13 part you're not really going to be able to see the
14 building except in some very specific points. But
15 it's really tucked in behind. So there's very little
16 visual impact.

17 Traffic and transportation, we showed that
18 there's no -- no additional traffic study is required
19 for the New York State DOT or MC DOT and no changes to
20 access. We did supply that parking demand analysis.
21 Social and economic impacts, no changes to the IPD.
22 The proposed addition will generate additional
23 economic growth and jobs. So that is the benefits.

24 Topography, geology and soils have the --
25 you have mitigation plans prepared and submitted for

1 our impact to the woodlot EPOD and our 0.05-acre
2 wetland disturbance that we're mitigating for that.
3 And then water resources, stormwater, really just
4 utilizing the existing stormwater that's on-site and
5 then providing that quality treatment around there.
6 So that's all taken care of there.

7 No change to the lane use or zoning.
8 Historical and archeological resources, we did our
9 SHPO Phase 1A/B1 cultural resource investigation.
10 SHPO issued the no impact letter.

11 Utilities and energy. We're doing that
12 water system connection to the higher pressure zone,
13 which will boost water and pressure for the LLE and
14 imaging and as well as, you know, free up capacity on
15 that surrounding low-pressure system and the
16 surrounding neighborhood to the south. So it's a
17 benefit to the community.

18 Community and neighborhood character. It's
19 a building addition. There's not really any change
20 there. So we won't have any impact on community or
21 neighborhood character. Police, fire ambulances,
22 really no impact there.

23 Terrestrial and aquatic ecology. That's
24 where we do have that EPOD. So -- which we are
25 providing the wetland mitigation -- or -- the tree

1 mitigation plan. And then the impact to the wetland,
2 if you go to next slide. As I mentioned it is a
3 0.05-acre disturbance to the wetland, which we are
4 going to take that low-quality wetland and bring it up
5 to more of a functional habitat and increase the
6 quality of that.

7 And with the low-mow, no-mow grass areas, so
8 increase some of that so that -- our intent that the
9 overall quality and functionality of the habitat, of
10 that wetland habitat will be better after the
11 mitigation than it currently is today. So that is our
12 intent and our plan. And obviously this is just our
13 first attempt. And we have every desire to work with
14 the Board and the Planning Board to make sure there is
15 a satisfactory mitigation plan.

16 Ashley, do you want to hop in and make
17 comment on anything?

18 MS. CHAMPION: That was great. So just to
19 add on from a procedural standpoint. So the -- we
20 anticipate the Board will have to undergo a SEQRA
21 review as part of this project because of the EPOD
22 permit, the tree removal that we referenced and then
23 also the impact on what was wetland L under the
24 Finding Statement, which we're just -- even though
25 it's no longer jurisdictional, we understand it to be

1 a no-build area. So that's a bit of a deviation from
2 the prior Finding Statement.

3 It's a very limited overall impact. So, you
4 know, we would hope that as part of the approvals
5 process we would be issued a neg dec under SEQRA. And
6 of course, we would have to work with the Planning
7 Board to -- to come up with the submission and
8 acceptable mitigation.

9 As far as the wetland and upland area
10 disturbance, David already outlined the initial
11 proposal. But as he said, you know, we're here and
12 open to working with the Board to come up with
13 something that's satisfactory to them.

14 MR. COX: And with that we are done and
15 ready to -- ready for Q and A.

16 CHAIRMAN PRICE: Ramsey, can I lead this for
17 a little bit?

18 MR. BOEHNER: Please do. And then I do have
19 a number of things I do need to say.

20 CHAIRMAN PRICE: Okay. So overall, David,
21 you would say that the thresholds of parking and
22 building and stormwater management are all within the
23 thresholds that were anticipated and reviewed as part
24 of the master plan for the "I" portion of the IPD?

25 MR. COX: That's correct.

1 CHAIRMAN PRICE: Okay. The one or two
2 things that I -- a question that I had relative to the
3 building location, did the IPD show the master plan --
4 and again, this was master plan levels. It wasn't --
5 we weren't schematic or anything better than the
6 master plan level. Did it show the addition at this
7 location or at another position roughly on the
8 building, as it was attached to the building?

9 MR. COX: Yes. I think 74 maybe, Jeff, in
10 that range. Nope. I'm sorry. Have to go back up.

11 MR. BOEHNER: Bill, it was to the east of
12 the existing building.

13 MR. COX: So at the bottom right if you
14 scroll into that on the bottom right is the master
15 plan.

16 CHAIRMAN PRICE: Oh, okay. There it is.
17 Okay.

18 MR. BOEHNER: Yeah. You can see it, Bill,
19 just to the east.

20 CHAIRMAN PRICE: Yeah. Okay. So the
21 location of the parking under the master plan would
22 have -- would have or could have created impacts to
23 the woodlot. And this does anticipate additional
24 buildings in that -- in that location. So this from a
25 square footage, you have not -- you have not

1 exceeded -- you're not anticipating exceeding anything
2 that's approved?

3 MR. COX: Correct.

4 CHAIRMAN PRICE: Okay. And just a quick
5 question on utility corridor door crossing the -- the
6 utility connection that was made to the neighborhood
7 to the south is part of imaging. You're not using
8 that water service at all?

9 MR. COX: No. That water service is already
10 in. So that was already made.

11 CHAIRMAN PRICE: I know that. But you're
12 not making any -- you're not making another
13 disturbance for water connection.

14 MR. COX: No.

15 CHAIRMAN PRICE: You're going east to West
16 Henrietta Road --

17 MR. COX: Correct.

18 CHAIRMAN PRICE: -- across or under the
19 street to make that connection. Does your alignment
20 anticipate the second building at -- to the east of
21 imaging?

22 MR. COX: Yup. So as you can see, this
23 master plan shows kind of that second orientation, the
24 second building.

25 CHAIRMAN PRICE: Yeah. Yeah.

1 MR. COX: So we -- yeah. We are proposing
2 to the north of that so that we're not impacted by
3 that second building.

4 CHAIRMAN PRICE: Okay. All right. Give me
5 a second to review. I got a bunch of notes.
6 Hundred-foot buffer, square footage, glass,
7 archeology. So just as a matter of -- of course one
8 of the requirements was for an updated traffic study
9 to be performed every five years. Is it -- what does
10 it safe to say since the last one with regard to
11 growth and generally in this section of campus --

12 MR. COX: So the last traffic study was
13 2018. So the next five-year would be in 2023.

14 CHAIRMAN PRICE: Yeah. But the anticipated
15 build-out of this master plan is going generally lower
16 than -- than anticipated or about on pace with what
17 was anticipated?

18 MR. COX: So the -- any of these potential
19 future developments, they would be after the 2023
20 traffic study update. So they're farther down the
21 road.

22 CHAIRMAN PRICE: Okay. So is DOT basing
23 their decision to not require an additional traffic
24 study on the 2018 plan that had been submitted by
25 Fisher?

1 MR. COX: No. They -- they reviewed the
2 2018 Fisher and they provided comments on that. They
3 are saying we don't need an additional traffic
4 study --

5 CHAIRMAN PRICE: Okay.

6 MR. COX: -- in addition to the five-year.

7 CHAIRMAN PRICE: Okay.

8 MR. BOEHNER: Yeah, Bill. I think they did
9 it just based on trip generation.

10 CHAIRMAN PRICE: Okay. All right.

11 MR. BOEHNER: Just a pure calculation of --

12 CHAIRMAN PRICE: Sure.

13 MR. BOEHNER: How many trips and, you know,
14 I think that's where that came from.

15 CHAIRMAN PRICE: Okay. So Ramsey and David,
16 as this continues down the road and we see future
17 build-out and everything, it wouldn't for a ways down
18 the road that you would potentially trigger, you know,
19 further traffic analysis or any mitigation because
20 this addition is not -- not exceeding any thresholds
21 at this point.

22 MR. COX: Correct.

23 MR. BOEHNER: I have seen some draft
24 comments from Stantec. I did not see any alarming
25 comments from their review.

1 CHAIRMAN PRICE: Okay.

2 MR. BOEHNER: That wouldn't necessarily
3 affect this. They just need to finish the study. But
4 we haven't met on it. So I just read them and I have
5 to go through them. And then we'll give them off to U
6 of R and Fisher.

7 CHAIRMAN PRICE: All right. Okay. All
8 right. I think I have a very thorough review and I
9 have an understanding now that, you know -- we did
10 anticipate that this -- that the wetland, whether it's
11 jurisdictional or not would remain the same -- same
12 size. And it sounds like you're proposing mitigation
13 to it that would -- could make it better.

14 Why don't -- why don't I stop talking.
15 Ramsey, would you ask your questions? And David Fader
16 had a question or comment that --

17 MR. BOEHNER: I had most of what I said. I
18 do need to go back on a few things, which would be the
19 master plan and how -- what they're proposing -- what
20 we're seeing here relates to the last master plan in
21 its entirety.

22 And two, what does this master plan that
23 we're looking at right now, what additional impacts
24 does it have to the areas that were met previously and
25 recently? Because we do have the wetlands that were

1 done on what I'm going to say drawing W1, which was
2 referenced in the Finding Statement. I'm just trying
3 to understand how that impacts those wetlands, the
4 upland. Because it looks like that access road is
5 back. I'm just trying to understand what's happening,
6 if we're still having the parking garage or, you know,
7 how does this all come together. Because if there are
8 changes to the layout that we had, I just want to make
9 sure I know what those impacts are. And right now, I
10 do not have that information.

11 So it's not just what you're proposing to
12 build today, but it's -- because whatever we do today
13 is locking us into the future. And we just need a
14 real honest evaluation, which I think you're trying to
15 give us, that we think this is how we're going to
16 grow. But what we need is really the planning, the
17 underlying environmental planning that was put forth
18 for this project and how the changes that you're
19 proposes to make, impact those areas with appropriate
20 mitigation.

21 It is my opinion that if you're going to
22 disturb the size of the wetland, you should keep it
23 the same size. You should delineate that wetland
24 area, its upland and it should be restored by you
25 guys. It's part of your responsibility as the

1 stewards of the land to keep it up because it was
2 originally a mitigation from the first Laser Lab that
3 was built.

4 Just trying to give you the background of
5 it. Because right now, I have a preliminary
6 application. With that preliminary application that I
7 have right now, I'm having a rough time saying you
8 shouldn't do a supplemental. It's just my take. And
9 I did need to say that.

10 David, do you have anything else that you
11 want to say?

12 MR. COX: Looks like Ashley wants to say
13 something.

14 MR. BOEHNER: Well, let's David --

15 MR. COX: Sorry.

16 MR. BOEHNER: We're not hearing you, David.

17 MS. CHAMPION: I'm going just to jump in on
18 some of that.

19 CHAIRMAN PRICE: No, Ashley. Ashley, no. I
20 want David to speak first. Thank you.

21 MR. FADER: Can you hear me now?

22 CHAIRMAN PRICE: Yes.

23 MR. BOEHNER: Yes.

24 MS. CHAMPION: I'm sorry. I thought you
25 meant our David. I thought you meant David Cox.

1 Sorry.

2 MR. FADER: Can you zoom out on this slide?
3 Okay. So here's -- a little bit further. Okay. So
4 here's -- here's the thing. I was looking at this and
5 I understand Ramsey's concerns about showing the full
6 build-out and what the impacts will have. But I was
7 looking at it and at first I was like, well, they're
8 doing the best they can. This looks -- this looks
9 okay. Because I see quite a bit of habitat extending
10 to the south.

11 But then if you look to the right of this
12 slide, there's a teeny tiny picture that you guys made
13 so small that you can't make out the details that is
14 like the overall plan. Okay? The little square to
15 the bottom right. Yes.

16 MR. BOEHNER: That's the plan I'm referring
17 to, David.

18 MR. FADER: No. Go back to the thing you
19 were on. Look -- right there. You got your cursor on
20 it. Right there. See that? And it shows them? If
21 you look carefully there, I can't see that real well
22 and if you -- and -- but they have a whole series of
23 buildings and stuff jammed in right to the south of
24 the Laser Lab.

25 CHAIRMAN PRICE: Right.

1 MR. FADER: So if they put those in, they've
2 completely destroyed all the habitat around the vernal
3 pool and we're right back to where we started. So
4 what are we going to do to prevent those buildings
5 from going in that location?

6 MR. BOEHNER: That's, David, where we need
7 the master plan.

8 CHAIRMAN PRICE: You approved them.

9 MR. FADER: If you approve those, then they
10 can't be --

11 CHAIRMAN PRICE: You approved them.

12 MR. FADER: Yes. But then they can't put
13 the new ones in because they still haven't mitigated
14 the vernal pool. Because their mitigation to the
15 vernal pool is to put the habitat where the
16 pre-approved buildings are. So this is just kicking
17 the can down the road.

18 MR. BOEHNER: And that's -- Bill, that's why
19 I was wanting the master plan to be updated so I can
20 understand the relationship to these additions to what
21 was going to be a parking ramp and those buildings.
22 I'm trying to understand that relationship. Something
23 just seems off. When I look at it, I agree with David
24 Fader. All I'm trying to understand is what are the
25 impacts of these changes.

1 MR. FADER: I missed -- I missed a meeting.
2 But I also sent you guys -- I had -- I believe it was
3 read into the minutes. I don't know for sure. I have
4 some comments. So, I mean -- and I don't know if
5 everybody will agree with this, but maybe it's just
6 time to say that like no, there's no way we can
7 maintain that vernal pool. It's not possible. We
8 don't want to do it. It's too hard. And then I would
9 say you need some further mitigation for the loss of
10 that pool.

11 But this -- this -- the current plan doesn't
12 work because it says the mitigation is I'm going to
13 put it -- I'm going to mitigate until the next round
14 of development, in which case the mitigation will be
15 removed.

16 MR. BOEHNER: Yeah. It's kind of what's
17 happening now a little bit. You know, we got the
18 mitigation for the first phase and now they don't want
19 to keep that mitigation there.

20 But my issue is I just don't fully
21 understand the impacts to this master plan, how it
22 relates and ties into the original master plan they
23 had. It's okay to amend it. I'm not saying you
24 can't. I just need a complete picture. And then I
25 need underneath that all the environmental areas that

1 could be impacted shown. Because we have wetlands O
2 and wetlands N and some other ones that are out there
3 that I'm not sure what their status is.

4 MS. CHAMPION: So I think that I -- we
5 understand the point that the Town needs to see a
6 comprehensive view of what this means. I think what
7 we're proposing is -- we're not proposing. Some of
8 it's completely speculative at this point, these
9 additions that are beyond the current addition.

10 But everything we're showing here in this
11 updated slide is everything there is to show. So we
12 don't have other updates for other portions of the
13 plan. There's nothing else contemplated at this time.

14 MR. BOEHNER: Yeah. But Ashley --

15 MS. CHAMPION: -- future planning. Can I
16 just -- I understand -- so I understand the point that
17 there could be more detail on here showing, you know,
18 the existing buildings that were within this area that
19 still may be proposed with also showing the wetland
20 area, the upland area and I don't see a reason that
21 the design folks can't add that. But I think the
22 point is there are no further impacts beyond this area
23 that we're showing. And we can be more detailed on
24 one map. We did the wetland and the upland map and
25 the disturbance areas and I think we can overlay that

1 and add that, as David said, to this map. We can
2 continue to show where other contemplated building
3 structures are within this project from the existing
4 master plan like that parking structure, if it's still
5 contemplated in the other building.

6 I think you'll see that, you know, we're
7 trying to be thoughtful and that we don't want to be
8 in a situation where we're offering mitigation that
9 immediately or, you know, with the next project is no
10 longer going to be valid and we're going to be
11 starting from scratch again. So the idea is that the
12 areas that we're proposing the mitigation with this,
13 the rest of the existing wetland L, the upland area,
14 the new seated area, are to remain with any of this
15 future potential development.

16 So David can get more into the technical
17 details there. And those other wetlands that you
18 referenced, Ramsey, I don't think we're anticipating
19 any disturbance at all, which is why David didn't
20 reference them.

21 MR. BOEHNER: But if you look at --

22 MS. CHAMPION: If you show them --

23 MR. BOEHNER: -- the plan, Ashley, I have
24 worries based on the plans and tied to the rest of the
25 master plan that those areas are going to be.

1 MS. CHAMPION: David, can you speak to --

2 MR. BOEHNER: This is just like before when
3 I had the feeling that you were impacting the wetland
4 the first time. So I'm not doing the mapping. I'm
5 not preparing the designs. I'm just looking at the
6 stuff going "hmm." What does this all mean?

7 So I think it really just starts with
8 getting a clear idea of how this ties into the old
9 master plan. Are you making any other changes? Are
10 you keeping all those other buildings in addition to
11 this? Are you keeping the parking garage or the
12 parking ramp? What is happening with some of those
13 things? That's not clear in this drawing. And I do
14 want to know if there's environmental impacts to the
15 changes of the plan. I just need to see --

16 MS. CHAMPION: Yeah. And like I said, I
17 don't think there are beyond what we've already shown.
18 But David and the folks from Cannon, is that something
19 that we can do is to update this portion, which fits
20 within the larger master plan, within which there are
21 no updates. But to be more specific within this
22 portion to not just include a future expansion, but
23 everything else that was previously included in this
24 portion like the parking garage and some of the other
25 areas that we want to maintain as part of the

1 potential future build-out and then also showing where
2 the wetlands area is and the areas that we are going
3 to be proposing for mitigation all within one drawing?

4 MR. FADER: My point is -- and I've tried to
5 make this -- if you have an area of mitigation, okay,
6 and it's for wildlife habitat, and it's completely
7 surrounded by development, it has absolutely no value.
8 I mean --

9 MS. CHAMPION: Understood. And we're open
10 to that discussion as well, David. I think that makes
11 a lot of sense. So if the Planning Board's
12 inclination is that this mitigation, you know, you're
13 just providing the acreage but it's not sensible and
14 something else somewhere else on campus makes sense,
15 we're open to that as well. I think we were just
16 trying at the first pass to stay within the general
17 area. But your point is well taken and we're not
18 necessarily wed to the plan that David proposed. I
19 think that was just a jumping-off point. But, you
20 know, anything that the University is willing to
21 consider to be able to move forward here.

22 MR. FADER: So the reason I liked it was
23 with wildlife, they like corridors or ways to travel.
24 And if you look at the plan that's there now before
25 the other potential buildings are built, they can kind

1 of migrate south and then to the west around like
2 over, you know, and connect to the old growth forest
3 and the other thing. There's like sort of corridors
4 where creatures can move or travel.

5 And those will be lost once the development
6 takes place. You just had this little like vernal
7 pool sitting there. And I just don't see the point of
8 it at that point. So that's the issue I'm raising.

9 CHAIRMAN PRICE: Okay. I'd like to -- I'd
10 like to see if --

11 MR. COX: Hey, Bill. Do you mind? Justin
12 is on the line and he needs to be unmuted to speak
13 from the University of Rochester side. Can someone
14 unmute him so he can jump in? It's called Justin's
15 iPhone on the -- if you look at the participants.

16 MR. FRISCH: Yeah. I just asked him to
17 unmute.

18 CHAIRMAN PRICE: Okay.

19 MR. MALLON: Good evening. I'd turn on my
20 video, but I'm actually kind of under the weather with
21 a bad cold. So I want to first recognize the concerns
22 that were raised both by the Board and by -- by staff
23 in terms of the difference between the master plan and
24 concept that is part of the IPD. It's a concept
25 development plan that reflects the entitlements under

1 the IPD versus what we're proposing today. You'll see
2 that what we're proposing today and then for the next
3 potential addition through the Laser Lab should
4 funding come through from the federal government is a
5 much tighter footprint than was originally approved by
6 the Planning Board as part of the IPD.

7 Since the IPD does give us the right to come
8 in for incremental approvals working within the
9 available entitlements of the IPD that at least is the
10 difference between what we're showing you today versus
11 what was in the original IPD.

12 And to Ashley's point is that we want to
13 work with the Planning Board and staff to come up with
14 actual mitigation measures that are appropriate and
15 meaningful and that we're not just doing this
16 piecemeal and offering up something we'll have to come
17 back to you and say, well, we changed our mind and now
18 we need to further impact the conservation, wildlife
19 habitat, whatever it is that we're working towards
20 here.

21 And then the question around the master plan
22 update. When we do master plans, we look at this as a
23 campus-wide. This is part of our overall campus. So
24 South Campus is just one part of our overall campus
25 that we look at. The new president, Sarah Magelsdorf,

1 if you haven't met her, wonderful person, who came to
2 the U of R from the University of Wisconsin had
3 intended to take a strategic plan within her first
4 year of coming to the University. And then we
5 encountered the pandemic.

6 So we're at a point now where we're managing
7 pandemic response and she's now leading the current
8 strategic plan -- the institution's strategic plan
9 effort which will inform the campus master plan
10 update. So we're not prepared to bring to you a fully
11 vetted South Campus master plan update until -- new
12 strategic plan, which she's leading is undertaken,
13 which will identify a number of agendas including, you
14 know, our work with the communities, but also research
15 agendas including LLE.

16 So what we're asking for the Planning Board
17 to consider and staff to consider is that we're
18 bringing a proposal that's much smaller to build, the
19 footprint than originally, you know, conceptualized
20 under the IPD for review and consideration knowing
21 that we'll come back as part of the master plan update
22 within a year or two we revisit South Campus.

23 CHAIRMAN PRICE: Okay. Thank you.

24 MR. GORDON: Hey, Bill. This is Ken Gordon.

25 CHAIRMAN PRICE: Hi, Ken.

1 MR. GORDON: I've got some observations that
2 I need to share as well. And, Justin, thank you --
3 thank you for jumping on and making the University's
4 position clear. It helps me understand where you're
5 coming from.

6 And what I understand is that these
7 so-called entitlements that you speak of, your rights
8 under the IPD which you speak of, are premised on the
9 Find Statement that the Town adopted back in 2014.
10 And I think Ramsey and all have done a good job
11 talking already this evening about how Finding
12 Statement set forth areas that were not to be
13 disturbed, which you are now violating and deciding to
14 go into those areas. And albeit with some proposed
15 mitigation, but I hope that the University understands
16 that when you take a Finding Statement upon which your
17 IPD was premised and start doing different things, it
18 undermines perhaps the entire basis for those
19 so-called entitlements and right of which you speak.

20 What I'd like to spend a little time talking
21 about is traffic impacts. We have tried to convey the
22 Town's concerns I thought successfully until I saw the
23 materials today. So apparently it needs to be said
24 again. I understand that Fisher has said that they
25 did not take bus service into consideration in its

1 traffic impact study, but I can tell you also that the
2 Town in its Finding Statement certainly did take bus
3 stops into consideration.

4 So I'm reading from the Finding Statement.
5 And for reference I'm on pages 19 and 20 of the
6 Finding Statement from October of 2014. And the Town
7 Board in approving this project concluded that there
8 were adequate protective measures proposed as
9 mitigation along with plans for further study over
10 time to monitor growth with the goal to minimize or
11 eliminate the potential traffic impact resulting from
12 this action.

13 And they made that finding and that
14 conclusion based on and -- based on the forgoing five
15 mitigation and monitoring factors. And number 4 on
16 there is RTS bus stops. And that paragraph -- I'm not
17 going to spend the time reading the whole paragraph,
18 but I'll tell you what the last sentence of that
19 paragraph is. The University commits to working with
20 RGRTA to maintain and increase transit access to the
21 South Campus.

22 So now we know that hasn't happened. We
23 know that there's going to be additions to the campus.
24 And we also know that the Town Board in finding its
25 findings under SEQRA relied at least in part upon the

1 existence of RTS bus stops. So my conclusion can only
2 be that that element of SEQRA, traffic impact, is also
3 something that the Town needs to take a fresh look at
4 because we no longer have the mitigation of those
5 existing bus stops.

6 And I hope that makes the Town position
7 clearer for you in understanding why Ramsey and I have
8 both talked a little bit about an SEIS, but certainly
9 added to the list, Ashley, that you've given us
10 already of the facts -- or the management -- the
11 matters under SEQRA that need to be reviewed. One of
12 those additional matters needs to be the traffic and
13 transit impacts of the project.

14 CHAIRMAN PRICE: Can I get back to -- David,
15 let me ask you this. If you -- if you look at the
16 original plan that was approved in the lower right and
17 the -- I'm going -- without being able to really see
18 it, I believe it's four buildings and possibly a
19 parking ramp in there. One, two, three, four, parking
20 ramp. Okay. And then a big old sea of parking
21 outside the parking ramp up to a hundred-foot buffer.
22 If the current proposal is to take the square footage
23 represented in those buildings and put those now
24 closer to the Laser Lab, I don't know if those
25 buildings in the master plan were contemplated as

1 being part of Laser Lab or if they were going to be
2 stand-alone either research or academic buildings, but
3 if those are now all -- all connects to the Laser Lab
4 and the parking for the Laser Lab is addressed, what
5 we're looking for is basically an assessment of square
6 footage, parking and related traffic to compare to the
7 master plan.

8 Ramsey, is that fair? That's what you're
9 looking to assess is the impacts of shifting the
10 buildings around and where's the parking and how are
11 we going to mitigate the --

12 MR. BOEHNER: Where's the access going
13 through and all those things because there is in the
14 current master plan, the road looping through.

15 CHAIRMAN PRICE: Sure.

16 MR. BOEHNER: The main entrance, what is
17 going on with that? Because that one was a lot
18 further to, what I'm going to say, the south.

19 CHAIRMAN PRICE: Right.

20 MR. BOEHNER: And what was original -- I'm
21 just trying to understand these relationships. And
22 that's why they need to take this plan and kind --
23 because if we're still going to have the parking ramp,
24 yes or no? Are those buildings still going to be
25 there yes or no? Are we still going to try to make

1 that connection over, yes or no? Are we changing the
2 locations of them as what was originally shown, yes or
3 now? I can't tell from what they've given us. Then I
4 also -- we need to know based on that master plan what
5 are the environmental impacts of it if it's going into
6 areas that were not contemplated being disturbed. So
7 that's what I was trying to look at. I hope that
8 clarifies that.

9 CHAIRMAN PRICE: You know, it wasn't
10 initially clear to me what you -- what the overarching
11 concern was, but if this -- if we can take the square
12 footages of existing -- or proposed buildings plus
13 potential, potential, potential, you know, say four
14 potential additions, you know, what is the -- what is
15 that gross square footage? How does that differ in
16 use and size from what was proposed in the master
17 plan? Do you have connectivity to the access road
18 next to imagining? Do you come over to the access
19 road to the west? How is, you know -- potentially,
20 you know, from David's standpoint we could be saving a
21 lot more habitat with the plan that's proposed, but
22 you want to know that there's nothing more coming.
23 And this represents --

24 MR. BOEHNER: That's a good question. Now,
25 David Cox, is this all the development that's going to

1 go in this part of the campus, nothing further to the
2 south, nothing below the LLE parking lot? Because I
3 was just assuming that there'd be more development
4 than what's being shown here. Is this all you're
5 proposing?

6 MR. COX: I will leave that up to U of R
7 to -- if they would like to comment on that.

8 MR. MALLON: Yeah. I can comment on that.
9 So we're showing our understanding of the development
10 footprint required to further the national research
11 agenda of the LLE. Right? So it's a nationally
12 ranked, top-ranked, LLE Laboratory for Laser
13 Energetics laboratory and that there would be no
14 additional development happening to the south of that
15 because we just don't need the area. It's woodlands
16 that could be conserved and preserved as an amenity
17 for our neighbors adjacent to us.

18 In terms of what you're asking in terms of
19 the potential uses that could happen still on the
20 South Campus, again that master plan was high-level
21 concept looking at just available development,
22 footprint, based on preliminary surveys at the time
23 and then using that to generate the code language,
24 what could be our maximum entitlements in terms of
25 development, footprint, square footage across the

1 site.

2 Obviously a laser energy laboratory is a
3 very different use than the imaging building, which
4 has imaging in it as well as pediatrics. So they're
5 not compatible in uses in terms of the people that are
6 being served between the two. LLE doesn't have the
7 customers the same way that our healthcare services --
8 health service lines has at UR medicine or the imaging
9 building. So they're unrelated.

10 It's unlikely we have any reason to actually
11 create a connected service loop because what LLE does
12 is totally exclusive from what they do at the imaging
13 building. Does that answer the question?

14 MR. BOEHNER: Bill, would you put that area
15 under a conservation easement to make sure we can
16 ensure that it's protected?

17 MR. MALLON: Yeah. So I think if that's
18 something we want to discuss as part of our response
19 to Planning Board's concerns, we want to take that in
20 light of the fact that we do recognize -- I don't want
21 to go back to the point of your attorney -- that, yes,
22 in fact, the Finding Statements made particular
23 findings based on the known situation of the campus at
24 that time. Some of those physical conditions have
25 changed that we've documented, but we know the intent

1 for the City -- Town of Brighton is to preserve those.
2 We're recognizing that we're doing a minor impact. We
3 want to mitigate and preserve areas that are important
4 for critical wildlife habitat.

5 The other point I want to talk to you about
6 is RTS service. We paid for and we offered to
7 continue paying for RTS service to the South Campus.
8 RTS made a decision through a public process of
9 hearings and people and agencies including Brighton
10 and us as their major non-profit in the area about
11 reduction of bus service. And we've been impacted by
12 the choices that RTS has made.

13 As I said in a staff call, the University of
14 Rochester is more than happy to go to RTS with
15 Brighton as a partner and ask for restoration of that
16 service. And we're prepared to, again, fund that
17 additional service. What we've done is make up that
18 loss of service by doing shuttle buses that take care
19 of issues in terms of potential traffic and impact
20 based on employment, not in terms of visitors to the
21 campus.

22 CHAIRMAN PRICE: Justin, thank you. So I
23 guess if I'm thinking, David, with your lens on and
24 Ramsey, there's -- there's a potential anyway that,
25 you know, bar the impacts to the wetland with the

1 potential service road on the east side of future
2 buildings connecting to the current building
3 application that there could be substantially or at
4 least more environmental to this particular layout
5 than the master plan layout. And what you would like
6 to see and understand is just that. Is it -- you
7 know, do we have the same amount of square footage
8 anticipated? Do we have the same amount of impervious
9 surface anticipated? Are we getting more green space
10 than anticipated? And we have -- do we have the
11 opportunity for adequate mitigation knowing that we've
12 got both Phase I and future phases and, you know, can
13 we -- is it best to put the mitigation of wetland
14 disturbance in the current area or are there other
15 areas where the habitat would benefit better from it.

16 It is sounding like this section of campus
17 is going devoted to the LLE and that, you know, the
18 master plan may have anticipated different academical
19 research buildings that, you know, may have been
20 spin-offs or something, but that doesn't appear to be
21 what's actually going to happen even though this is
22 subject to some change over the -- over the years.
23 But this -- I think that's what you guys are -- are
24 asking for U of R Passero to give you answers on.

25 MR. BOEHNER: Yes. And if this is the only

1 development that they're proposing to do in this area
2 that helps a lot. Because the other development was
3 going a lot further south. So I'm sitting there
4 saying if that's it, that starts to resolve some of
5 the issue because those lands can either be under a
6 conservation easement, deed restricted or something so
7 we don't ever have to go through this again.

8 MR. GORDON: I wanted to agree with you on
9 that Ramsey. If we can get that commitment from the U
10 of R, that simplifies so much of this and I think
11 eases the path tremendously for --

12 MR. BOEHNER: Yeah. Because if that's
13 what's going on here, then that's -- was not I was
14 understanding. I was understanding that, you know,
15 there was still going to be some more possible
16 development to the south of that parking lot. And if
17 there was, were we still going to have that loop road
18 and a few other things.

19 MR. FADER: I agree because -- that's why
20 when I looked at just what's sitting on the screen
21 now, not the master plan, my thought was oh, gee,
22 they've done -- they're doing a pretty good job here
23 because if the stuff to the south of that LLE parking
24 and service -- potential parking lot is going to be
25 preserved, then that gives us -- it's better than the

1 previous plan and it gives us a whole bunch of
2 options.

3 MR. BOEHNER: Yeah. Yeah. Yup. I agree
4 with that. But we can work out the details of all of
5 that. The issue that we do got though is we have a
6 preliminary application in. So I don't think any of
7 this is part of that application is the problem.

8 CHAIRMAN PRICE: Okay. So for -- for a
9 supplement to the application could include, you know,
10 this plan right here with the original master plan
11 kind of overlayed on it to show what the impacts have
12 been with the master plan that was from 2014, how that
13 is, you know, the extent to which that is or isn't
14 ever going to be built out. And then, you know, it's
15 taking that master plan level down to, again, a closer
16 level master plan with the current application plus
17 some build-out and they can do some calculations on
18 square footage, potential use and what we might be
19 potentially left with regard to green space versus
20 what the prior application -- what the master plan was
21 potentially going to leave us with. And that can be
22 an introduction to a discussion of the preliminary
23 application. And we can look at SEQRA.

24 MR. BOEHNER: Yeah.

25 CHAIRMAN PRICE: This is -- frankly, it's

1 getting a little bit better and more palatable to, you
2 know, concentrate the building, you know, with a -- in
3 a tighter footprint. We don't see the sea of parking
4 that was potential, a parking garage. That all
5 represented to me an awful lot of traffic that if it's
6 not going to be the case, is going to make this
7 section of the community a lot better not only for the
8 adjacent neighborhoods, but for the campus residents
9 themselves.

10 So, Ramsey, I'm not planning to answer for
11 you, but as far as from the Board's position, David
12 and Ashley and Justin, does -- you know starting the
13 presentation for preliminary, you know, again, just
14 showing where we started in 2014, how the current
15 state of affairs are with the Laser Lab and how you
16 see build-out occurring over a -- you know, your four
17 additions there may take 15 years or something, but
18 that -- you know, the square footage proposed is the
19 same or less than what was proposed on the master
20 plan, the parking is less, the need for utility
21 extensions can be less. And we're saving more green
22 space overall. And then you drill into the details of
23 the current expansion, the wetland mitigation,
24 reforestation of the woodlot EPOD and other things
25 associated with the special use permit.

1 Somebody can say yeah, I agree with that.

2 MS. CHAMPION: Yeah. I just want -- I think
3 we're following you. That makes sense. And yes,
4 we'll make sure that what we're showing here is as
5 close to post-development within this little quadrant.
6 And then run the numbers as to how -- what we're
7 looking at here relates to what was shown before on
8 the prior master plan. And so -- and including not
9 just the buildings, but the connection points and
10 access spaces as Ramsey said as well. So you have the
11 full picture of what it is we're proposing versus what
12 was existing. And then I agree, I think, that sounds
13 like based on --

14 MR. BOEHNER: Yeah. I also do add in any
15 impacts that this is having -- impacting if there's
16 additional ones. I think the impacts were more done
17 for the proposed addition that's being proposed
18 currently. I just want to make sure we're covering
19 what we're proposing to do with the change in the
20 master plan.

21 MS. CHAMPION: Right. I think that we're --
22 I think we feel pretty confident in that, but, yes, we
23 will go back and make sure that we're not disturbing
24 additional wetland areas or areas that we're offering
25 as mitigation or anything like that.

1 MR. BOEHNER: Well, we need to know. And if
2 you are --

3 MS. CHAMPION: And --

4 MR. BOEHNER: Yeah. Because if you are,
5 then we have.

6 MS. CHAMPION: Understood. Just one more
7 comment too on your RTS bus service issue. You know,
8 understanding as Justin said we're willing to go back
9 to RTS again with the Town and talk about, you know,
10 the fact that the University's willing to continue
11 payment to try to get the service back. If we cannot,
12 you know, RTS bus services is not a separate issue
13 really to be reviewed in a vacuum. It's obviously
14 part of a larger traffic issue. If that's another --
15 if that's another point that the Planning Board needs
16 to review as part of its SEQRA, we understand. But, I
17 can't see (internet connection issues) -- triggering
18 any traffic impact. I think the level of a potential
19 significant environmental impact would require an
20 SEIS.

21 But we're chasing that down as far as we can
22 and understand that the Town wants the service and
23 that we've been working to try to maintain it. And if
24 we can't, we can't. And it's just something the
25 Planning Board is going to have to consider as part of

1 the overall development.

2 MR. GORDON: And I'm fairly confident,
3 Ashley, that the Town would be very pleased to partner
4 with the University of Rochester and having the
5 discussion with RGRTA to restore those bus stops. So
6 maybe you can coordinate with me or Jared, if he's
7 pinch-hitting for you, can coordinate with me and who
8 that spokesperson for U of R is going to be, and who
9 it's going to be from the Town of Brighton. And we
10 can approach RGRTA to see what we can do.

11 And yes, I do agree with you that it's not a
12 standalone issue. I mean, it's not like bus service
13 is the only mitigation measure that had to do with
14 traffic. But it was one. And so all I'm saying is
15 that that traffic and transportation issue does need
16 to be part of what the Planning's Board is looking at
17 under SEQRA.

18 MS. CHAMPION: Understood.

19 MR. MALLON: So Jim Chodak our Director of
20 Parking and Transportation and myself will participate
21 in the discussion with RTS. We worked with them for
22 elsewhere and for in other parts of Henrietta. And we
23 can demonstrate the current shuttle service that we've
24 put in place to make up for that loss of service. We
25 do take that very seriously because the RTS was not

1 just these bus stops, they're bus stops serving some
2 of our lowest paid employees that work elsewhere on
3 the campus who then had to resort to alternate means
4 to get to the campus at greater expense. So there's a
5 whole social equity concern in here and we're happy to
6 partner with the Town of Brighton to kind of bring
7 that to RTS.

8 MR. GORDON: And I think you'll find the
9 Town Supervisor will be a strong advocate and partner
10 with you in those discussions.

11 MR. BOEHNER: Yup. I would agree.

12 CHAIRMAN PRICE: Sorry. I'm muted. Just
13 want to hear any of the other Board members that may
14 have questions or comments. John?

15 MS. DELANEY: I don't think I have anything
16 else to add that hasn't already been said.

17 CHAIRMAN PRICE: Thank you, Pam.

18 MS. DELANEY: I do say I appreciate the --
19 that the additional parking lot has been removed. I
20 was happy to see that in these updated plans.

21 CHAIRMAN PRICE: John, you have anything?

22 MR. OSOWSKI: Yeah. I'm satisfied with all
23 the discussion that's taken place. I'm glad that all
24 these issues are being brought out and being
25 addressed. It's all good. Thank you.

1 CHAIRMAN PRICE: Thanks, John. Julie, do
2 you have any questions?

3 MS. FORD: I agree with John. Most -- my
4 issues have been addressed and this has been thorough
5 and look forward to what's coming.

6 CHAIRMAN PRICE: Thank you. Jason.

7 MR. BABCOCK-STINER: I'm good. I think you
8 guys pretty much covered it.

9 CHAIRMAN PRICE: All right. All right. And
10 Karen?

11 MR. BOEHNER: Karen, you're muted.

12 MS. ALTMAN: I said -- thank you. I'm all
13 set right now. Thank you for the discussion.

14 CHAIRMAN PRICE: All right. I'm grateful
15 for everyone's patience and taking the time to
16 thoroughly talk through this and really understand,
17 you know -- just, you know, how we have to look at it
18 and we have to understand how you're looking at it.
19 So appreciate everybody's patience. And David, the
20 thorough presentation helped quite a bit. So thank
21 you for that.

22 Any other comments or questions from either
23 side? Ramsey, you all set?

24 MR. BOEHNER: Yeah. For tonight I am, but I
25 do need to catch up with the U of R team probably --

1 because we have to figure out some things.

2 CHAIRMAN PRICE: All right.

3 MR. BOEHNER: We have some timing issues,
4 some process issues, that type of stuff. I think we
5 have some direction given that we look like we
6 understand their plan better now.

7 CHAIRMAN PRICE: Yeah.

8 MR. BOEHNER: That we know its limits and I
9 think hopefully they can get us the rest of the
10 information that we'll need.

11 CHAIRMAN PRICE: All right. Ken Gordon, all
12 set?

13 MR. GORDON: Yup. Thanks, Bill.

14 CHAIRMAN PRICE: Thank you. U of R, Ashley
15 or Justin you guys all set?

16 MS. CHAMPION: Nothing further from me.
17 Thank you. Just, David, are you comfortable with the
18 conversation on the updates to the plan here that the
19 Town's looking for? Did you have any questions before
20 we sign off?

21 CHAIRMAN PRICE: I'll work with Ken and
22 Ramsey on any kind of response to this. Okay.
23 Justin, feel better. And thank you everybody for
24 taking the time.

25 MS. CHAMPION: Thanks, everyone. Take care.

1 MR. BOEHNER: Take care.

2 CHAIRMAN PRICE: This is old business. Now
3 I was -- I don't believe I was at the last meeting.
4 Public hearing was not closed on this and we don't --
5 we don't --

6 MR. BOEHNER: This was just a concept
7 review.

8 CHAIRMAN PRICE: Concept review. Okay.
9 Very good. So Ramsey. I take it we -- how are we on
10 our agenda? We have no signs?

11 MR. BOEHNER: Yup. We have no signs. There
12 were a number of communications regarding the Twelve
13 Corners project. They were written to me, but I
14 think -- I put them on the agenda because I thought
15 you might find them interesting.

16 CHAIRMAN PRICE: Okay.

17 MR. BOEHNER: So I wasn't sure what to do
18 with them, but I figured the real intention was that
19 they wanted me to let you know their concerns about
20 the project. And that's why you see them to me and
21 not to you guys. I think that was their intention.

22 MR. BABCOCK-STINER: Yeah. They were on the
23 Brighton page on the Meadowbrook community page kind
24 of talking about it too.

25 CHAIRMAN PRICE: Yes.

1 MR. BOEHNER: So I figured, you know --
2 there's going to be, I tend to think, a few more and
3 you'll get those too.

4 MS. ALTMAN: Okay.

5 MR. BOEHNER: That's the last thing we had.

6 CHAIRMAN PRICE: Any --

7 MR. GORDON: If I can just jump in here.

8 CHAIRMAN PRICE: Yes. Please.

9 MR. GORDON: So we had talked about adding
10 to the agenda a staff review or report early on before
11 we went into public hearings. And is that something
12 the Board is interested in doing at our next meeting?

13 MS. DELANEY: I am.

14 MS. FORD: I am.

15 CHAIRMAN PRICE: Yes.

16 MS. ALTMAN: Yes.

17 MS. DELANEY: I had a question though, Ken.
18 I know that these have to be advertised. I know that
19 they have to be public. Is there any way we can start
20 our pre-meeting at like 6:45 and advertise it as 6:45?

21 MR. GORDON: Well --

22 MS. DELANEY: Start the meeting at 7. I
23 know they have to be advertised, but like --

24 MR. GORDON: I just want to eliminate -- I
25 understand that. I want to eliminate the concept of a

1 pre-meeting. There is no such thing as a pre-meeting
2 that we can have. But we have our meetings start at
3 any time we advertise it. So we could have a meeting
4 start at 6:45 or so.

5 The problem I think is that staff is working
6 right up until frankly minutes before and -- for
7 example, you may not know this, but the entire slide
8 presentation that the University of Rochester, David
9 Cox brought from Passero, showed up at Town Hall at
10 4 o'clock this afternoon. And so staff is scrambling
11 to get things ready. The earlier we start, the more
12 difficult it is for staff to get ready to give you the
13 feedback or the report that you're looking for at the
14 beginning of the meeting so that you are more informed
15 when you're listening to the public hearings.

16 But I think it's a great idea to have the
17 staff report early in the meeting. I just don't know
18 as a practical matter if we are really going to be
19 ready as staff to start before 7 o'clock.

20 MS. DELANEY: We used to start at 6:30.

21 MR. GORDON: Yes, we did. Yeah.

22 MR. BOEHNER: We weren't doing all the stuff
23 we're required to do now. A lot has changed. I would
24 be glad to start it -- if you want to start it
25 earlier, but that's --

1 MR. FADER: What if you started the meeting
2 at 7 and started the public hearing at 7:30?

3 MR. GORDON: I'm not so worried about --

4 CHAIRMAN PRICE: Yeah.

5 MR. GORDON: I'm not so worried about how we
6 advertise -- (internet connection issues) -- and our
7 agenda as approved can show we're going to start with
8 the staff review after that we're going to call roll
9 and indicate that the meeting has been properly
10 advertised and we can go right into staff report then
11 as a practical matter, yeah, we're probably not going
12 to get to those public hearings until 7:30. But I
13 agree with Ramsey, it's up to the Board as to when the
14 meeting start and I thought I saw Julie raise her
15 hand.

16 MS. FORD: Yeah. I can't figure out how
17 to -- I'm using somebody else's computer. So this has
18 all been very technically challenging. About getting
19 the material to us, just as a newbie, isn't there some
20 sort of deadline they have to have presentation that
21 should be to the Board before some reasonable time?

22 MR. BOEHNER: We can start putting new time
23 frames in if you'd like.

24 MS. FORD: I'm just querying if that was an
25 issue about when we start the meeting would that --

1 just wondering.

2 MR. BOEHNER: Okay. If you want to start at
3 6:30, we'll start at 6:30. Want to start at 7, we'll
4 start at 7. I'll do whatever you guys want.

5 MS. DELANEY: I mean, I don't think we need
6 the full hour like we used to have because we used --

7 MR. BOEHNER: No. I don't think --

8 (Simultaneous conversation)

9 CHAIRMAN PRICE: Can staff live with 6:45?

10 MR. BOEHNER: I'll do what -- hey, I'm
11 retired. I'll do whatever you want.

12 CHAIRMAN PRICE: Jeff?

13 MR. GORDON: Jeff, how do you feel about
14 6:45?

15 MR. FRISCH: I'm down with that. I can
16 manage that.

17 MR. BOEHNER: If that's what you want to do.
18 It's going to be quick. The staff review is going to
19 just be quick. It's not like we're going to spend a
20 lot of time on them. We're just going to run through
21 the applications. If you have questions, ask them.
22 We did add it to the agenda tonight. There wasn't a
23 lot. I didn't see too much point to it. But it has
24 been added if you look and see that we did add it in.
25 We did advertise it. We did publish it that way. But

1 if it is something we got to do, that is a change.
2 And then I would suggest we do it starting next year
3 just so I don't have to go back and change all our
4 calendars and redo everything.

5 CHAIRMAN PRICE: You did have agenda review
6 there. All right.

7 MR. GORDON: So you're going to have to get
8 used to calling for that Mr. Chair.

9 CHAIRMAN PRICE: Yeah. All right.

10 MR. GORDON: So I think what Ramsey is
11 saying is we can have the agenda review on for
12 December, but he would like to change the meeting time
13 starting with the 1st of the year rather than next
14 month. Is that okay?

15 MS. DELANEY: That's good. I can live with
16 that.

17 CHAIRMAN PRICE: I'm good with that. All in
18 favor, you can say yay.

19 (All members answer aye.)

20 CHAIRMAN PRICE: All right. All right.
21 Folks, have a great Thanksgiving.

22 MS. DELANEY: Wait. Don't we have to do an
23 approval?

24 MR. GORDON: 2900 Monroe.

25 CHAIRMAN PRICE: We didn't do that. All

1 right. Let's go back to application 11P-01-21. Do I
2 have a motion to close the public hearing?

3 **Application 11P-01-21**

4 MR. BABCOCK-STINER: I move we close the
5 public hearing.

6 MS. DELANEY: I'll second.

7 MR. BOEHNER: Moved and seconded.

8 CHAIRMAN PRICE: Did you get who did it,
9 Ramsey?

10 MR. BOEHNER: Yeah. It was Delaney, right,
11 Pam?

12 MS. DELANEY: Yup.

13 CHAIRMAN PRICE: Okay. All right. Can you
14 call the roll on that?

15 MR. BOEHNER: Do we have a motion to do
16 the --

17 MR. FADER: No. This is just the closing of
18 the hearing.

19 MR. BOEHNER: Closing of the hearing. I'm
20 sorry.

21 (Ms. Altman, aye; Mr. Price, aye; Mr. Fader,
22 aye; Ms. Delaney, aye; Mr. Babcock-Stiner,
23 aye; Mr. Osowski, aye; Ms. Ford, aye.)

24 MR. BOEHNER: Hearing's closed.

25 CHAIRMAN PRICE: Thank you. Does anybody

1 care to make a motion?

2 MR. FADER: I move -- I move the Board adopt
3 the negative declaration prepared by Town staff and
4 the Board approves the application 11P-01-21 based on
5 testimony given, plans submitted and the nine
6 conditions.

7 **CONDITIONS:**

- 8 1. An Operational Permit shall be obtained from the
9 Town of Brighton Fire Marshal (Chris Roth,
10 585-784-5220).
- 11 2. Meet all requirements of the Town of Brighton's
12 Department of Public Works.
- 13 3. All Town codes shall be met that relate directly
14 or indirectly to the applicant's request.
- 15 4. The dumpster shall be enclosed with building
16 materials that are compatible with the existing
17 building and located in the rear yard. The enclosure
18 shall equal the height of the dumpster and shall not
19 be higher than six and one-half (6.5) feet.
- 20 5. Details for the enclosure gate shall be provided
21 to the Town, and the gate shall be constructed to
22 maintain structural and aesthetic longevity over time.
- 23 6. Design and materials of proposed enclosure shall
24 be reviewed and approved by Building and Planning
25 Department.

1 7. All comments, concerns and requirements of the
2 Town Engineer as contained in the attached memo dated
3 November 16, 2021, from Evert Garcia, Town Engineer,
4 to Ramsey Boehner, shall be addressed.

5 8. Prior to the currently vacant tenant space being
6 occupied, a parking study shall be done showing there
7 is adequate parking with two spots being eliminated by
8 the dumpster enclosure.

9 9. Enclosure doors shall be closed when not in use.

10 MS. ALTMAN: Second.

11 CHAIRMAN PRICE: Moved and seconded, Fader
12 and Altman. Any further discussion on this? Okay.
13 Ramsey, please call the roll.

14 (Ms. Ford, aye; Mr. Osowski, aye;
15 Mr. Babcock-Stiner, aye; Ms. Delaney, aye;
16 Mr. Fader, aye; Mr. Price, aye; Ms. Altman.)
17 (Upon roll motion passes.)

18 CHAIRMAN PRICE: Happy Thanksgiving
19 everyone.

20 (Proceedings concluded at 9:41 p.m.)

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