

PLANNING BOARD
TOWN OF BRIGHTON
MEETING OF JUNE 15, 2022
Brighton Town Hall
2300 Elmwood Avenue

PLEASE TAKE NOTICE that a public hearing will be held by the PLANNING BOARD of the TOWN OF BRIGHTON, Monroe County, at a meeting to be held remotely via a video conferencing platform on Wednesday June 15, 2022 at 7:00 P.M. (E.D.S.T.). Pursuant to the adoption of Chapter 1 of the Laws of 2022 amending Chapter 417 of the Laws of 2021 which permitted remote public meetings and the issuance of the Governor's Executive Order 11 and the suspension of in-person meeting requirements under the Open Meetings Law and the extensions thereof, this meeting will be conducted remotely beginning at 7:00 pm or as soon thereafter as possible. Members of the public will be able to view and participate in the meeting via Zoom. Please go to the Town website (<https://www.townofbrighton.org>) for a link to the Zoom meeting. Should the suspension of in-person meeting requirements expire before the time and date of the above referenced meeting, said meeting will be conducted in-person at the Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton and will commence at 7:00 pm.

Written comments may be submitted to Jeff Frisch, Executive Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to jeff.frisch@townofbrighton.org.

Applications subject to public hearings and the documents to be considered by the Board will be available for review on the town's website no later than twenty-four hours prior to the meeting to the extent practicable. for the purpose of considering, modifying, approving or disapproving the following listed applications.

TENTATIVE AGENDA

7:00 P.M. Public Hearing Via Virtual Platform

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approval of the May 18, 2022 meeting minutes.

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of June 9, 2022 will now be held.

[5P-02-22](#) Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Conditional Use Permit Approval to allow for The Montessori School of Rochester to be located at 220 Idlewood Road. All as described on application and plans submitted. **TABLED AT THE MAY 18, 2022 MEETING - POSTPONED TO THE JULY 20, 2022 MEETING - PUBLIC HEARING REMAINS OPEN**

[6P-01-22](#) Application of Helio Health, owner, for modification of conditions of approval (11P-03-18 & 12P-01-19) to allow for the use of 4000k color temperature parking lot lights in lieu of 3000k color temperature lights as approved for property located at 1850 Brighton Henrietta Town Line Road. All as described on application and plans on file.

[6P-02-22](#) Application of Jagdish Kaur, owner, and Evan Gefell, agent, for Preliminary/Final Site Plan Approval to renovate an existing 1,634 sf building and make parking, lighting, landscaping and utility improvements on property located at 30 Jefferson Road. All as described in application and plans in file.

[6P-03-22](#) Application of Birnbaum Companies, owner, for Preliminary/Final Site Plan Approval and Conditional Use Permit Approval to construct a 3,050 +/- sf building addition for warehouse and office use on property located at 150 Metro Park. All as described on application and plans on file.

NEW BUSINESS:

[10P-NB1-21](#) Application of 1950-1966 Monroe Avenue, LLC (Quicklee's), owner, for Preliminary Subdivision Approval, Preliminary Site Plan Approval and Demolition Review and Approval to raze two commercial buildings, combine two lots into one and construct a 2,500 +/- sf convenience store, three new gas pump islands and a new gas pump canopy on properties located at 1950 and 1966 Monroe Avenue. All as described on application and plans on file.
POSTPONED TO THE JULY 20, 2022 MEETING – PUBLIC HEARING REMAINS OPEN

[5P-NB1-22](#) Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Cental School District, owner, for Preliminary Site Plan Approval, Preliminary EPOD (watercourse) Permit Approval and Preliminary Conditional Use Permit Approval to construct a 23,000 +/- sf building addition (with an additional 8,700 sf future phase), to re-purpose the former Brookside School for the use by the Talmudical Institute of Upstate New York Residential High School and make other site improvements on property located at 1666 South Winton Road. All as described on application and plans on file. **TABLED AT THE MAY 18, 2022 MEETING - POSTPONED TO THE JULY 20, 2022 MEETING - PUBLIC HEARING REMAINS OPEN**

[5P-NB2-22](#) Application of Bristol Valley Homes, LLC, owner, and PEMM, LLC, contract vendee for Preliminary Site Plan Approval to construct a 968 +/- sf gas pump canopy, renovate an existing 1,278 sf building, install two gas pump islands, and make additional site improvements for the purpose of operating a Quicklee's gas station and convenience store on property located at 3108 East Avenue. All as described on application and plans on file. **TABLED AT THE MAY 18, 2022 MEETING - POSTPONED TO THE JULY 20, 2022 MEETING - PUBLIC HEARING REMAINS OPEN**

CHAIRPERSON: Announce that public hearings are closed.

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Vicki Reina, 62 Poplar Way, dated May 12, 2022, with comments regarding the use of the Idelwood entrance for applications 5P-02-22 and 5P-NB1-22.

Letter from family and friends of the Montessori School of Rochester, dated May 16, 2022, supporting application 5P-02-22 and the use of the Idlewood entrance.

Letter from Tyler Wolk, 3161 East Avenue, in opposition to application 5P-NB2-22, 3108 East Avenue.

Letter from Suzanne and Scott Nolan, Creekside Drive, dated May 18, 2022, with comments and concerns regarding application 5P-NB2-22, 3108 East Avenue.

Letter from Erin Crowley, Suite 840, Legacy Tower, dated May 18, 2022, with comments regarding application 5P-NB2-22, 3108 East Avenue.

Letter from Noah Glick and Allison Stiles, 65 Brookside Drive, dated May 18, 2022, in opposition to application 5P-NB2-22, 3108 East Avenue.

Letter from Kathryn Fox, 4 Whitney Lane, dated May 18, 2022, in opposition to application 5P-NB2-22, 3108 East Avenue.

Letter from Esther Lim, 171 Evandale Road, dated may 18, 2022, requesting removal of her name from an Evans Farm neighborhood petition, and stating she is in support of application 5P-02-22.

Letter from Todd Howe, 15 Creekside Lane, dated may 18, 2022, with comments and concerns regarding application 5P-NB2-22, 3108 East Avenue.

Letter from Bridget and Michael Stone, 1110 Allens Creek Road, dated May 18, 2022, in opposition to application 5P-NB2-22, 3108 East Avenue.

Letter from Cynthia Kreber Gowan, Head of School - Motessori School of Rochester, dated May 19, 2022, with additional traffic information.

Letter form Linda Stevenson, 12 Creekside Lane, dated May 19, 2022, with questions regarding application 5P-NB2-22, 3108 East Avenue.

Letter from Amber Orlando, 3895 Elmwood Avenue, dated May 25, 2022, in support of application 5P-NB2-22, 3108 East Avenue.

Letter from Kelli Ruest, 157 Astor Drive, dated May 25, 2022, in support of application 5P-NB2-22, 3108 East Avenue.

Letter from Lerie Bascaran, dated May 25, 2022, requesting the Board to listen to the safety needs of the Montessori School of Rochester.

Letter from Steven Witkowicz and Susan Hume, 95 Poplar Way, dated May 31, 2022, with comments regarding the use of the Idelwood entrance and access to the land around the Brookside School and applications 5P-02-22 and 5P-NB1-22.

Letter from Jerry Goldman, Woods Oviatt Gilman, dated June 1, 2022, requesting adjournment of application 10P-NB1-21.

Letter from Jerry Goldman, Woods Oviatt Gilman, dated June 1, 2022, requesting adjournment of application 5P-02-22 and 5P-NB1-22.

Letter from Betsy Bringewatt, Jewish Family Services' Brighton Food Cupboard, dated June 7, 2022, in support of retaining access to the Idlewood Rd entrance.

Letter, with attachments, from a group of residents within Evans Farm, received June 10, 2022, with comments, concerns and proposed conditions for applications 5P-02-22 and 5P-NB1-22.

Letter from Jerry Goldman, Woods Oviatt Gilman, dated June 13, 2022, requesting adjournment of application 5P-NB2-22.

Letter from Debby Abrahams, 150 Southwood Ln, dated June 13, 2022, with comments concerning access through the Brookside School grounds.

Letter from Mark T. Henderson, Director of Jewish Community Services, received June 13, 2022, in opposition to providing an easement for use and or access on the Talmudical property due to security concerns.

PETITIONS:

NONE

SIGNS:

APP #	NAME & LOCATION	TYPE OF SIGN	ARB REVIEW
ARB & PB RECOMMENDATIONS AND/OR CONDITIONS			
1648	BU Salon & Space 2119 South Clinton Avenue	Bldg Face	5/24/22
ARB - Table for the following: 1. Legibility issue, especially as read from driving speed. 2. Combination of bold black bars and vertical letters with horizontal words lacks clarity. 3. Size and spacing of words seem small related to overall rectangular sign.			
1649	Jersey Mike's 2750 Monroe Avenue	Bldg Face	5/24/22
ARB - Approved as presented.			

May 12, 2022

Brighton Town Planning Board Members:

I am writing to convey additional considerations regarding the Talmudic Institute of New York (TIUNY) proposal # 5P-NB1-22, and the Montessori School proposal # 5P-02-22. These two are closely related, as the Montessori School is located within Brookside School.

I would request that any approval of a conditional use permit for Montessori have the caveat that it will be amended no later than the completion of the first phase of construction/when TIUNY can occupy the building (i.e., 2023, when the first dormitory is constructed) at the site: allowing for use of the Idlewood entrance for the school while the school is located in the building and the first phase of construction/when TIUNY can occupy the building. My preference is to remove all access to Brookside in any capacity via Idlewood, but understand that during phase 1 construction of the site (if approved) this may place an undue burden on the school and their participants. As it is clear in the Montessori application that they intend to continue use of the Idlewood entrance, it should be considered temporary, not permanent; this should be in writing.

I hereby request that any future conditional use application render the same caveat, to not presume that Montessori will inhabit the building through the entire construction phase(s).

Further, I reiterate the need to eliminate the use of the Idlewood entrance. In sum, the yield roadway was not designed for commercial use and the amount of traffic it experiences; relative to a vision for safe roadways, our neighborhood streets should be part of that Town plan and agenda, and eliminating commercial use of roads within a contained neighborhood should have the same weight as a "state owned roadway". As so eloquently stated by Town Board member Christine Corrado, *"No matter our age or ability, we want to be able to walk or bike safely in Brighton"*; this especially includes in our own neighborhoods. The will of the constituents should be considered: a large number of the residential members of Evan's Farm request the closing of this entrance. A comprehensive plan with supporting documentation has been submitted and the full plan (21 pages), in addition to the signatures (278 signatures, 57 pages), shall be entered into minutes. To be clear, it is likely there is more support, one could extrapolate that with additional time to canvas and discuss, community support of this entrance closure would exponentially increase. These are members of your current community, neighbors who pay taxes for the upkeep and improvement of our town, neighbors invested in the safety of our neighborhoods.

Montessori is a wonderful school program; this does not reflect on their business, operations or intentions. This request, and the requests relative to the TIUNY proposal, is simply due to the safety of our streets: the children, families, pets and neighbors that live in and use these neighborhood roads daily. It is possible to create an alternative roadway by TIUNY that would travel around the building to the existing loop by the Montessori entrance; in fact, the roadway (service road) in the TIUNY proposal contains a 20 ft road, wider than our 19-foot neighborhood roads.

When Brookside was developed, the neighborhood did not have the opportunity to weigh in on access; this precedence should not guide or inform current practice or future plans.

Sincerely,

Vicki Reina, MA

Vicki Reina

62 Poplar Way



Brighton Planning Board
Brighton Town Hall
2300 Elmwood Avenue
Rochester, NY 14618

TOWN OF BRIGHTON
DEPT. OF PUBLIC WORKS

RECEIVED
MAY 23 2022

May 16, 2022

Dear Board Members,

We, the undersigned families and friends of the Montessori School of Rochester, wish to voice our staunch support for MSR's application for a special use permit allowing the school to operate as it has for the past two decades.

MSR has been a valuable educator for many Brighton families and a vital contributor to the greater Brighton community. Many of us are Brighton residents and neighbors by extension, so we were relieved that they were able to reach an arrangement with the Brookside building's new ownership to remain in the building they've called home.

However, it's come to our attention that some members of the surrounding neighborhood view the traffic as a nuisance and wish to place additional stipulations on the school's permit, namely barring the use of the Idlewood Road entrance. The Idlewood entrance is crucial to the school's ability to safely and efficiently accept the influx of students each morning. This was always designed as the main entrance to the school since its construction in the 60s. The sidewalks, bus loop, and classroom entrances all on this side of the building. These features clearly make it the only reasonable way for young children to safely walk to their classrooms.




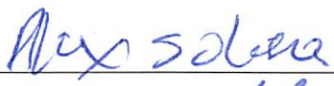
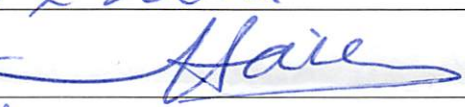
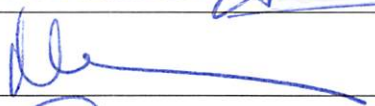
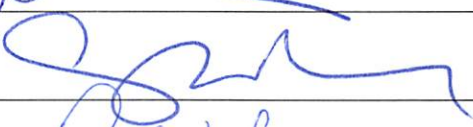
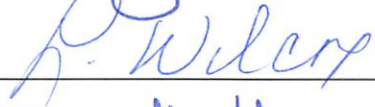
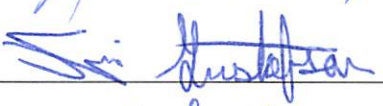
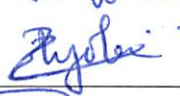


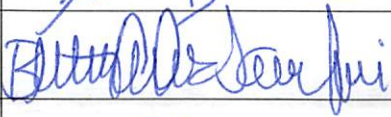
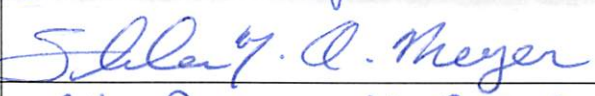
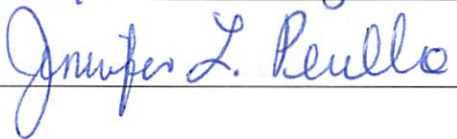
In the best of circumstances, the Winton Road entrance is unequipped to satisfy the school's needs and will only become more strained during the planned construction TIUNY plans to perform on that side of the building.

MSR's proposed permit would have no negative impact on the levels of traffic through Evan's Farm. Students have been traveling through the Evan's Farm neighborhood to get to Brookside for nearly 60 years. This permit merely upholds the status quo and poses no threat to the quality of life to the neighborhood - one that every resident found acceptable when they chose to purchase a home near the existing school.

Please consider the needs of the school, the young children that attend it, and the greater community and grant MSR's permit with continued use of the Idlewood entrance so they can continue to be the amazing gem in our community.

Sincerely:

Name & Address	Signature
Jon Meyer 33 Astor	
David Bungeon 626 Penfield Rd 14625	David Bungeon
96 Fernborg Rd 14618 Deanna Rodriguez	Deanna
Ben Pecora-Sanesski 2280 Westfall Rd 14618	Ben Pecora-Sanesski
Leire Bascaran 45 Crandon Way 14618	Leire Bascaran
Gabrielle Willey 20 Midland Ave 14620	Gabrielle Willey
Esther Lim 171 Evandale Rd	Esther
Machiel Bick 171 Evandale Rd.	Machiel Bick
Lauren Lazzara 50 Oak Ln.	Lauren Lazzara
Emmett Wilson 20 Birmingham Dr	Emmett Wilson
Kathryn Behrman 281 Willowbend	Kathryn Behrman
Jonathan Bostick 350 Clover Hills Dr.	Jonathan Bostick
Mark Buckley 603 Clayhorne Rd.	Mark R Budder
Karen Schmergel 122 Hemingway Drive	Karen Schmergel
Katherine Mannheim 110 Grosvenor Rd 14610	Katherine Mannheim

Name & Address	Signature
Thomas Fleischman 215 Roosevelt Rd 14618	
Emma Scholl 65 Cohasset St. 14618	
Efrat Engel 47 Elmore Rd. 14618	
Alejandro Solano 4 Cardiff park 14610	
Hani Katerji 292 E Squire Dr. #5 Rochester, NY 14623	
Maria Wilson 20 Birmingham Dr. Rochester, NY 14618	
Cynthia Gowan 286 Fair Oaks Ave	
Linda Wilcox 75 Middlebrook Ln 14618	
Xeni Gustafson 190 Alaimo Drive 14625	
MERLIN LYOLA EDWARDS 159, FRENCH CREEK DRIVE 14618	
Daniel + Melissa Royo 175 Roby Dr. 14618	
Iris Bieri 215 Roosevelt Road 14618	
Bethany Pecora-Sanefski 2282 Westfall Rd, 14618	
Shaheen Meyer 33 Astor Dr. Rochester, NY 14610	
Jennifer Perillo 284 Brooklawn Dr. Rochester, NY 14618	

Planning Board
Town of Brighton
ATTN: Jeff Frisch, Executive Secretary
Brighton Town Hall
2300 Elmwood Avenue
Rochester, NY 14618
Jeff.Frisch@townofbrighton.com



To the Board:

My name is Tyler Wolk and I reside at 3161 East Avenue. Since I am unable to attend tonight's meeting, I am writing to communicate my concern and opposition to the application of Bristol Valley Homes, LLC (5P-NB2-22) to construct a Quicklee's Convenience Store and Gas Station at 3108 East Avenue.


I am concerned that the proposed gas station will disrupt and corrode the character of the area. East Avenue is a historic and bucolic residential neighborhood. A large gas station with a LED lit canopy and gas pump islands does not match the character of the area.

I am concerned that the gas station, which would only be .2 miles from the 490 expressways, will result in increased traffic on both Linden Avenue and East Avenue. Increased traffic is more than an inconvenience, it creates an increased safety hazard for pedestrians (in this area, mostly children walking to and from school), and increased noise pollution. In addition to noise pollution, I am concerned that the gas station will create light pollution, and invite loitering around our neighborhood.

I am concerned that the gas station will have a negative environmental impact on the area, and specifically on Allens Creek. My home overlooks Allens Creek. As described in the *Envision Brighton 2028-Comprehensive Plan*, "stream corridors including Allens Creek, Buckland Creek and Red Creek are important natural features in Brighton. Watershed urbanization is degrading water quality, stream ecology, and biodiversity." (p. 20.) Additionally, if we as a society have learned anything from past experience, it is that the oil and gas industry cannot operate without negative environmental impacts. Spills at gas stations can range from customer or delivery fueling errors to major system component failures. I do not believe this is a risk our neighborhood should tolerate.

Finally, Quicklee's already owns and operates a Convenience Store and Gas Station at 1950-1966 Monroe Avenue, which is only a 5-minute drive straight down Elmwood Avenue. The proximity of this existing Quicklee's (in addition to five¹ others all located within a similar 5-minute radius) provides Brighton residents with sufficient access convenience stores and gas stations.

I ask that the Board take these concerns into consideration, and I thank you for your time.


Tyler Wolk

¹ 1806 Monroe Avenue (Coastal), 1886 Monroe Ave (12 corners Sunoco), 2555 Monroe Avenue (Sunoco), 2852 Monroe Avenue (Valero), and 3055 Monroe Avenue (Speedway).

3108 East Avenue

1 message

Scott & Sue Nolen <sstnolen@yahoo.com>

Wed, May 18, 2022 at 7:03 PM

To: "jeff.frisch@townofbrighton.org" <jeff.frisch@townofbrighton.org>

Mr. Frisch,

I'm writing in regards to the proposed gas station and convenience store at [3108 East Avenue](#). I live on Creekside Lane, along the Pittsford Brighton border. While not a Brighton resident, this area is my neighborhood and I feel strongly that the proposed project would negatively impact us.

There are several factors ranging from traffic congestion, proximity to a primary school and the environmental impact.

This area during peak hours of travel is already congested with Allens Creek Elementary bus and Allendale-Columbia drop-off commuters, Friendly Home employees, St. John Fisher students and the neighborhood access to 490 for local commuters. Traffic volume is also likely to increase upon the completion of the apartment complex across from the Kilbourne Road intersection which will potentially add another 100+ vehicles to the area's commuting traffic. With the existing and increasing volume, taking a left hand turn out of the proposed property would be virtually impossible and encourage dangerous attempts to do so. The only comfort would be that the Brighton Fire Department would be next door for quick response to accidents when these attempts are not successful.

The close proximity of a convenience store to a primary school also presents safety issues for elementary students who walk to and from school. Brighton already has an issue asking walkers to walk directly on the road without a sidewalk just east of the school, adding another cautionary obstacle west of the school is also asking for an inevitable calamity.

A gas station on this property seems absurd as it appears that it was already a gas station/service garage at one time and was proven to be not viable. Knowing what we do about old service stations, it is likely that this site already contains pollutants associated with gas stations that has and will have negative effects on the Allen Creek watershed. Certainly an environmental site assessment may prove prohibitive of such a proposal.

Considering these important safety factors along with other security concerns that a 24-hour convenience store introduces, this proposal is not a responsible use of this property.

Sincerely,

Suzanne & Scott Nolen
Creekside Lane



Jeff Frisch <jeff.frisch@townofbrighton.org>

Corner of East Ave and Allen's creek business gas station store proposal.

1 message

Erin Crowley <erincrowley@gmail.com>

Wed, May 18, 2022 at 6:49 PM

To: jeff.frisch@townofbrighton.org

Cc: mike.guyon@townofbrighton.org

While we fully believe in economic development and love the idea of a local store promoting local business items we do not welcome 24 hour operation on our majority residential area. These hours should be limited or gas open by credit card and store closed no later than midnight .

Also we understand the design concepts are not in full compliancne and we at 39 Brookside feel this plan should meet code and be reviewed.

Erin Crowley

Erin C. Crowley

Suite 840, Legacy Tower
One [Bausch & Lomb Place](#)
[Rochester, New York 14604](#)
202-207-6937



3108 East Avenue

Noah Glick <noah.glick@gmail.com>

Wed, May 18, 2022 at 6:15 PM

To: Jeff Frisch <jeff.frisch@townofbrighton.org>, mike.guyon@townofbrighton.org

Cc: Noah Glick <noah.glick@gmail.com>

Re: 3108 East Avenue

Dear Town of Brighton Planning Board,

It has come to our attention that one of the properties (3108 East Ave) very close to our home (65 Brookside Dr) may be converted into an operational gas station / convenience store. As a nearby Brighton resident, as parents, and as environmentally concerned citizens, we strongly urge you all to reject the proposed site usage. Below are a number of issues that quickly came to mind when contemplating this project:

- **Traffic.** The intersections of East Ave and Allens Creek and East Ave and Elmwood are already extremely busy and very dangerous. The sidewalks along these areas allow our neighborhood to access the broader community, which is a wonderful amenity. But the various crossings are so chaotic that I don't feel safe walking across the roads, particularly with our 15-month-old son in a stroller. This gas station project would dramatically increase the chaos that puts sidewalk users' lives in jeopardy - cars crossing East Ave to get to the pump, cars and trucks flowing off I-490 to fill up, traffic jams building up to get into the station. It would ruin the walkability that the Town of Brighton has already invested in and continues to invest in (as the connection to the Pittsford sidewalk project proceeds). I'm not even going to harp on the fact that many of the sidewalks and crossings nearby are used by elementary school children who walk to Allens Creek School. An absolutely tragic accident is just waiting to happen if additional traffic is allowed / encouraged with this project.
- **Longevity.** As we all know from the now defunct gas station that used to be on this site, gas stations don't last forever and converting the land away from gas station utilization is complicated. So why repeat the same mistake again? *Now*, while the site is unused, is the opportunity to put in the work to tackle the property issues and convert it to a more relevant use. Electric cars will dominate the roads in the next decade and yet we will live for decades with a soon-to-be dirty gas station virtually in our neighborhood. Don't be fooled by pretty renderings - see the gas stations along Monroe and Elmwood for examples of how terrible the gas station will look in the coming years, and that's if gas is still a relevant fuel source for the majority of cars. To be honest, if the site use is to remain car-related, a better use of this site would even be a parking lot with electric chargers (not that I'm proposing that either).
- **School Children.** It occurred to me that I don't believe I've ever seen a gas station convenience store that doesn't sell tobacco (and likely alcohol) products. Putting such a point of sale within, say, 100 yards, of an elementary school is a mistake of epic proportions. There is a reason schools are smoke-free zones. And there's a reason we should prevent tobacco / alcohol sales from happening even close to schools, if we have the opportunity to do so.
- **Residential Area.** It may seem to the casual driver that East Ave is a busy road, but ultimately, in our area, it is a very residential road. Residents run / walk / bike / scooter / stroll within and between their neighborhoods in this zone. Other than the Friendly Home, which is set far back from the road, there really isn't any commercial activity in this area at all. It's not in anyone's best interest (including the Town's) to permit this commercial (re)development, as all it will be entirely incongruous with the surrounding area. See Monroe Ave or parts of Elmwood for examples of how commercialization negatively impacts the residential area. Residents will hate it; property values will suffer; and property tax revenues will hurt. That's a lose-lose for everyone.
- **Environment & Ambience.** Would you want a new gas station across from your house or along your walking route around the corner of your house? No. Why? Because of all the reasons listed above, certainly. But also because gas stations look terrible, have bright lights that ruin the evenings, smell awful, and harm the environment. The gas holding tanks would sit virtually directly on top of Allens Creek. Any issues in Allens Creek would then impact our beautiful natural parks - Corbett's Glen, Ellison Park, Lucien Morin - and Irondequoit Bay. We want to maintain our neighborhood feel. We want to see the stars during evening walks through the area. We want fresh air blowing through our yard. And we want to preserve and protect our parks and our planet. Approving this project would be in direct contradiction of all of these desires that we all share. As owners of one of the relatively few solar-powered houses in Brighton, we are trying to do our part to improve our environment. We hope the Town will do the same.
- **Benefit.** Ultimately, it is the role of the Town to protect and improve our community, by pursuing and limiting changes that benefit the lives of the Town's residents. In the case of this gas station proposal, we simply just don't see the benefit. We are one of the closest residents to this site, so one would think we would derive the most benefit - after all, we could get gas a little closer to our house. And yet, here we are, begging you to reject this proposal. Gas convenience is very low on the list of priorities for us and for all the residents in our area. What are our higher priorities? Safety, traffic, walkability, our children, noise pollution, light pollution, air pollution, etc. - the list goes on. Not only does this gas station proposal offer little to no benefit, but it actively puts our higher priorities in jeopardy.

Please, for the benefit of many, many residents of the Town of Brighton who enjoy this East Ave corridor, do not approve of this gas station project at [3108 East Ave](#).

Thank you,
Noah Glick & Allison Stiles
65 Brookside Drive

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Jeff Frisch <jeff.frisch@townofbrighton.org>

Gas station Propsoal

1 message

Kathryn B.H. Fox <kbhfox@hotmail.com>

Wed, May 18, 2022 at 5:57 PM

To: "Jeff.frisch@townofbrighton.org" <Jeff.frisch@townofbrighton.org>

To whom it may concern:

My family and I reside at 4 Whitney Lane, within walking distance to the proposed gas station site. I wholeheartedly oppose this plan and urge all local residents and Town Board members to consider the significant implications a project like this brings with it.

Aside from the added congestion to an already busy and chaotic intersection (where children walk to and from school), I am very concerned about the impact a 24-hour establishment, and moreover one that sells beer 24-hours a day, would have.

I ask you, is this REALLY the best our town can do?
I certainly hope not!

Truly,
Kathryn Fox
4 Whitney Lane
Rochester, NY 14610

Sent from my iPhone



Name removal from petition

Esther Lim <estherlim@live.nl>

Wed, May 18, 2022 at 5:18 PM

To: "jeff.frisch@townofbrighton.org" <jeff.frisch@townofbrighton.org>

Dear mr. Frisch,

There has been some mistake and my signature ended up on the petition from the Evans Farm neighborhood. My signature is placed on page 64 of item https://www.townofbrighton.org/ArchiveCenter/ViewFile/Item/4110?fbclid=IwAR1ER7nbIQdp8Y0Sc025kL0hLh52jgsQJMzEfX4D_WqrT50Up19nF64HyqU.

I fully support the Montessori School's application and have no objections to their continued use of the Idlewood Road entrance.

Thanks in advance,

Esther Lim

[171 Evandale Rd](#)

Proposed 24 hour gas station/convenience store

1 message

Todd Howe <howe.todd@gmail.com>
To: Jeff.frisch@townofbrighton.org

Wed, May 18, 2022 at 5:12 PM

To whom it may concern,

I'm writing in regards to the proposed gas station and convenience store at [3108 East Avenue](#). I live on Creekside Lane, along the Pittsford Brighton border. While not a Brighton resident, this area is my neighborhood and I feel strongly that the proposed project would negatively impact us.

The area is already highly congested, with extensive traffic and safety issues. The proximity to Allen Creek Elementary is also very concerning. For the majority of the year, there are little kids walking to and from school right at that intersection. Furthermore, we've had increasing safety issues in the area and I'd be concerned a 24 hour business could further exacerbate those.

Scaling back the hours of operation would be something I would consider to be more of a neighborhood store as it used to be.

Thanks!
Todd Howe
15 Creekside Lane.

Sent from my iPhone



2P-NB1-22 Application 3108 East Avenue

1 message

Bridget Stone <bridgetgarastone@gmail.com>

Wed, May 18, 2022 at 4:33 PM

To: jeff.frisch@townofbrighton.org, mike.guyon@townofbrighton.org

To: Town of Brighton Planning Board

Re: 2P-NB1-22 Application 3108 East Avenue

Please confirm receipt of this letter and include in the documents shared for tonight's meeting 5-18-22 at 7pm. Thank you!

We live at [1110 Allens Creek Road](#) (at the corner of East Ave.) directly across the street from the 3108 East Ave. property. We have lived here since 2005. We received notice of Application 2P-NB1-22 via standard mail on Friday May 13th, less than a week from tonight's Planning Board meeting. We and our neighbors would be affected greatly by the proposed changes to the property. We have reviewed the application and associated documents including concept design, Traffic Impact Study, Historic Preservation Committee minutes and videos, Envision Brighton 2028 documents, Brighton Town Code and ask that the Committee consider the following points.

First and foremost, this small property is zoned BE-1 Office Park zoning but completely surrounded by Residential - Low Density zoned property. Because there has not been an operating business at [3108 East Avenue](#) for more than a year, the non-conforming use no longer exists. As such, the property no longer qualifies nor should it be considered for a variance § 201-5 **NONCONFORMING USE**. The requested site variance should be unequivocally denied. This site plan will completely devalue the surrounding property values.

This is an overwhelmingly residential area and there are no such similar structures anywhere along East Avenue in the Town of Brighton. Reference Map 15 on page 59 of the Envision Brighton 2028 I document. Adding a new separate massive 17 foot high, 22 foot by 44 canopy will severely detract from the residential character of our neighborhood. The concept design never shows the front facing view of the building and canopy because the canopy completely blocks the view of the building due to its massive size. Such a canopy is not permitted according to the Brighton town code as structures are not allowed in the front yard. The applicant states on the *very short* environmental assessment form question #4 that the land use occurring on or adjacent to the proposed action is "urban" and "suburban" and Question #6 states that the proposed action is consistent with the predominant character of the existing built or natural landscape. These are both false.

The proposed changes are designed to increase the intensity and extend the hours in a property that is not zoned for such use. The submitted traffic impact study is a compilation of unrelated data sets making incorrect assumptions in traffic volume increases, (using Penfield's lower .5% increase instead of Brighton's 2.0% increase - and these growth rates were recommendations from 2018, 4 years ago) not taking into account any increased thru traffic from the Whole Foods plaza. Figures (visuals) are referenced as numbers in the report yet most of the report visuals are not numbered or are called "tables". It is intentionally confusing and verbose.

The only actual date data was collected by SRF as referenced on page 19, was *one day*, January 27th. Although data tables for northbound queues reference a February 16th date. The meeting date this application was submitted was 2-16-22 so I am not sure how the traffic study could include data from that same day (although the TIS has a vague date of March 2022 on the cover)? Pages 51 and 52 of the TIS study reference in the footer "Proposed Long Pond Road Apartments 1/26/2018 Existing Conditions - AM Peak Synchro 8 Report" which has nothing to do with this project, it is in Greece, NY. The Tri State Traffic Data on pages 41-48 references a site in Kennett Square, PA. I don't see how data or traffic patterns in Greece, NY or Pennsylvania have anything to do with this project. Most of this report was generated using a software package and I have little faith in the validity of the 110 page report submitted 2-16-22. It was created to overwhelm the committee with numbers and pages of data that are unrelated. No one can deny that traffic would increase significantly with such a project.

In addition, there have not been any comprehensive environmental studies testing the underground tanks since 1995 when there was a similar project proposed to the Brighton board that was subsequently turned down. There is much to be said of the result that this land disturbance would cause without any regard to the adjacent residences, environment impact, watershed or natural habitat of many animals.

Please look closely at this project, it is not in Brighton's best interest or the neighborhood!

Sincerely,

Bridget and Michael Stone

[1110 Allens Creek Road](#)TOWN OF BRIGHTON
PLANNING & ZONING

Planning Board Application 5P-02-22, Montessori School of Rochester

Cynthia Kerber Gowan <cgowan@msrchild.org>
To: jeff.frisch@townofbrighton.org

Thu, May 19, 2022 at 11:54 AM

Dear Planning Board,

I thought it might be helpful to give you exact specifics on the time and number of vehicles traveling to the Montessori School. As a small school we keep close track of our children and staff schedules. Please see the chart below, to compare with other traffic counts to isolate exactly what traffic belongs to MSR.

Maximum Potential Cars		
Arrival	Family	Staff
7:15-7:30	0	3
7:30-8:15	16	1
8:15-8:30	0	12
8:30-9:00	59	0
9:00-9:15	0	1
10:00-10:15	0	1
11:15-11:30	0	3
Departure	Family	Staff
11:40-11:50	10	0
12:55-1:05	4	0
2:55-3:15	31	0
3:15-3:30	0	3
3:30-4	16	5
4:00-4:30	4	5
4:30-5:00	7	2
5-5:30	3	6



I think this is important data for the board as I do believe there is traffic during school arrival and dismissal times, but I also believe that these times overlap with popular times for residents to be coming and going from work and school themselves. With a neighborhood of over 375 houses, there may be upwards of 750 cars, and it may be difficult for neighbors who cannot see the school entrance to know which cars actually belong to the school. It is likely that the many homes in the neighborhood also use similar paths to navigate from the neighborhood to and from work and school and at very similar times, creating bursts of traffic that may not be the result of outside cars coming and going from MSR. While I know the number of cars entering and exiting the Brookside campus for our school are not larger than during the school's inception in the 1950s (again given the size of the parking lot and the vast amount of empty spaces here daily, even during our busiest drop-offs), what has changed are the driving habits of the residents of the houses. Where one car per family was more common in the 1950s, now it isn't uncommon for a household to have 2 or even 3 (I personally know several Evan's Farms teenagers who drive the family's third car). Our cars represent an increase of perhaps 10-15% over the cars that already navigate the Evans Farm neighborhood as residents. While this additional load can seem significant, eliminating them certainly won't ease the traffic concerns for pedestrians the neighborhood has.

For example, before March of 2020, the YMCA held a before and after school program in Brookside. There were at least another 30 children (possibly even more) being dropped off, bused to public school, bused back, and then picked up daily - all using the Idlewood Road entrance and all within a short window that would have coincided with CRPS bus times. That program never reopened here. The fact that the neighborhood doesn't feel what would have been a significant drop

in traffic coming to and from Brookside this year in comparison to then tells me, again, that it might not be just our traffic that creates the problem.

Additionally, while neighbors outside of the short trip between the Westfall entrance and our school have reported increased traffic during our arrival and departures, our parents resoundingly report using the Westfall entrance and are not cutting through the neighborhood. Those that do are either coming from within the neighborhood themselves, or we have a small handful (2-3) who live in the Brighton neighborhoods across Edgewood and do come in that way. The vast majority are leaving through the Westfall entrance as they go to work in the U of R/Strong vicinity or to get to the highway to access other parts of Rochester for work. Again, I think that it is convenient to blame our school for the traffic, but it seems impossible for any person without a direct view of our driveway to identify a passing car as associated with Brookside, let alone our school.

I will also share a concern that I have not shared with our prospective new landlords, TIUNY. The level of neighborhood demands being placed on our continued residency may result in a significant cost to TIUNY that would be passed onto us as renters. As I mentioned, we are not able to grow our footprint and therefore would not be able to sustain the possible increased cost needed to make significant property changes to keep us as renters. Our rent will already be increasing and we simply can't withstand any additional increases. I am not sure where this would leave the neighborhood, considering it is our outdoor spaces they would continue to be able to use after the new school moves in.

We have coexisted safely and peacefully with this neighborhood for over 20 years and we appreciate the opportunity to continue. I would be happy to answer any additional questions you may have.

Best,

Cyndi

--

Cynthia Kerber Gowan, PhD
Head of School
Montessori School of Rochester
[220 Idlewood Rd](#)
[Rochester, NY 14618](#)
(585)256-2520
www.mschild.org

Additional comments regarding Quicklee's application

Isteven1 <Isteven1@rochester.rr.com>

Thu, May 19, 2022 at 8:44 AM

To: "mike.guyon" <mike.guyon@townofbrighton.org>, Jeff Frisch <jeff.frisch@townofbrighton.org>

I would like the following, in its entirety, to be added to the Quicklee's application comments section for the proposed garage project located on East Avenue, Application Number SP-NB-22.

The Planning Board Meeting last evening left some comments unstated due to the three (3) minute constraint for each resident to comment.

For earlier applications presented last night, there was a timer posted on everyone's screen. One gentleman, for a different application, was allowed to go over his time.

During the entire time for the Quicklee application, there was no timer used. I was told my time was up with no proof via a timer and I was not allowed to complete my sentence.

When the Board was asked when comments were to be closed, there was no definitive answer given. Given the lateness of the hour, many parents had to leave before Quicklee's application was discussed.

The Quicklee submission only included area on their side of the street. Our neighborhood is directly across from them on East Avenue, yet the residential aspect was omitted when they stated that they were located in a commercial area. To me, that is an artificial constraint.

Are they going to be selling alcohol as some convenience stores do? That would have a direct impact on our quality of life and safety. As stated earlier, we've experienced increased crime with break-ins in the recent past and have met with the police to discuss.

In my earlier submission, I received an email from the Planning Board stating Quicklee's representative(s) would be asked to respond to some of the points I raised in my email.

Unfortunately, the Board lead for this project, was unable to attend to ask some of those questions due to "a family emergency".

As a result, those Q/A's were not entered into the record.

I would like to know why/how I received no notice from the Planning Board that their application was to be discussed? Again, we are directly across the street and part of their "neighborhood".

How does this oversight get remedied so that the directly impacted neighborhood can respond fully and completely as the Board's meeting process intends?

Has the commenting period expired? It is 8:45 AM on 5/19/22.

Please advise. Thank you in advance for your anticipated response.

Best wishes, Linda Stevenson 12 Creekdale Lane



Quicklees at 3108 East Avenue

3 messages

Amber Orlando <amberorlando@hotmail.com>

Wed, May 25, 2022 at 7:36 AM

To: "Jeff.frisch@townofbrighton.org" <Jeff.frisch@townofbrighton.org>

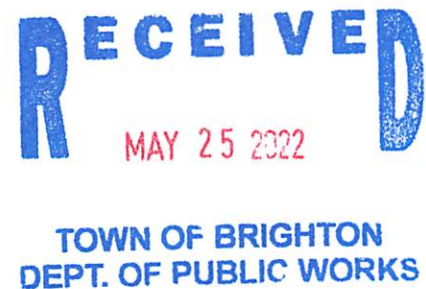
Cc: Kelli Ruest <kjeanarnold@gmail.com>, "mkorlando1@hotmail.com" <mkorlando1@hotmail.com>

Good morning,

I am writing you to express my support for the proposed plan to renovate the existing structure on East Avenue in Rochester NY for a new Quicklees. Specifically the plan to keep with the original character of the building, bike rack and repair station as well as a possible EVC in the future. I see this as a safe space for my children to go with their friends to grab a snack and experience some independence. I appreciate the community's willingness to consider a proposal to renovate an eye sore within our community.

Thank you,

Amber Orlando
3895 Elmwood Ave,
Rochester NY 14610



michael orlando <mkorlando1@hotmail.com>

Wed, May 25, 2022 at 7:42 AM

To: "Jeff.frisch@townofbrighton.org" <Jeff.frisch@townofbrighton.org>

Cc: Kelli Ruest <kjeanarnold@gmail.com>, Amber Orlando <amberorlando@hotmail.com>

I would echo this sentiment completely. I fully support a local boutique gas station that offers easily accessible food and snacks for our local community. I know my kids would love that.

Thanks,

Mike Orlando

On May 25, 2022, at 7:36 AM, Amber Orlando <amberorlando@hotmail.com> wrote:

[Quoted text hidden]

Jeff Frisch <jeff.frisch@townofbrighton.org>

Wed, May 25, 2022 at 10:03 AM

To: michael orlando <mkorlando1@hotmail.com>

Cc: Kelli Ruest <kjeanarnold@gmail.com>, Amber Orlando <amberorlando@hotmail.com>

Thank you both for your comments. They will be filed and disseminated to the board for their consideration.

Best Regards,
Jeffrey K Frisch Jr.
Planning Technician
585-784-5227
jeff.frisch@townofbrighton.org

[Quoted text hidden]



Jeff Frisch <jeff.frisch@townofbrighton.org>

Quicklees at 3108 East Avenue

Kelli Ruest <kjeanarnold@gmail.com>

Wed, May 25, 2022 at 11:54 AM

To: Amber Orlando <amberorlando@hotmail.com>

Cc: Jeff.frisch@townofbrighton.org, mkorlando1@hotmail.com

Hello,

I too would like to echo the sentiments of my friends and neighbors below; the current property is an eyesore. When Gordy's closed, my husband and I were disappointed as we were customers for both gas and simple car repairs. A new gas station similar to the one in the village of Pittsford would definitely be welcomed by my family and add convenience to our daily lives.

Thank you,

Kelli Ruest

157 Astor Drive

Rochester NY 14610

On May 25, 2022, at 7:36 AM, Amber Orlando <amberorlando@hotmail.com> wrote:

[Quoted text hidden]





Jeff Frisch <jeff.frisch@townofbrighton.org>

Montessori School of Rochester Support

Leire Bascaran <leirebascaran@gmail.com>
To: Jeff Frisch <jeff.frisch@townofbrighton.org>

Wed, May 25, 2022 at 2:19 PM

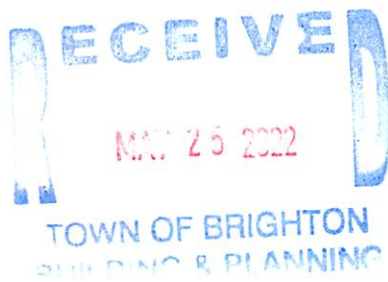
Hi Jeff,

I know this hearing already happened but in light of the Texas shooting, I did want to ask from the bottom of my heart that no matter where the entrance ends up, please listen to the school in terms of their safety needs. Traffic is one thing, but gun safety is absolutely terrifying.

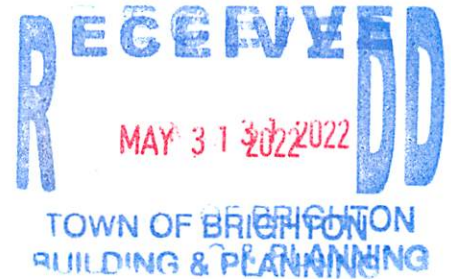
Thank you for your support,

Leire Bascaran

[Quoted text hidden]



May 31, 2022



Members of the Brighton Town Planning Board:

My husband and I live in Evans Farm on the corner of Idlewood Road and Poplar Way. We have been here since 1985. It is a very busy corner and has gotten busier over the last several years. Our concern is that the already busy streets will get busier when the TIUNY closes on the Brookside property. There are already frequent slow downs on Idlewood on the side of our property as well as Poplar Way in front of our home. The neighborhood demographics have changed, with aging neighbors frequently selling to younger couples with children or planning to have children. The bicycle traffic has increased dramatically. We also have a concern about cars, trucks and motorcycles speeding down Idlewood. We have long wished for the Idlewood entrance to the Brookside multi-use property to be closed and the single entrance be from Winton Road. We also support Condition 2 of the recommendation. We have a 2 year old grandson who loves playgrounds. While we are not able to use the playground at the Brookside property during Montessori school hours, we are able to use it evenings and weekends. We would also be able to make use of future parkland with Condition 2's recommendations.

I write to you in support of and requesting the two conditions outlined below to be included in any Conditional Use Permit approval requested by the Talmudical Institute of Upstate New York (TIUNY) for changes to the RLB-zoned 1666 S. Winton Road property and any subsequent tenants:

Condition 1: The current traffic volume entering and exiting the property at the Idlewood Road entrance is heavy, particularly during the Montessori school pick-up/drop-off periods, which coincide with public school bus pick-up/drop-off and the commuting rush-hours in the neighborhood. Idlewood Road is a narrow 19-ft wide road without sidewalks; therefore, neighborhood children walk to and from bus stops and school in the roadway at these times. This current traffic condition is considered unsafe. The proposed plan by TIUNY does not improve this hazardous condition and could exacerbate it as tenant spaces will remain and future uses are uncertain. The 1666 S Winton property has an existing entrance on Winton Road which should be used as the sole entrance and address to the property by connecting the existing east parking lot to the west parking lot. Therefore, the following condition is requested to be included in the conditional use permit:

The Property Owner must permanently close the Idlewood Road vehicle entrance to the 1666 S. Winton Road property. The Town will also permanently close its portion of the vehicle entrance located between Idlewood Road and the property.

Condition 2: Currently, Brighton Central School District owns the 1666 S Winton Road property, leases space to Brighton Parks and Recreation, and neighborhood residents effectively use the property grounds and playground as a neighborhood park. Evans

Farm does not have any other town-owned open space or park within, or adjacent to, the neighborhood. The Brookside property also provides direct access from the neighborhood to the open space west of S Winton Road, which the town is purchasing to expand Buckland Park and create a public 'Central Green' open space per the Envision Brighton 2028 plan. When the property changes to privately owned land, the neighborhood will lose official access to the open space and playground on the property and will have reduced accessibility to the expanded Buckland Park open space. The TIUNY proposal does not include open space or paths officially designated for public use via an easement, right of way, or equivalent means. Therefore, the following condition is requested to be included in the conditional use permit:

The Property Owner must provide the Town and its residents legal access (easement, right of way, land lease, or equivalent) to a portion of the property grounds for open space use and a pedestrian pathway connecting Idlewood Road to S Winton Road and the planned expansion of Buckland Park.

Sincerely,
Steven Witkowicz and Susan Hume
95 Poplar Way,
Rochester, NY. 14618

RE: Quicklee's/1950-1966 Monroe Avenue - Planning Board Application 10P-NB1-21

Goldman, Jerry A. <jgoldman@woodsoviatt.com>

Wed, Jun 1, 2022 at 5:21 PM

To: Jeff Frisch <jeff.frisch@townofbrighton.org>

Cc: "Town of Brighton-Rick DiStefano (rick.distefano@townofbrighton.org)" <rick.distefano@townofbrighton.org>, Ken Perelli <k.perelli@quicklees.com>, "Quicklee's- Lou Terragnoli (l.terragnoli@quicklees.com)" <l.terragnoli@quicklees.com>, "John H. Sciarabba (john@landtechny.com)" <john@landtechny.com>

Jeff-

We would request that the above referenced application continue to be adjourned as the applicant and the Town continue to proceed with the early stages of the desired Incentive Zoning process.

As always, thank you very much for your courtesy.

Best and stay safe,

Jerry



Jerry A. Goldman, Esq.
Partner

Direct Dial: 585-987-2901

Direct Fax: 585-362-4602

jgoldman@woodsoviatt.com

Firm Phone: 585-987-2800

Firm Fax: 585-454-3968

woodsoviatt.com



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Applications of Talmudical Institute -- 5P-02-22 and 5P-NB1-22

Goldman, Jerry A. <jgoldman@woodsoviatt.com>

Wed, Jun 1, 2022 at 5:14 PM

To: Jeff Frisch <jeff.frisch@townofbrighton.org>

Cc: "Brugg, Betsy D." <bbrugg@woodsoviatt.com>

Jeff-

We are currently working through the comments received at the last Planning Board meeting. Accordingly, we hereby request that the above two referenced applications be continued to the July 20 meeting of the Planning Board.

Thanks and stay safe,

Jerry

Jerry A. Goldman, Esq.

Partner

Direct Dial: 585-987-2901

Direct Fax: 585-362-4602

jgoldman@woodsoviatt.com

Firm Phone: 585-987-2800

Firm Fax: 585-454-3968

woodsoviatt.com



- ATTORNEYS -

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June 7, 2022

Dear Mr. Frisch and the Planning Board,

I am writing to you on behalf of Jewish Family Services' Brighton Food Cupboard (BFC). For the last 10 years, The Brighton School District and now the Talmudical Institute have generously provided us with space at 220 Idlewood Road to run our food cupboard. We utilize this space to organize and store food and clothing donations that we distribute to those in need. Our food cupboard also provides volunteer opportunities for the community, as volunteer drivers come to this space to pick up and deliver food to clients' homes.

We have utilized the Evan's Farm (Idlewood Road) entrance for our food cupboard operations and are asking that you keep this entrance open for us to continue offering our services most effectively. Please see additional information attached.

Thank you for your consideration of our request. Jewish Family Services, the volunteers, and the recipients appreciate your commitment to ensuring the continued distribution of food and volunteer opportunities for the community.

Sincerely,

Betsy Bringewatt
Interim CEO/President
(585) 461-0110
bbringewatt@jfsrochester.org



What we do to support and involve the Brighton community:

- The Brighton Food Cupboard, a program of Jewish Family Services, is committed to the prevention and reduction of hunger and food insecurity for individuals and families living in Brighton and surrounding communities.
- We deliver food to over 120 families monthly. This past year, we distributed 90,000 meals through BFC.
- The families and individuals that we serve are often homebound; older adults; individuals with physical limitations; and/or without transportation – all making access to food more challenging. Clients shop for food over the phone and food is delivered to them thereby ensuring dignity and anonymity of our clients and reducing the obstacles associated with transportation and access.
- BFC has a case manager who works with BFC clients. The case manager recognizes that when someone is calling for food there are other needs that might need to be addressed. The case manager can connect the individual/family to resources, services, entitlement, advocacy etc.
- During the pandemic, BFC was able to provide additional food to the recipients that utilized the drive thru lunch pick-up for seniors.
- BFC provides healthy snacks to the students in the Brighton School District so they can focus on their studies and not focus on their empty stomachs.
- We provide Thanksgiving, Christmas, Chanukah, Passover, and Rosh Hashanah baskets to the community. Many organizations and residents from Brighton and the Brighton School District help to donate food towards the baskets.
- We provide volunteer opportunities for the community. In addition to volunteering to deliver food, many organizations, students, etc. set up food drives. Over 80,000 pounds of food were donated to the food cupboard this past year.
- The Brighton Farmers Market donates fresh produce to BFC. BFC receives fresh produce in the Spring, Summer, and Fall from the community gardens in Brighton as well. BFC also offers fresh lettuce that is grown in hydroponic machines housed at BFC.
- Jewish Family Services also has a free clothing closet called Brighton Your Wardrobe. The BFC recipients are asked if they need any clothes for themselves or their family members. The clothes can be included with their food delivery. Residents living in the Brighton School District can also utilize Brighton Your Wardrobe. Teachers and counselors bring over students to pick out clothes. The counselors and teachers have shared that there is a growing need for clothes and food.



How we utilize the Evan's Farm entrance:

- Within the building, we are located in the rooms closest to the Idlewood Entrance.
- BFC is open Monday to Friday from 9am to 12pm.
- We have 2-4 volunteers that help on any given day. Volunteers help us to organize, pack bags, and make deliveries.
- Wednesday is delivery day. We have 8-10 volunteers that drive in from 9:30-10:30 (15-minute increments) to pick up and deliver the food to recipients.
- On Fridays, a Food Link truck delivers food to BFC (typically around 11:00am).

Our request:

- *To keep the Evan's Farm (Idlewood Road) entrance open.*

If the entrance is moved:

- The walkway leading from the side entrance out to the Winton Road entrance is narrow and uneven. It would be difficult for the carts that we use to transport supplies to safely maneuver without them potentially tipping.
- Many of the volunteer drivers are older. Again, utilizing this long narrow, uneven path could potentially be dangerous.
- The Idlewood Road side is more accessible to drivers. It is easier to identify BFC's location and to get in and out of the parking lot. Turning left onto Winton Road can also be dangerous.
- If required to use the Winton Road exit, we would need to roll loud carts past other tenants, potentially disrupting them.
- The Idlewood Road entrance is much more accessible for the food truck who delivers on Fridays.



Subject:

Follow-up on Conditional Use Permit Application 5P-02-22 (and by extension, application 5P-NB1022)

Dear Mr. Frisch and members of the Town of Brighton Planning Board,

We are writing this in follow up to the Town of Brighton Planning Board meeting that was held on May 18, 2022. As you recall, we are residents in the Evans Farm neighborhood who have submitted a request for the following two conditions regarding application 5P-02-22, which has also been supported by over 270 Brighton residents as demonstrated through the previously-submitted petition:

- Condition 1: The Property Owner must permanently close the Idlewood Road vehicle entrance to the 1666 S. Winton Road property. The Town will also permanently close its portion of the vehicle entrance located between Idlewood Road and the property.
- Condition 2: The Property Owner must provide the Town and its residents legal access (easement, right of way, land lease, or equivalent) to a portion of the property grounds for open space use and a pedestrian pathway connecting Idlewood Road to S. Winton Road and the planned expansion of Buckland Park.

We greatly appreciate the time and consideration that has been provided by you and the Planning Board, Talmudical Institute of Upstate New York (TIUNY), Montessori School of Rochester, and many others within our Brighton community. We would like to emphasize that we very much value our Montessori neighbors and other organizations that currently utilize the Brookside property, and look forward to further developing a similarly strong and valued relationship with TIUNY.

At this time, we are providing additional information and comments with respect to each of the requested conditions.

Condition 1: The Property Owner must permanently close the Idlewood Road vehicle entrance to the 1666 S. Winton Road property. The Town will also permanently close its portion of the vehicle entrance located between Idlewood Road and the property.

The primary reasons for this request are detailed in the 21-page document titled "Conditions Requested for 1666 S Winton Road Conditional Use Permit", dated 4/4/2022, which was submitted to the Planning Board prior to the May 18, 2022 meeting. That document provided details regarding the following: The current traffic volume entering and exiting the property at the Idlewood Road entrance is heavy, particularly during the Montessori school pick-up/drop-off periods, which coincide with public school bus pick-up/drop-off and the commuting rush-hours in the neighborhood. Idlewood Road is a narrow 19-ft wide road without sidewalks; therefore, neighborhood children walk to and from bus stops and school in the roadway at these times. We consider this current traffic condition unsafe. The proposed plan by TIUNY presented at the May 18 meeting does not improve this hazardous condition and could exacerbate it as tenant spaces will remain and future uses are uncertain. The 1666 S. Winton property has an existing primary entrance on Winton Road which should be used as the sole entrance.

We are providing **additional information** here in response to comments at the May 18 meeting.

Additional studies on tenant traffic

Brookside tenant traffic represents a high proportion of the total traffic in the neighborhood, particularly during peak traffic hours. A second morning traffic count was performed by an Evans Farm resident on Wednesday, May 25, 2022 from 7:45-9:00 am, which captured vehicular traffic on Idlewood Road from

Poplar Way to the Brookside property entrance on Idlewood Road (Appendix Table 1). Brookside tenant traffic during this time frame accounted for approximately **65% of all traffic**. This represents an approximate **189% increase** in traffic volume, over and above the normal Evans Farm traffic.

An afternoon traffic count was performed by another resident on Thursday, May 26 from 2:50-5:40 pm. Although Brookside tenant traffic is less concentrated in the middle to late afternoon compared to the morning, it represents nearly 30% of the incoming traffic and 45% of the outgoing traffic in the Evans Farm neighborhood (Appendix Table 2). **It results in over 100 additional cars on the road**, over and above the normal Evans Farm traffic. At the afternoon peak time around 3:00, when many of the Montessori School programs end, approximately **50% of the incoming traffic and 60% of the outgoing traffic** is generated by the tenants of Brookside School. This time period also coincides with when high school students are walking home. This occurs even though Brighton Recreation directs its traffic to the Winton Road entrance. Thus, it is unlikely that the traffic volume will be reduced if the Idlewood Road entrance to Brookside is maintained. Furthermore, traffic could become much worse if the tenants change in the future.

With a major construction project about to begin, this is the time to make accommodations so that the Idlewood Road entrance can be closed. Our previously submitted proposal included suggestions for creating roadways from Winton Rd side to the Idlewood side of the property. Further, the size of the property allows for creative use of space and accommodates many viable alternative traffic patterns to accomplish the closure of the Idlewood entrance to vehicles.

Concerns of the Montessori School community

All of the concerns of Montessori School parents voiced at the May 18th meeting can be addressed when TIUNY provides an access road from the Winton Road entrance to the bus loop on the east side of the property. The Idlewood Road entrance should be closed when the first phase of the construction is completed and TIUNY occupies the site.

- The drop-off point for Montessori School will remain as it is now.
- Young children will not have to walk around the building as some parents feared.
- Montessori parents would not have to navigate around a construction site.
- Those who walk or bike to Montessori school can still do so by using the asphalt sidewalk that parallels the Idlewood Road entrance or a new bicycle path can be made.

Furthermore, the Winton Road entrance will not be a major inconvenience for the majority of Montessori parents. For the 25 families who signed the May 16 letter to the Planning Board, **80%** of them will not see a significant change to their commuting distance by using the Winton Road entrance (Appendix Table 3). Specifically, 44% of the families (11) will have the same or a shorter commuting distance than they do now, and 36% of families (9) will see less than a quarter mile increase in their commuting distance. For any family outside of Brighton that uses the Winton Road exit from Rt. 590, and for anyone coming from the west, the commuting distance will also be reduced.

As the new owners will financially benefit from renting out space in the north and south wings of the school, the new owners should also accept the inconvenience of additional traffic through the Winton Road entrance, and develop plans that meet the safety standards of both tenants and Evans Farm neighbors. This responsibility should not be imposed on the Evans Farm neighborhood.

Sidewalks are not the answer

The Evans Farm neighborhood should not have to change in order to accommodate the new owner or tenants of Brookside School. The neighborhood is already being changed by the loss of over 20 acres of public land that had been at the center of many neighborhood activities for more than three decades. Sidewalks would fundamentally change the character of the neighborhood, and many residents are satisfied with the current configuration and character.

Neighborhood residents would lose up to 20 feet of their front lawns while increasing the amount of impervious surface in the Allen Creek watershed. Mature trees that are adjacent to the road would be lost. This does not align with the Green Brighton initiative. The town, and by extension, its taxpayers, will incur the added expense of sidewalks for the convenience of the tax-exempt schools. Further, residents would have added burdens of upkeep/repair of the sidewalk, and maintaining an ice-free walkway in the winter. Evans Farm residents should not have conditions imposed upon them; rather, the new owners of the Brookside property should have to meet certain conditions in order to make the major modification(s) to the property that they propose.

Neither the Town, nor the Evan's Farm neighborhood, should make long-term road/neighborhood accommodations for a private organization and their tenants, who by design are transient users. Five years from now, we might have different tenants that generate an entirely new set of traffic issues for the neighborhood. The solution is to require that TIUNY include a road in their construction plans that links the east and west sides of the property. The Idlewood Road entrance should be permanently closed to vehicular traffic once the first phase of the TIUNY construction project is completed.

Condition 2: The Property Owner must provide the Town and its residents legal access (easement, right of way, land lease, or equivalent) to a portion of the property grounds for open space use and a pedestrian pathway connecting Idlewood Road to S Winton Road and the planned expansion of Buckland Park.

The primary reasons for this request are detailed in the 21-page document titled "Conditions Requested for 1666 S Winton Road Conditional Use Permit", dated 4/4/2022, which was submitted to the Planning Board prior to the May 18, 2022 meeting. That document provided details regarding the following: Brighton Central School District owns the 1666 S Winton Road property, leases space to Brighton Parks and Recreation, and neighborhood residents effectively use the property grounds and playground as a neighborhood park. Evans Farm does not have any other town-owned open space or park within, or adjacent to, the neighborhood. The Brookside property also provides direct access from the neighborhood to the open space west of S Winton Road, which the town is purchasing to expand Buckland Park and create a public 'Central Green' open space per the Envision Brighton 2028 plan. When the Brookside property changes to privately owned land, the neighborhood will lose official access to the open space and playground on the property and will have reduced accessibility to the expanded Buckland Park open space. The TIUNY proposal presented on May 18 does not include open space or paths officially designated for public use via an easement, right of way, or equivalent means.

We have **additional questions and comments** for the Planning Board below:

1. For decades, the Brookside School property has been the neighborhood green space. Although we feel that the current TIUNY administration is sincere in their assurances that public access will continue, we are concerned that a future administration might make different decisions. All community access could end in the future without an easement.

2. The playground on the Brookside property is currently one that the town installed, maintains, and inspects, according to Matt Beeman, Superintendent of Parks. When the property changes hands, will it still remain a public playground maintained by the town and will the community continue to have access to it?

3. The issue of the excessive cost of insurance associated with an easement was raised at the May 18 meeting. How have Whole Foods (Auburn Trail), Meridian Center (trails/access to canal, etc.), and others dealt with insurance costs related to easements? Doesn't the town assume some responsibility/liability if an easement is granted?

In summary, we maintain our requests that the Idlewood Road entrance be closed to vehicular traffic (Condition 1) and for legal access to a portion of the property grounds (Condition 2). Thank you again for your time and consideration of this request. We hope these conditions will be implemented as the Montessori and TIUNY conditional use permit applications (applications 5P-02-22 and 5P-NB1-22) move forward.

Signed:

Tim Beach - 200 Idlewood Road; tcbeach@gmail.com

Seth Holmes - 182 Idlewood Road; setholmes@gmail.com

Judy Massare - 126 Idlewood Road; jmassare@aol.com

Vicki Reina - 62 Poplar Way; phriendly2001@hotmail.com

Kathleen (Casey) Sacco - 20 Dartford Road; casey.sacco@gmail.com

Audrey Schroeder - 190 Idlewood Road; nathanaudreys@gmail.com

Peg Warrick - 215 Idlewood Road; warrickpeg@gmail.com

Ray Warrick - 215 Idlewood Road; rwarrick215@gmail.com

APPENDIX: SUPPORTING DATA

TABLE 1: Count of vehicles on Idlewood Road from Poplar Way to Brookside property entrance (Idlewood Rd entrance) during the morning of May 25, 2022.

TIME	Vehicles INTO and OUT of Brookside (Tenant Traffic)	Non-Brookside vehicles in either direction	Total Vehicles in either direction (Brookside & non- Brookside)	PERCENT TENANT TRAFFIC
7:45-8:00	8	13 (includes bus at 7:49)	21	38%
8:00-8:15	8	7 (includes garbage truck)	15	53%
8:15-8:30	28	19	47	60%
8:30-8:45	55	14 (includes bus at 8:32)	69	80%
8:45-9:00	20	10	30	67%
TOTALS	119	63	182	65%

*Increase of baseline neighborhood traffic increases by 188.9% due to Brookside tenant traffic (increase of 63 vehicles to 182 vehicles).

TABLE 2: Count of cars on Idlewood Road from Poplar Way to Hunters Lane during the afternoon of May 26, 2022.

TIME	INTO Brookside	TOTAL IN	PERCENT TENANT TRAFFIC	OUT OF Brookside	TOTAL OUT	PERCENT TENANT TRAFFIC
2:50-3:20	14	27	52%	17	28	61%
3:20-3:50	5	24	21%	8	17	47%
3:50-4:20	12	31	39%	15	35	43%
4:20-4:50	3	22	14%	7	25	28%
4:50-5:20	8	27	30%	9	19	47%
5:20-5:40	0	17	0%	6	15	40%
TOTALS	42	148	28%	62	139	45%

TABLE 3: Comparison of commuting distances for Montessori parents who live in Brighton, based on the May 16 letter to the Planning Board. Distances were estimated using Google maps, for travel on town streets rather than highways. Actual house addresses were used, but only the street names are shown on the table.

ADDRESS	TO WINTON ENTRANCE	TO IDLEWOOD ENTRANCE	DIFFERENCE
Alaimo Dr	4.1 mi	4.1 mi	same distance
Astor Dr	3.3 mi	3.2 mi	0.1 mi longer
Birmingham Dr	1.0 mi	0.6 mi	0.4 mi longer
Brooklawn Dr.	0.9 mi	0.7 mi	0.2 mi longer
Cardiff Park	3.2 mi	3.2 mi	same distance
Claybourne Road	2.1 mi	2.3 mi	0.2 mi shorter
Clover Hills Drive	2.3 mi	2.1 mi	0.2 mi longer
Cohasset Dr	0.8 mi	0.7 mi	0.1 mi longer
Crandon Way	2.3 mi	1.7 mi	0.6 mi longer
East Squire Dr	3.6 mi	3.9 mi	0.3 mi shorter
Elmore Rd	1.7 mi	1.6 mi	0.1 mi longer
Evandale Rd	1.0 mi	0.3 mi	0.7 mi longer
Fair Oaks Ave	1.2 mi	1.6 mi	0.4 mi shorter
Fernboro Rd	1.8 mi	2.0 mi	0.2 mi shorter
French Creek Dr	0.9 mi	1.6 mi	0.3 mi shorter
Hemingway Drive	2.1 mi	2.7 mi	0.6 mi shorter
Grosvenor Road	2.7 mi	2.8 mi	0.1 mi shorter
Middlebrook Ln	2.5 mi	1.8 mi	0.7 mi longer
Midland Dr	2.1 mi	2.4 mi	0.3 mi shorter
Oak Lane	3.4 mi	3.2 mi	0.2 mi longer
Penfield Road	3.1 mi	3.0 mi	0.1 mi longer
Roby Drive	1.1 mi	1.3 mi	0.2 mi shorter
Roosevelt Rd	0.8 mi	0.6 mi	0.2 mi longer
Westfall Road	1.1 mi	0.9 mi	0.2 mi longer
Willowbend Rd	1.3 mi	0.9 mi	0.4 mi longer

Note that for 11 addresses, the commute using the Winton Road entrance will be shorter or the same as it is now (shown in red). For 9 addresses, the commute will be only 0.1-0.2 mi longer (shown in blue). Screen shots of the Google Maps route distances are available if the Planning Board would like to see them.



Jeff Frisch <jeff.frisch@townofbrighton.org>

Planning Board Application 5P-NB2-22 -- 3108 East Avenue

Goldman, Jerry A. <jgoldman@woodsoviatt.com>
To: Jeff Frisch <jeff.frisch@townofbrighton.org>

Mon, Jun 13, 2022 at 12:36 PM

Jeff-

On behalf of the applicant, we hereby request that the above referenced application be adjourned from the Planning Board's meeting of June 15 to allow the applicant's representatives to further discuss the proposal with neighbors and process its use and area variance applications to the Zoning Board of Appeals. We hope to be ready to proceed with the Planning Board at its July 20 meeting.

As always, thank you very much for your courtesy.

Thanks and stay safe,

Jerry

Jerry A. Goldman, Esq.

Partner

Direct Dial: 585-987-2901

Direct Fax: 585-362-4602

jgoldman@woodsoviatt.com

Firm Phone: 585-987-2800

Firm Fax: 585-454-3968

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Jeff Frisch <jeff.frisch@townofbrighton.org>

TIUNY application

Debby Abrahams <debbyaknit@gmail.com>
To: jeff.frisch@townofbrighton.org

Mon, Jun 13, 2022 at 1:27 AM

As an Evans Farm resident, I frequently ride my bicycle through the Brookside school grounds to get to Winton Road. Not only is it safer than riding along Westfall Road and making a left turn onto Winton, but it also is a more scenic route. I enjoy the wildflowers that grow in the fields, and the wild turkeys and blue herons that occasionally visit the creek.

I understand that TIUNY is concerned about insurance and liability, but I do not believe that the school should interfere with the previously enjoyed access to the advantages of unimpeded transit across the school grounds.

As a tax paying citizen (which TIUNY will not be), I ask that a right of way be maintained for the residents of Evans Farm.

Thank you for your consideration in this matter.

Yours truly,
Debby Abrahams
[150 Southwood Ln, Rochester, NY 14618](#)



Mark T. Henderson
Director of Jewish Community Security
255 East Avenue, Suite 201
Rochester, New York 14604



June 8, 2022

Brighton Town Planning Board
2300 Elmwood Avenue
Rochester, New York 14618

Dear Planning Board members:

I am the Director of Jewish Community Security for the Jewish Federation of Greater Rochester. My role is to advise the Rochester Jewish community on safety and security protocols, facility hardening measures and threat and vulnerability assessment. Prior to joining the Jewish Federation of Greater Rochester I was a sworn officer with the Brighton Police Department. I served in the Brighton Police Department from November of 1986 to my retirement in September 2019. During my tenure with the Brighton Police Department I served in many roles and capacities, including Chief of Police from July 2010 through September 2019. As the Chief of Police, I launched a pedestrian safety initiative after a series of pedestrian related accidents. I have a Bachelor of Science Degree in Criminal Justice and a Master of Science Degree in the Administration of Justice and Security.

I have been consulted in connection with The Talmudical Institute of Upstate New York's (TIUNY) plans to operate a Jewish educational institution on the property known as the former Brookside Elementary School in Brighton. TIUNY's plans for the property include the operation of its Jewish residential school for boys/young men, with some or all existing tenants of the building likely to remain, including the Montessori School of Rochester, a pre-school serving the general community, which uses the southeast wing of the building and adjacent outside areas.

It is my understanding that, as part of TIUNY's proposed use of the property, the Evans Farms neighborhood is requesting that TIUNY provide an easement establishing a right of public use and/or access on the property. In my professional opinion, the creation of any such public easement would generate significant safety and security concerns and potential risk for any school use. In these times of heightened violence and activity targeting religious and minority groups, including Jews, and schools, TIUNY must preserve its ability to restrict and exclude the public from the property in order to maintain safety and security, and to be able to effectively respond to potential threats and situations that may arise.

I would also note that, in respect to the pedestrian safety aspect of the request, it is not advisable to invite pedestrian activity to the Columbus Way driveway as this would promote and create an unsafe condition. South Winton Road is a heavily trafficked arterial road. There is no sidewalk on the east side of South Winton Road and no cross walk. Alternate routes (such as existing sidewalks on Westfall Road) provide safer pedestrian access to and from the Evans Farms neighborhood.

Thank you for taking into account the safety and security of TIUNY and the Montessori School.

Respectfully,

A handwritten signature in blue ink, appearing to read "Mark T. Henderson", with a stylized flourish extending from the end.

Mark T. Henderson, MS
Director of Jewish Community Security

PLANNING BOARD REPORT

HEARING DATE: June 15, 2022

APPLICATION NO: 6P-01-22

APPLICATION SUMMARY: Application of Helio Health, owner, for modification of conditions of approval (11P-03-18 & 12P-01-19) to allow for the use of 4000k color temperature parking lot lights in lieu of 3000k color temperature lights as approved for property located at 1850 Brighton Henrietta Town Line Road.

COMMENTS:

- The subject property is presently zoned IG.
- The site plan was initially approved with 11P-03-18 and extended with 12P-01-19.
- Application was conditioned with lights using 3000k color temperature and applicant is seeking use of 4000k color temperature lights.
- Dark sky compliance requires a color temperature of 3000k or lower.
- All other aspects of the approval will remain the same.
- Photometrics are slightly elevated closer to the light fixtures but further away they are consistent with previous approvals.

CONSERVATION BOARD: - NO COMMENT

TOWN ENGINEER: See memo from Assistant Engineer, Brendan Ryan, dated June 10, 2022.

QUESTIONS:

- Have there been any changes to the site since the previous approval?
- What is the reason for the switch in lighting units?
- Has other previously approved site work been completed?

SEQRA:

If the Planning Board finds that the proposed action will not have a significant impact on the environment. I would suggest that the Planning Board find that the proposed modification is consistent with the January 16, 2019 negative declaration adopted by the Planning Board for this project.

APPLICATION:

If the Board entertains approval, I would suggest including, among any others suggested by the Board, the following conditions:

1. All conditions of approved Planning Board application 11P-03-18 and 12P-01-19 remain in effect and must be satisfied with one exception to allow for color temperature of parking lot lights to be 4,000k or lower.
2. All buildings shall comply with the most current Building & Fire Codes of New York State.
3. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
4. Meet all requirements of the Town of Brighton's Department of Public Works.
5. All Town codes shall be met that relate directly or indirectly to the applicant's request.
6. All outstanding comments and concerns of the Town Engineer shall be addressed.
7. Lighting cut sheets and specifications shall be submitted with the proposed specifications highlighted/noted. The color temperature of all parking lot lights shall be 4,000 K or lower.



Brendan Ryan
Assistant Engineer

MEMO

Date: June 10, 2022

From: Brendan Ryan

To: Jeff Frisch

Copy: File

Re: *Application No. 6P-01-22*
Application of Helio Health, owner, for modification of conditions of approval (11P-03-18 & 12P-01-19) to allow for the use of 4000k color temperature parking lot lights in lieu of 3000k color temperature lights as originally approved.
1850 Brighton Henrietta Town Line Road

We have completed our review of the documents submitted for the above referenced project and offer the following comments for the Planning Board's Consideration:

General:

1. Please provide a narrative that explains the requested change in color temperature. All lights proposed should be Dark Sky compliant, which require a CCT of $\leq 3000\text{K}$, as indicated in the original site plan approval.

PLANNING BOARD REPORT

HEARING DATE: June 15, 2022

APPLICATION NO: 6P-02-22

APPLICATION SUMMARY: Application of Jagdish Kaur, owner, and Evan Gefell, agent, for Preliminary/Final Site Plan Approval to renovate an existing 1,634 sf building and make parking, lighting, landscaping and utility improvements on property located at 30 Jefferson Road.

COMMENTS:

- The subject property is presently zoned IG.
- The gross square footage of the building is 1,634 square feet.
- The total project area is 0.94 acres.
- Calculation for gross footage/acre is 1738 sf/acre.
- Calculation for open space is 62.8% where minimum of 35% is required
- The proposed use requires 6 parking spaces and they have proposed 13. Adequate parking exists for the applicant's request.
- Engineering comments note requirement for 2 handicap spaces, only one is shown on the plans.
- Zoning Board approval was granted for the Use as a retail liquor store(12A-03-21) and to allow front yard parking (12A-04-21).
- The project will need the necessary approvals from the Architectural Review Board and approval for the proposed sign. Note that signs are only allowed on one building face per code, any additional signage would require a variance.
- Parts of the property is located in the 100-year flood plain.
- The building is on septic. It has been tested and appears to be in working order.

CONSERVATION BOARD:

- Consider additional landscaping in the northwest and eastern portion of the lot.
- Use of low mow techniques and pollinator beds is encouraged.

TOWN ENGINEER: See memo from Assistant Engineer, Brendan Ryan, dated June 10, 2022.

QUESTIONS:

- Have the architectural design and building materials of the proposed building(s) been reviewed and approved by the Town of Brighton Architectural Review Board?
- Have all the necessary variances for this project been obtained from the Zoning Board of Appeals?
- Has the project been reviewed by the Conservation Board?
- What will the hours of operation be?
- Will the parking lot be lighted?
- Are any approvals required for the septic system?
- Will the project meet the NYS Guidelines for Urban Erosion and Sediment Control?
- Do you have a problem with maintenance of landscape plantings to be guaranteed for 3 years?
- Do you propose to install fire and smoke detection systems and a fire sprinkler system?
- Will any existing trees be retained? Will any trees be removed?
- Will a generator be provided?
- Where will the HVAC units be located?
- Have the gas storage tanks been removed?
- Plans show a requirement of 6 parking space but 13 have been provided. Why do you believe 13 are required for your use?
- Plan shows signs on multiple faces. Will you be applying for a variance or a sign on multiple building faces?

SEQRA:

If the Planning Board finds that the proposed action will not have a significant impact on the environment. I would suggest that the Planning Board adopts the negative declaration prepared by Town Staff.

DEMOLITION:

If the Board entertains demolition approval, I would suggest including, among any others suggested by the Board, the following findings:

1. The Architectural Review Board and Conservation Board have reviewed the project per the requirements of this article and their determinations and recommendations have been considered.
2. The project is consistent with the Brighton Comprehensive Plan
3. The project meets all Town zoning requirements, or a variance has been granted by the Brighton Zoning Board of Appeals.
4. The Brighton Department of Public Works has approved the proposed grading plan for the project.
5. The project complies with the requirements of the Town's regulations regarding trees.
6. A restoration/landscaping plan has been approved by the Planning Board.
7. The project will comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the project will comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, Section 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants, the licensing requirements of Section 56-3, and the asbestos survey and removal requirements of Section 56-5.
8. The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
9. The project does not have a significant negative impact on affordable housing within the Town.

APPLICATION:

If the Board entertains approval, I would suggest including, among any others suggested by the Board, the following conditions:

1. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).
2. The entire building/store shall comply with the most current Building & Fire Codes of New York State.

3. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
4. All conditions of the Zoning Board of Appeals shall be met.
5. Prior to the issuance of any permits the architectural design and building materials of the proposed building(s) shall be reviewed and approved by the Town of Brighton Architectural Review Board.
6. Meet all requirements of the Town of Brighton's Department of Public Works.
7. All Town codes shall be met that relate directly or indirectly to the applicant's request.
8. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
9. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
10. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
11. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance.
12. Maintenance of landscape plantings shall be guaranteed for three (3) years.
13. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66), Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.
14. All parking lot lighting shall be low in height and intensity and directed toward the building.
15. The dumpster shall be enclosed with building materials that are compatible with the existing building and located in the rear yard. The enclosure shall equal the height of the dumpster and shall not be higher than six and one-half (6.5) feet.
16. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
17. Outside storage and display shall be prohibited.

18. Prior to the issuance of any building permits a landscape and parking plan shall be submitted, reviewed and approved by the Building and Planning Department.
19. All proposed landscaping shall be installed prior to the issuance of any certification of occupancy.
20. Fire hydrants shall be fully operational prior to and during construction of the building.
21. All County Development Review Comments shall be addressed.
22. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: demolition, restoration of the site, landscaping, and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
23. The project will comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the applicant shall verify that the project will comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, and Section 56-3.6(a) regarding 10 Day Notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and asbestos survey and removal requirements of Section 56-5 are met.
24. The applicant's architect shall evaluate the project relative to the Town of Brighton sprinkler ordinance to determine if the building needs to be sprinklered. This evaluation shall be submitted with the final application.
25. Only business identification signage as allowed per the Comprehensive Development Regulations is permitted. This signage must be reviewed and receive all necessary town approvals prior to installation.
26. Erosion control measures shall be in place prior to site disturbance.
27. If applicable, the location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.
28. If applicable, the location of the HVAC shall be shown on the site plan
29. All comments and concerns of the Town Engineer as contained in the attached memo dated June 10, 2022 from Brendan Ryan, Assistant Engineer, to Jeff Frisch, shall be addressed.
30. The Town of Brighton's Floodplain Development Permit Application shall be completed by the applicant's engineer and submitted to the Town of Brighton for review and approval.

31. All new accessible parking space signage to be installed or replaced shall have the logo depicting a dynamic character leaning forward with a sense of movement as required by Secretary of State pursuant to section one hundred one of the Executive Law. Both accessible parking spaces noted in the Engineering Report will be shown on the site plan.
32. The plans shall be revised to address the following comments of the Conservation Board:
 - Consider additional landscaping in the northwest and eastern portion of the lot.
 - Use of low mow techniques and pollinator beds is encouraged.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 6P-02-22

Date: June 15, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Planning Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: 30 Jefferson Rd

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Jagdish Kaur, owner, and Evan Gefell, agent, for Preliminary/Final Site Plan Approval to renovate an existing 1,634 sf building and make parking, lighting, landscaping and utility improvements on property located at 30 Jefferson Road.

Location: 30 Jefferson Rd, Rochester, NY 14623

Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town Planning Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. No threatened or endangered species of plants or animals will be affected by this project.
2. The requirements of the State Environmental Quality Review Law have been complied with.
3. The duration of all impacts will be short term in nature.
4. There will be no resources of value irreversibly lost.
5. No threatened or endangered species of plants or animals will be affected by this project.
6. The storm water drainage system is designed and will be constructed in accordance with all applicable Town requirements.

For further information:

Contact Person: Rick Distefano, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

Telephone: (585)784-5228



Brendan Ryan
Assistant Engineer

MEMO

Date: June 10, 2022

From: Brendan Ryan

To: Jeff Frisch

Copy: File

Re: *Application No. 6P-02-22*

Application of Jagdish Kaur, Owner, and Evan Gefell, Agent, Preliminary/Final Site Plan

Approval to renovate an existing 1,634 sf building and make parking, lighting, landscaping and utility improvements

30 Jefferson Road

We have completed our review of the documents submitted for the above referenced project and offer the following comments for the Planning Board's Consideration:

General:

1. A schedule of all easements (existing/proposed, public/private) shall be provided in conjunction with this project. All texts, maps and descriptions shall be prepared and submitted to this office for review of the proposed easements. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.
2. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: demolition, restoration of the site, landscaping, and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
3. All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
4. If any environmental conditions or issues, not previously identified, are encountered during demolition, the owner and the contractors(s) shall immediately notify the Town, Monroe County Health Department and NYSDEC before continuing the demolition process.
5. The contractor shall obtain all necessary Highway Access, Demolition, Floodplain Development, Sewer Construction, and other permits from the Town or other agencies prior to starting work.
6. The proposed building and site plan must comply with the New York State Fire Code. The Town of Brighton Fire Marshal must review the fire apparatus access and fire hydrant locations. The Fire Apparatus Access and Fire Hydrant Worksheet must be completed and submitted to the Town

of Brighton for review. The worksheet can be found at <http://www.townofbrighton.org/DocumentCenter/View/4557>

7. The proposed development will require a floodplain development permit. Please review and submit all documentation associated the Town of Brighton's floodplain development permit.
8. The project must comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the project must comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, Section 56-3.6(a) regarding ten-day notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and the asbestos survey and removal requirements of Section 56-5 are met.
9. Additional comments will be developed as the design plans progress and more detailed information on the proposed development is provided.

Sustainability:

1. The plans indicate that 13 parking spaces are provided, more than double the required number of 6. Can the number of parking spaces be reduced?
2. The proposed lighting plan shows that a site average illumination well over 1fc will be maintained. The Illuminating Engineering Society of North America recommendations allow down to 0.5 average illumination for parking lots. Has reducing brightness to reduce energy consumption and light trespass been considered?
3. The applicant should consider provisions to promote alternative transportation such as bike racks.
4. Regional materials should be used to construct the proposed project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.

Roadway and Traffic:

1. Has the trip generation report been submitted to the Monroe County Department of Transportation and the New York State DOT, for review?
2. A turning radius analysis demonstrating that the proposed layout can accommodate the turning movements of delivery trucks and emergency vehicles must be provided.

Engineer's Report:

1. Has the applicant consulted with the Monroe County Department of Health regarding the re-use of the existing septic system? Please provide supporting documentation.
2. The existing building may have to be sprinklered in accordance with Town requirements. Has a comparative improvement cost versus assessment analysis per the Town Code been completed to determine if building will need to be sprinklered? In the event that a sprinkler system is necessary, hydraulic calculations demonstrating that the water service can adequately convey the anticipated sprinkler demand to the building shall be provided. The EPANet report included with the submission suggests that a 4" fire service has been evaluated for this development, however, the fire service is not shown on the plans. Please clarify the proposal.
3. The NYS Fire Code indicates that fire-flow requirements shall be determined by an approved method. What methodology was used to develop the fire-flow demand for this project? Has the methodology used to determine the fire-flow demand been approved by the Fire Marshal?
4. The layout associated with the hydraulic network analysis included with the application shall be provided. The model layout should depict the location of all model components used in the analysis.
5. The location of the hydrants associated with the submitted flow test data should be provided.

6. We are of the understanding that Rochester 100 is considering the development of a new sewer main which is intended to cross Jefferson Road and connect to a sanitary sewer system in the Town of Henrietta. The applicant should consider discussing this matter with Rochester 100.

SWPPP:

1. A sequence for construction of the development site, including stripping and clearing, rough grading, construction of utilities, infrastructure, and buildings, and final grading and landscaping shall be provided. The sequence of construction should also be outlined on the plans.
2. The applicant's engineer has indicated that a reduction of 0.04 acres in impervious surface is anticipated under developed conditions. Technical documentation must be provided to substantiate this assessment.

Plans

1. *Grading, Utility and Erosion Control Plan, Sheet 4 of 9*
 - a. No information is provided on location of roof leaders and how stormwater runoff from the building's roof is handled. Please provide information on this.
 - b. Will the proposed construction require placing fill in the floodplain area? If fill is provided in the floodplain, earthwork calculations should be provided demonstrating that compensating floodplain storage is being provided.
 - c. The erosion control plan should include standard erosion control features such as the location of a concrete washout and a stabilized construction entrance.
 - d. Will material need to be stockpiled on the site during construction? If so, the anticipated location of material stockpile should be depicted on the plans.
 - e. Why is the proposed grading in the parking area being raised?
 - f. Orange construction fencing should be used to delineate the limits of disturbance. Please revise the plans accordingly.
2. *Landscape and Lighting Plan, Sheet 5 of 9*
 - a. Light fixtures proposed as part of the improvements should be fully shielded with a correlated color temperature (CCT) of no more than 3000 kelvins.
 - b. Cutsheets for the proposed luminaires should be provided for review.

PLANNING BOARD REPORT

HEARING DATE: June 15, 2022

APPLICATION NO: 6P-03-22

APPLICATION SUMMARY: Application of Birnbaum Companies, owner, for Preliminary/Final Site Plan Approval and Conditional Use Permit Approval to construct a 3,050 +/- sf building addition for warehouse and office use on property located at 150 Metro Park.

COMMENTS:

- The subject property is presently zoned IG.
- The total project area is 3.37 acres.
- Calculations for proposed coverage is 45.8% where a maximum of 65% is allowed.
- The total square footage of the subject building is 22,010 square feet including the propose 3,000 sf addition.
- The gross square footage of the office area of the building is approximately 10,160 square feet. The building also includes approximately 8,850 square feet of warehouse area with an additional 3,000 square feet proposed.
- The proposed use requires 79 parking spaces. Adequate parking exists for the applicant's request.
- The property has a Woodlot EPOD that won't be disturbed as part of this addition.

CONSERVATION BOARD:

- Consider additional landscaping between the addition and the western lot line.
- Use of native plantings is encouraged.
- Representation by the applicant would have been beneficial for the Board's review.

TOWN ENGINEER: See memo from Town Engineer, Evert Garcia, dated June 11, 2022.

QUESTIONS:

- Have the architectural design and building materials of the proposed building(s) been reviewed and approved by the Town of Brighton Architectural Review Board?
- Has the project been reviewed by the Conservation Board?
- Will the project meet the NYS Guidelines for Urban Erosion and Sediment Control?
- Will all disturbed areas be protected from erosion either by mulch or temporary seeding within 2 weeks of disturbance?
- Do you propose to install fire and smoke detection systems and a fire sprinkler system?
- Has a protection plan for trees to be saved before, during and after construction been reviewed by the Conservation Board?
- Will a generator be provided?
- Where will the HVAC units be located?
- What will be stored in the new warehouse facility?
- Will the tenant for that space be different than other areas of the building?

SEQRA:

If the Planning Board finds that the proposed action will not have a significant impact on the environment. I would suggest that the Planning Board adopts the negative declaration prepared by Town Staff.

APPLICATION:

If the Board entertains preliminary approval, I would suggest including, among any others suggested by the Board, the following conditions prior to final site plan approval:

1. There appear to be a lateral connection at the main coming from the southeast side of the building. Provide information on what this connects to.
2. Information on what will be stored in the new warehouse area and the tenant who shall be occupying this space shall be provided.

3. A floor plan for the proposed addition and surrounding area shall be provided to the Town for review.
4. The entire building/store shall comply with the most current Building & Fire Codes of New York State.
5. Prior to the issuance of any permits the architectural design and building materials of the proposed building(s) shall be reviewed and approved by the Town of Brighton Architectural Review Board.
6. Meet all requirements of the Town of Brighton's Department of Public Works.
7. All Town codes shall be met that relate directly or indirectly to the applicant's request.
8. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
9. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
10. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
11. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance.
12. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66), Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.
13. All parking lot lighting shall be low in height and intensity and directed toward the building.
14. If any site lighting is proposed as part of this project, a lighting plan which shows the type, location and lighting contours shall be submitted. The proposed lights shall be designed to reduce impacts to the surrounding properties
15. All proposed landscaping shall be installed prior to the issuance of any certification of occupancy.
16. The applicant's architect shall evaluate the project relative to the Town of Brighton sprinkler ordinance to determine if the building needs to be sprinklered. This evaluation shall be submitted with the final application.
17. A letter or memo in response to all Planning Board and Town Engineer comments and

conditions shall be submitted.

18. The plans shall be revised to address the following comments of the Conservation Board:
 - Consider additional landscaping between the addition and the western lot line.
 - Use of native plantings is encouraged.
 - Representation by the applicant would have been beneficial for the Board's review.
19. The requested information is required to be submitted no later than two weeks prior to the next Planning Board meeting.
20. All comments, concerns and requirements of the Town Engineer as contained in the attached memo dated June 11, 2022 from Evert Garcia, Town Engineer, to Jeff Frisch shall be addressed.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 6P-03-22

Date: 06/15/22

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Planning Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: 6P-03-22

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Birnbaum Companies, owner, for Preliminary/Final Site Plan Approval and Conditional Use Permit Approval to construct a 3,050 +/- sf building addition for warehouse and office use on property located at 150 Metro Park.

Location: 150 Metro Park, Rochester NY 14623

Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town Planning Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. Soil erosion control measures will be implemented during and after construction based upon a detailed grading and erosion control plan.
2. No threatened or endangered species of plants or animals will be affected by this project.
3. The site will be serviced by sanitary sewers and public water. There appears to be adequate capacity to service the proposed development.
4. The storm water drainage system is designed and will be constructed in accordance with all applicable Town requirements and designed in a manner so as to mitigate storm water pollutant loads.
5. The requirements of the State Environmental Quality Review Law have been complied with.

6. The duration of all impacts will be short term in nature.
7. No threatened or endangered species of plants or animals will be affected by this project.

For further information:

Contact Person: Rick Distefano, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

Telephone: (585)784-5228



Evert Garcia, P.E.
Town Engineer

MEMO

Date: June 11, 2022

From: Evert Garcia

To: Jeffrey K. Frisch Jr.

Copy: File

Re: 6P-03-22

150 Metro Park

Application of Birnbaum Companies, owner, for Preliminary/Final Site Plan Approval and Conditional Use Permit Approval to construct a 3,050 +/- sf building addition for warehouse and office use

We have completed our review of the above referenced project and offer the following comments for the Planning Board's consideration:

General:

1. All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
2. The contractor shall obtain all necessary Highway Access, Sewer Construction, or other permits from the Town or other agencies prior to starting work.
3. If any environmental conditions or issues, not previously identified, are encountered during construction, the owner and the contractors(s) shall immediately notify the Town, Monroe County Health Department and NYSDEC before continuing the construction process.

Sustainability:

1. Regional materials should be used to construct the proposed project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.
2. The applicant should consider provisions to promote alternative transportation such as bike racks.

Engineer's Report:

1. The engineer's report should indicate whether there will be any changes in either sanitary sewer demand or the water distribution system as part of the proposed addition.
2. A table which summarizes peak runoff rates from the site for the various storm events for both pre and post development should be included in the engineer's report for review.
3. How was the pond outlet modeled in the hydraflow model? The hydrograph report should include information regarding the outlet structure.
4. The stage discharge table associated with the hydraflow model should be included in the report.
5. The proposed drainage area map indicates that the proposed addition drains through PR-2 towards the north. However, the roof drain is depicted on the southern end of the addition on the plans, meaning that the addition should be included with PR-1. Please review and clarify.

Plans

1. *Existing Conditions and Demolition Plan, Sheet 1 of 4*
 - a. The size and species of the tree to be removed should be noted on the plans.
2. *Site and Utility Plan, Sheet 2 of 4*
 - a. Floor drains, if installed, shall be connected to the sanitary sewer system. Floor drains do not include foundation or footer drains. Discharge from any floor drain must meet the effluent limits of the local and/or Monroe County Pure Waters Sewer Use Law.
 - b. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. The location of the orange construction fencing must be shown on the site plan. Trees shall be pruned, watered and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas. There are various trees along the proposed sanitary sewer trench which should include tree protection.
 - c. Are there any lighting improvements being proposed as part of this project? If so, they should be shown on this sheet.
 - d. Will the gutter system for the entire addition connect to the proposed roof drain storm sewer? Otherwise, the location of roof downspouts and their intended point of discharge should be depicted on the plans.
3. *Grading and Erosion Control Plan, Sheet 3 of 4*
 - a. The plans indicate that re-grading will occur beneath the canopy of the various trees which are designated to remain near the stormwater management facility. Will the proposed grading adversely impact the root system of these trees?
 - b. Erosion control measures should be provided for the drainage inlets near the limits of construction.
 - c. The limits of disturbance should be shown on the plans. Orange construction fencing should be used to delineate the limits of disturbance where applicable.
 - d. Orange construction fencing should be used to protect the existing trees near the excavation for the proposed storm lateral.
 - e. Proposed changes in topography should be depicted on the plans. Will there be any grading associated with the building addition and new perimeter sidewalk?
4. Details
 - a. A detail for the temporary check dam should be provided on the plans.