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2 **BRIGHTON**3 **PLANNING**4 **BOARD**5
6
7 May 18, 2022
8 At approximately 7 p.m.
9 Brighton Town Hall Zoom Meeting
2300 Elmwood Avenue
Rochester, New York 1461810
11 PRESENT:

12 JEFF FRISCH, TOWN PLANNER

13 WILLIAM PRICE, CHAIRPERSON

14 JOHN OSOWSKI)
15 JASON BABCOCK-STINER) BOARD MEMBERS
16 DAVID FADER)
17 KAREN ALTMAN)
18 JULIE FORD)KENNETH GORDON, ESQ.
Town Attorney

19 BRENDAN RYAN

20 Absent: PAM DELANEY

21
22
23 REPORTED BY: HOLLY E. CASTLEMAN, Court Reporter,
24 FORBES COURT REPORTING SERVICES, LLC
25 21 Woodcrest Drive
Batavia, NY 14020

1 MR. FRISCH: If everyone can keep your video
2 off during the main -- until it's -- until there's
3 like a time to raise hands and you're asked to speak.
4 It just helps us manage the room a little bit easier.
5 Thank you.

6 CHAIRMAN PRICE: All right, Jeff. I'm going
7 to start.

8 MR. FRISCH: Yup.

9 CHAIRMAN PRICE: Good evening and welcome to
10 the May 18th, 2020 [sic], meeting of the Town of
11 Brighton Planning Board.

12 Tonight's meeting, as you can tell, is
13 virtual via video conference as a result of the
14 Executive Order issued by the New York State Governor.
15 We are able to have these meetings virtually instead
16 of in person as part of our Open Meetings Law.

17 Tonight both applicants and interested
18 residents in a specific project will have an
19 opportunity to speak and ask questions about the
20 project. But if for some reason you think of an
21 additional question or comment, you are welcome after
22 tonight's meeting to submit your comments or questions
23 to the executive secretary of the Planning Board, who
24 is Jeff Frisch. Email him directly please at
25 jeff.frisch, F-R-I-S-C-H, @townofbrighton, all

1 together, townofbrighton.org.

2 Okay. I want to call tonight's meeting to
3 order. And Jeff, would you please call the roll for
4 tonight.

5 (Whereupon the roll was called.)

6 CHAIRMAN PRICE: Okay. We have a quorum.
7 Okay. Welcome, everybody. To start we are going to
8 have an agenda review with staff and the Board
9 members.

10 Jeff, what do we got up first tonight?

11 MR. GORDON: Before -- this is town
12 attorney, Ken Gordon. Before we do that, I just
13 wanted to repeat the announcement that was made as
14 people were joining.

15 Because we have so many people on this
16 meeting, Zoom, it would be very helpful for our staff
17 if you would turn your videos off until it is time for
18 you to address the Board. That helps us keep the
19 screen a little bit better organized.

20 Sorry to interrupt. Thank you. Go ahead,
21 Jeff.

22 MR. FRISCH: The first application is
23 4P-01-22. And that's the conditional use permit for a
24 moving company at 1057 East Henrietta Road. They were
25 going to be here last month, but they couldn't attend.

1 So they were tabled at that meeting. There's not
2 really any major concerns with that one.

3 CHAIRMAN PRICE: Okay.

4 MR. FRISCH: The next one -- okay. Next is
5 5P-02-22, application of the Talmudical Institute,
6 contract vendee, and Brighton Central School District,
7 owner for a conditional use permit approval to allow
8 the Montessori School of Rochester to be located at
9 2200 [sic] Idlewood Road.

10 Some of the concerns that came up are with
11 the traffic calculations that we saw. Also we -- they
12 didn't submit any information on parking as part of
13 that application. So that's something that we need to
14 clarify.

15 There's also been a lot of public comments
16 submitted for this and the other application that's at
17 this property, which will be considered.

18 MR. OSOWSKI: I have -- this is John. I
19 have a question about the conditional use permits.

20 MR. FRISCH: Yup.

21 MR. OSOWSKI: So do they not need that
22 permit until the ownership is actually transferred
23 from the school district to Talmudical Institute?

24 MR. FRISCH: That is correct. Yes.

25 MR. GORDON: That's technically correct,

1 John.

2 MR. OSOWSKI: All right. So until that
3 actually happens, they're fine? They're good to go?

4 MR. FRISCH: Yup.

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

6 CHAIRMAN PRICE: And Ken Gordon, this is
7 technically an application of Talmudical and not the
8 Montessori School?

9 MR. GORDON: So it's actually, as I
10 understand it, a joint application of the Talmudical
11 Institute, who is the contract vendee to purchase the
12 Brookside building, and the Brighton Central School
13 District, which currently owns the school building.

14 And, of course, the beneficiary of this
15 application is the tenant, the Montessori School. So
16 they have also joined in the application, although not
17 technically in their name.

18 The original application that was submitted
19 was submitted in the Montessori School name, but staff
20 asked for the owner and contractor vendee to submit
21 the application as in accord with Town policy.

22 And I should take a brief moment here
23 because I know we have a lot of people who are
24 interested in the Brookside School future and what is
25 going on with the Montessori School. I will say that

1 we did receive very many emails and comments from
2 people expressing their hope that there would be an
3 opportunity to close off the entrance to the Brookside
4 School from the Evans Farm neighborhood. Their hope
5 expressed that there would be an opportunity for the
6 Talmudical Institute, when we get to their
7 application, to provide for an easement or a license
8 or a right-of-way across the property and for use of
9 the property for both access to Winton and for
10 recreational purposes.

11 Those were the primary comments that were
12 received. I just want to let our audience know that
13 they receive all of those comments, has those
14 comments, has read those comments and are very well
15 aware of those concerns.

16 We also did get a number of comments and
17 emails from parents of Montessori School children who
18 attend there and who were in support of keeping the
19 Idlewood side -- the Idlewood entrance on that side of
20 the Brookside building open and accessible for
21 vehicular traffic. I just wanted to provide that
22 additional comment.

23 CHAIRMAN PRICE: Okay. John Osowski, I
24 think you'll need to chair this application.

25 MR. OSOWSKI: Right.

1 CHAIRMAN PRICE: As well as the application
2 for Talmudical, which is 5P-NB1-22 as well.

3 MR. OSOWSKI: Right.

4 MR. FRISCH: Next application after that is
5 5P-03-22, which is for site plan modification for site
6 improvements at 3450 Winton Place, the Winton Place
7 Plaza.

8 They're mostly minor changes. I have some
9 questions regarding kind of like the green space. But
10 other than that, staff didn't have too many -- too
11 many questions. A lot of them are outlined in the
12 report.

13 CHAIRMAN PRICE: And, Jeff, I'm going to ask
14 John to chair that application as well. I will --

15 MR. OSOWSKI: Which one is this?

16 CHAIRMAN PRICE: That's the Winton
17 Acquisitions.

18 MR. OSOWSKI: The Wintons?

19 MR. FRISCH: Yup.

20 MR. GORDON: Yup. And the reason for that
21 is that Bill has a conflict on that.

22 I will also say that we did receive today a
23 comment from a neighboring property owner, commercial
24 property owner, with some comments and some concerns
25 about that plan as well, which is in your packet.

1 MR. OSOWSKI: Yeah. I just glanced at it.
2 Thank you. Yup. Okay.

3 MR. FRISCH: Other than that, there's
4 10P-NB1-21 for the Quickee's gas station at Twelve
5 Corners. That was adjourned by the applicant.

6 CHAIRMAN PRICE: Okay.

7 MR. FRISCH: 5P-NB1-22 is the application of
8 the Talmudical Institute, as noted before, for
9 preliminary site plan approval, preliminary EPOD water
10 course permit approval, and preliminary conditional
11 use permit.

12 MR. FADER: Will we be handling those two
13 applications at the same time?

14 MR. FRISCH: We'll be doing them separately.

15 MR. FADER: So we'll be doing -- 5P-02-22
16 will be separate from 5P-NB1-22?

17 MR. GORDON: Yes.

18 MR. FADER: Okay.

19 MR. GORDON: The Montessori application is
20 strictly a conditional use permit application. The
21 Talmudical Institute is an overall reconstruction
22 project and site improvements.

23 MR. OSOWSKI: You know, regarding the
24 NB1-22, did -- there is quite the 20 page submission
25 from the neighbors regarding the consideration of an

1 access road going around the south side of the --
2 building or going around the north side of the
3 buildings in order to access the east side and to
4 close off Idlewood.

5 Did the developers see those alternatives?

6 MR. FRISCH: Yeah. I believe those were
7 also sent to the applicants for the application.

8 MR. OSOWSKI: And they have not come to us
9 with any alternative other than the site plan
10 submissions that we have seen --

11 MR. FRISCH: Yup. They --

12 MR. OSOWSKI: -- is that correct?

13 MR. FRISCH: -- would have received the
14 comments about a week ago and I don't know if they
15 would have had time to make a resubmission.

16 MR. OSOWSKI: Because, I mean, I'll be
17 blunt. It's almost not worth considering this
18 submission without them taking these alternative
19 proposals into consideration.

20 MR. GORDON: Well, I think we have it set up
21 for a public hearing tonight, John. I think we should
22 reserve decision and judgment until we hear from the
23 applicant and from the public, hear what everyone has
24 to say, have a good robust discussion among the Board
25 members and decide what to do.

1 I do think that there was a suggestion in
2 the staff report that the Board might consider tabling
3 this matter. But I think we need to hear the
4 testimony and presentation first.

5 MR. OSOWSKI: All right. I just wanted to
6 express my disappointment in the incompleteness of the
7 submission with no consideration of alternatives.

8 MR. GORDON: Well, I'm hopeful that
9 Mr. Goldman or whoever else is going to be presented
10 who I see is on the call will be able to address that.
11 I think Matt Tomlinson may be on the call as well.
12 Maybe they'll address some points.

13 MR. OSOWSKI: Thanks.

14 MR. FRISCH: As Ken mentioned earlier, we
15 received a lot of comments from the Town, some against
16 and some for the application. The major concerns are
17 closing out that entrance, also traffic in the
18 adjacent neighborhood, Evans Farm neighborhoods as we
19 kind of mentioned.

20 Next we have 5P-NB2-22, set for preliminary
21 site plan approval at 3108 East Ave for a 12 -- 1,278
22 foot building that will be a gas station, along with
23 two gas pumps and the site plan improvements.

24 They need a number of variance. They need
25 approvals from the Historic Preservation Commission.

1 And they'll need -- they will need to get those before
2 we can make any final decisions from the Planning
3 Board.

4 One of the main things that we talked about
5 in staff that we're worried about are proper drainage
6 of the property in the rear, along with some traffic
7 considerations as well.

8 CHAIRMAN PRICE: Where does it stand with
9 Historic Preservation?

10 MR. FRISCH: They have not been in front of
11 the Board. They went like preliminarily, but there
12 wasn't a decision made on it. They kind of reviewed
13 it and they would need to go back for approval for all
14 the site improvements.

15 MR. GORDON: Yeah. There was concept
16 review, Bill, with the Historic Preservation
17 Commission. And the Historic Preservation Commission
18 was very positive, very encouraging. There was some
19 modifications made by the applicant to the canopy.

20 And so the plans to accommodate the historic
21 character of the property that the Historic
22 Preservation Commission had requested, and they
23 seem -- Jeff's right. No formal application for a
24 certificate of appropriateness has yet been made.
25 That would need to be made and granted before this

1 project could move forward.

2 MR. FRISCH: There were also -- there were a
3 number of community comments that came out of this.
4 Most of them are worried about the look of the canopy,
5 the traffic that will increase both, and cause
6 problems with the road traffic as well as pedestrian
7 traffic in the neighborhood. And then environmental
8 concerns with the gas station being next to a major
9 stream.

10 MR. GORDON: Right. And there was some
11 comments about the -- whether the use itself was
12 appropriate. This would require a use variance in
13 front of the Zoning Board. That specific issue as to
14 whether to grant the use variance is not for Planning
15 Board. That is an issue that would be addressed, of
16 course, by the Zoning Board of Appeals.

17 CHAIRMAN PRICE: Okay. All right. Board
18 members, any other questions or comments on the
19 agenda?

20 MR. FADER: I'm wondering if the two Monroe
21 Avenue Quicklees are going to be one hearing?

22 MR. FRISCH: The Monroe Ave --

23 CHAIRMAN PRICE: Ones adjourned.

24 MR. FRISCH: Yeah. The Quickees at Twelve
25 Corners --

1 MR. FADER: Yes.

2 MR. FRISCH: That one's been adjourned. We
3 won't be hearing that one tonight.

4 MR. FADER: Oh, okay. Well, that makes it
5 simpler.

6 MR. FRISCH: Yeah. And then the last item
7 on the agenda is a public hearing, but it's for review
8 of an advisory report regarding incentive zoning
9 proposal for Jewish Senior Life.

10 CHAIRMAN PRICE: Right. Okay. All right.
11 So our next matter is review of meeting minutes. We
12 have three months that we have received minutes for.

13 Let's start with February 16th. Do I have a
14 motion to approve the minutes of the February 16th
15 meeting?

16 MR. OSOWSKI: I'll move -- this is John.
17 I'll move that we approve the meeting minutes from
18 February 16th.

19 MS. ALTMAN: I'll second that.

20 CHAIRMAN PRICE: Moved and seconded. Any
21 comments? All right. Jeff, please call the roll.

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

25 (Upon roll motion to approve carries.)

1 CHAIRMAN PRICE: Okay she's approved. All
2 right. Then we have March 16th of 2022. Anybody care
3 to make a motion to approve those minutes?

4 MR. OSOWSKI: I'll move that we approve the
5 meeting minutes from March 16th.

6 CHAIRMAN PRICE: I'll second. Any questions
7 or comments? Okay. Jeff, kindly call the roll on
8 that.

9 (Ms. Altman, aye; Mr. Price, aye; Mr. Fader,
10 aye; Mr. Babcock-Stiner, aye; Mr. Osowski,
11 aye; Ms. Ford, aye.)

12 CHAIRMAN PRICE: And that leaves us with
13 April 20th meeting minutes. Again, do we have a
14 motion to approve.

15 MS. FORD: So moved.

16 CHAIRMAN PRICE: Thank you. And a second?
17 I'll second.

18 MS. ALTMAN: I'll second.

19 CHAIRMAN PRICE: Oh, Karen did you already
20 do it?

21 MS. ALTMAN: I don't know. It was
22 simultaneous I think.

23 MR. FRISCH: I'll take Altman as the second
24 on that.

25 CHAIRMAN PRICE: Take Karen.

1 MR. OSOWSKI: This is John. I have some
2 comments to it because last month I watched the
3 meeting but I did not participate since I was on sick
4 leave after my surgery. So anyway, I'm listed as
5 being present, but I really wasn't. So if you just
6 move me to the absent side for that meeting because I
7 didn't participate in any of the votes and I wasn't
8 always present.

9 CHAIRMAN PRICE: Okay. Thank you.

10 MR. OSOWSKI: You're welcome.

11 CHAIRMAN PRICE: Jeff, just one general
12 comment on the meeting minutes. I noticed that a lot
13 of comments and statements get kind of a dot, dot,
14 dot, at the end of them, kind of like they're not
15 being heard. Is that -- is that the case? Because I
16 see it's fairly frequent. And it just happened to
17 notice it's a lot with what I'm seeing. Maybe I
18 ramble and you don't want to hear it or write it down,
19 but I am just curious are recordings not picking up
20 what we're saying?

21 MR. FRISCH: I'm not sure. I'll have to
22 check with the stenographer for that.

23 CHAIRMAN PRICE: Let's check on it because I
24 think I saw enough -- enough of it to be concerned
25 that the record isn't complete.

1 Okay. All right. Let's begin. Jeff, I do
2 have to ask you if tonight's public hearings were
3 properly advertised?

4 MR. FRISCH: Can we call the roll for that
5 April meeting minutes?

6 CHAIRMAN PRICE: Oh, I'm sorry. We --
7 didn't we do that?

8 MR. FRISCH: Nope. Not yet.

9 CHAIRMAN PRICE: Oh, we didn't call roll.
10 We --

11 MS. ALTMAN: I did second it.

12 CHAIRMAN PRICE: -- moved and seconded. I'm
13 sorry. Rambling on. All right. Please call the
14 roll.

15 (Ms. Altman, aye; Mr. Price, aye; Mr. Fader,
16 aye; Mr. Babcock-Stiner, aye; Mr. Osowski,
17 abstain; Ms. Ford, aye.)

18 CHAIRMAN PRICE: Okay. Now, we will ask
19 Jeff, have the -- tonight's public hearings been
20 properly advertised?

21 MR. FRISCH: Yes. Public hearing was
22 advertised for the Planning Board in the Daily Record
23 of March 12th, 2022.

24 CHAIRMAN PRICE: Okay. Thank you. We'll
25 hear those applications now. The first application is

1 4P-01-22.

2 **Application 4P-01-22**

3 Application of 1057 E. Henrietta Road LLC,
4 owner, and Pure Precision Moving, lessee, for a
5 Conditional Use Permit Approval to allow a moving
6 company with on-site furniture storage to be on
7 property located at 1057 East Henrietta Road. All as
8 described on application and plans on file.

9 CHAIRMAN PRICE: Is there anyone here
10 tonight representing the applicant?

11 MR. FRISCH: Please raise your hand
12 virtually or turn your video on. All right.

13 MR. HITCHCOCK: Yes, I'm here.

14 CHAIRMAN PRICE: Good evening.

15 MR. HITCHCOCK: Yes, I'm here. Gerald
16 Hitchcock with Flaum Management.

17 CHAIRMAN PRICE: Hello, Gerald. Yes.
18 Again, if you could just give us your -- you gave us
19 your name -- your address and just a little background
20 on the application.

21 MR. HITCHCOCK: Yes. I can do that. The
22 Flaum Management is proposing to move in Pure
23 Precision Moving, a moving company, to use this space
24 as general storage for household general moving goods.

25 They plan to have three to four employees

1 with a maximum of six. Their business hours are
2 Monday through Saturday, 7 a.m. to 7 p.m. They don't
3 anticipate any clientele coming to the suite. There's
4 parking available. And I'm sure you have some other
5 questions.

6 CHAIRMAN PRICE: So this -- this doesn't
7 sound like an operation that generates a lot of waste
8 or anything, but I'll just ask, if there is debris, is
9 there -- are there dumpsters on-site that they have
10 access to?

11 MR. HITCHCOCK: Yes. They will be providing
12 their own dumpsters. They will be developing a lot of
13 cardboard refuse. There's no liquid waste or no
14 chemical waste of any of that matter. It's your
15 standard trash.

16 There will also be parking for them.
17 There's two handicap accessible spots near their
18 entrance. And the staff will have access to
19 approximately six spaces in the rear parking lot.

20 CHAIRMAN PRICE: Okay. Is this -- this
21 application isn't requiring any modifications to your
22 site plan at all or any exterior modifications to the
23 building?

24 MR. HITCHCOCK: No. Nothing exterior. It's
25 all interior remodeling.

1 CHAIRMAN PRICE: Okay. And you told us the
2 hours of operation and that there are -- this is not
3 a -- this is not a destination for clients. This is
4 just for the business and their staff.

5 Are these somewhere between three and six
6 staff, are they coming and --

7 MR. HITCHCOCK: I don't believe they are.
8 It would be -- there would be possibly a manager on
9 staff who would be there they told me up to 30 hours a
10 week for now. And then, you know, down the road it
11 could increase a little bit. But right now, obviously
12 they're starting slow. So mostly, no. It would only
13 be when they're moving product in and out.

14 CHAIRMAN PRICE: Okay. And you've kind of
15 answered the one question of liquid materials or
16 hazardous materials. And there's no cooking that goes
17 on here. There's no kitchen operations, no new
18 ventilation that's needed.

19 MR. HITCHCOCK: Nope. Nothing like that.
20 They're strictly using the space as a warehouse.
21 There will be two small offices, an interior break
22 room and a unisex restroom.

23 CHAIRMAN PRICE: All right. All right. I
24 think I've asked my questions. Other Board members
25 have questions?

1 MR. OSOWSKI: This is John. On the floor
2 plan there appears to be a -- like a loading dock area
3 in the upper left-hand corner of the floor plan that
4 is apparently used by common tenants as an emergency
5 egress point. Is that also the loading dock that this
6 Pure Precision Moving would potentially use to, you
7 know, bring back some items that they have to
8 temporarily store inside the building or something; is
9 that correct?

10 MR. HITCHCOCK: Yes. Exactly. The loading
11 dock obviously would be your access for loading and
12 unloading into their space. It is a common use space.

13 It is not the only exit for the tenant next
14 door. They obviously have one -- they have at least
15 one. No. It's just one in the front and there is a
16 secondary rear exit farther east for the building.

17 MR. OSOWSKI: Great. Thank you.

18 MR. HITCHCOCK: You're welcome.

19 CHAIRMAN PRICE: John, thanks. Other Board
20 member questions?

21 MR. BABCOCK-STIENER: I'm good.

22 CHAIRMAN PRICE: All right. Thank you.

23 Karen?

24 MS. ALTMAN: Just -- I wanted to ask if
25 there was any possibility of overnight deliveries or

1 are deliveries to the warehouse strictly during your
2 normal operating hours of 7 to 7?

3 MR. HITCHCOCK: I was informed that it's
4 just going to be the 7 to 7.

5 MS. ALTMAN: Okay. Thank you.

6 MR. HITCHCOCK: You're welcome.

7 CHAIRMAN PRICE: David or Julie?

8 MS. FORD: No questions.

9 MR. FADER: No. I'm fine.

10 CHAIRMAN PRICE: All right. Ken Gordon?

11 MR. GORDON: Nope. I'm all set. Thank you.

12 CHAIRMAN PRICE: All right. And Jeff, do
13 you have any other questions from staff?

14 MR. FRISCH: Just are you going to be
15 storing vehicles on-site?

16 MR. HITCHCOCK: Yes. Just the one moving
17 van.

18 MR. FRISCH: I'm all set.

19 CHAIRMAN PRICE: Okay. All right. Thank
20 you. I'm going to open this up to the audience and
21 participants tonight. Is there anybody in the
22 audience that cares to address this application? This
23 is for a conditional use permit at 1057 -- yikes.
24 1057 where?

25 MR. HITCHCOCK: East Henrietta Road.

1 CHAIRMAN PRICE: East Henrietta Road. It's
2 right on their plan there. Sorry.

3 MR. FRISCH: I'm not seeing anybody.

4 CHAIRMAN PRICE: Okay. All right. That's
5 going to -- John Osowski, I'll turn over the next two
6 applications to you.

7 MR. OSOWSKI: All right. Thanks, Bill.

8 MR. HITCHCOCK: We're done?

9 CHAIRMAN PRICE: Sorry, Jerry. Yes, you
10 are. Appreciate it.

11 MR. HITCHCOCK: All right. Thank you for
12 your time.

13 CHAIRMAN PRICE: Call the office in the
14 morning and we'll inform you of the decisions. Okay?

15 MR. HITCHCOCK: Thank you. Have a good
16 night.

17 CHAIRMAN PRICE: Thank you.

18 MR. GORDON: Bill, if you're having John
19 take over the meeting, I'm just going to ask you to
20 turn off your camera. Thank you.

21 And John, you might want to before we start
22 on this matter talk a little bit about -- well, maybe
23 we'll wait 'til we get to the public comment period
24 about how we're going to handle that public comment
25 period.

1 MR. OSOWSKI: Sure. Yeah. Thank you.

2 MR. GORDON: Yup.

3 MR. OSOWSKI: And maybe we want to wait for
4 Brendan to bring another picture up on the screen.

5 MR. GORDON: Right. The next application,
6 which is going to be --

7 MR. RYAN: Yup. We're ready to go.

8 MR. OSOWSKI: There we go. Thank you.

9 **Application 5P-02-22**

10 Application of the Talmudical Institute of
11 Upstate New York, contract vendee, and the Brighton
12 Central School District, owner, for Conditional Use
13 Permit Approval to allow for The Montessori School of
14 Rochester to be located at 220 Idlewood Road. All as
15 described on application and plans submitted. All as
16 describe in the application and on the plans
17 submitted.

18 MR. OSOWSKI: So is there somebody here who
19 wishes to address the Planning Board regarding this
20 application?

21 MR. GORDON: This is for the applicant.

22 MS. BRUGG: Hi. Can you hear me? Am I
23 unmute?

24 MR. OSOWSKI: Yes.

25 MS. BRUGG: Yes? Hi. It's Besty Brugg.

1 I'm an attorney. I'm representing this application.

2 So from what I heard from your conversation,
3 you'd like to isolate the Montessori application from
4 the Talmudical Institute application. So I'm just
5 going to go through --

6 MR. GORDON: Let me clarify, Betsy. We're
7 not isolating anything. They are two separate
8 applications. We're taking this application now. If
9 you care to address this application, go right ahead.

10 MS. BRUGG: I'm glad you -- you want me to
11 go through -- because I'm going to go through the
12 whole Talmudical project. It's just -- I'll do that
13 as a second application.

14 MR. GORDON: Yes. This is the --

15 MS. BRUGG: So we're here --

16 MR. GORDON: This is only the conditional
17 use application for the Montessori School right now.

18 MS. BRUGG: Thank you. So, yes. So we are
19 here on a conditional use permit application. There's
20 really nothing changing with the Montessori School.
21 What is occurring is what was represented before that
22 the Talmudical Institute of Upstate New York is
23 purchasing this property from the Brighton School
24 District. As a result the Montessori School that has
25 operated there has now required a conditional use

1 permit.

2 So the application is connected to the plans
3 of the Talmudical Institute, but it is required
4 essentially because of the change in ownership. I
5 will go through kind of the operations and information
6 about the Talmudical -- excuse me -- about the
7 Montessori School of Rochester.

8 On the meeting, Zoom, tonight we've got
9 Rabbi Shlomo Nobel from the Talmudical Institute
10 that's acquiring the property, the head of the school
11 for the Montessori School, Cindy Gowan, is on, Matt
12 Tomlinson from Marathon Engineers is on, Dave Hamlin,
13 our architect, he probably won't have too much to say
14 about this, but he is on. Jerry Goldman from my
15 office is also on. So we got a whole crew of people
16 to answer any questions.

17 So I guess I will skip going through the
18 kind of site work and renovations and proposal related
19 to the Talmudical Institute and focus on the
20 Montessori School. They have essentially been
21 operating over in the old Brookside School since 1999.
22 You can see their area here in the south wing. They
23 are very happy there. They've been operating there a
24 long time.

25 They serve approximately 74 families. They

1 have about 20 to 22 employees, 20 of whom drive.
2 They --

3 MR. FRISCH: You're breaking up a little
4 bit.

5 MS. BRUGG: -- a large number of families
6 from Brighton including several -- let me see -- I
7 guess the video on it -- yeah. The audio. Can you
8 hear me okay?

9 MR. FRISCH: You're still breaking up a
10 little bit.

11 MS. BRUGG: Still breaking up. Let me see
12 what I can do about that. I'm going to shut off my
13 video. Is that okay? It might improve the audio.
14 And if you need me to hope back on I can. You just
15 won't be able to see me.

16 Okay. So as I was saying, they've been here
17 since 1999. They operate early childhood education
18 program for infants through kindergarten. So they
19 have infants, toddlers, preschoolers. They serve a
20 large number of families from Brighton who live in
21 Brighton. They have several families who live in the
22 Evans Farm neighborhood. They have several right
23 across Westfall who also have their kids at the
24 Montessori.

25 They utilize -- as you can see up here in

1 the upper -- I guess the upper left of your screen,
2 kind of the space that they occupy. They have some
3 classrooms. And then they have some outdoor
4 recreational space that they use.

5 Their hours of operation -- their hours of
6 operation are 7:30 to 5:30, but the majority of the
7 families actually drop between 8:30 and 8:50. I will
8 point out we did see -- we have had meetings with
9 the -- we did have a neighborhood meeting back in
10 March. We have seen the comments from the
11 neighborhood.

12 We did receive that lengthy letter. We just
13 got it a few days ago. So we haven't had a chance to
14 do a real thorough response to it. But I'm going to
15 try to address some of the concerns in that letter in
16 talking about the Montessori School because some of
17 those issues raised do pertain to their operation.
18 And I think we can answer a lot of questions.

19 So approximately 59 of their families drop
20 off between 8:30 and 8:50, which is after the start
21 times of both French Road School and Council Rock
22 School. And my understanding is they don't really
23 have any issues with -- conflicts with school bus
24 traffic at all.

25 The pick-up at the end of the day is

1 scattered. It starts around 11:40 with the various
2 times in the afternoon. And we can get you more
3 specific information on that.

4 As I said, they have 22 employees. So about
5 20 cars parked for -- for their employees. They don't
6 really have -- they do have some preschool -- or --
7 excuse me. Before school hours and things, you know,
8 wrap around. But they don't have any students who are
9 being bussed at this time. They didn't have any last
10 year as well.

11 Their issues, you know, they're very happy
12 operating there. They're kind of a low-intensity use.
13 They're a neighborhood-friendly use. They have all
14 this parking here in the front. This drawing doesn't
15 show it, but they do have all their parking around --
16 they use the bus loop for pick up and drop up and they
17 have parking around the bus loop. If you switch to
18 the -- there's probably an aerial plan or site plan in
19 the packet. But anybody who lives in the neighborhood
20 would be familiar with that area.

21 I think that street itself is called -- that
22 bus loop seems to be called Norman Howard School
23 drive. So I'm guessing that Norman Howard School was
24 probably there at some point. The school itself was
25 built -- the building I think was built in 1957, if I

1 understand. And there's been some form of school
2 there I think all the time. I think the Brookside
3 School closed I think in 1987. From what I
4 understand, there has always been some kind of school
5 operating there.

6 They -- you know, we did take a look at the
7 comments about the traffic. And we do know that the
8 neighborhood is asking about closing off Brookside.
9 That would not work for the Montessori School. That
10 is the access that gets them to their parking and gets
11 them into the building without having to go through,
12 you know, other parts of the site.

13 However, I think what's most important is
14 that they are -- perhaps the neighbors who have
15 concerns with traffic, but it's probably more about
16 their own neighbors than the school. The families
17 that have to come to the school pass at most 22 homes
18 between Westfall and Norman Howard School Drive.

19 They have had no history of traffic problems
20 related to the operation of the Brookside School
21 property. They have enough parking. They have not
22 had any issues not having adequate parking for the
23 Montessori School. They have different peak times as
24 far as the usage, doesn't conflict with the school bus
25 traffic.

1 And I think that I can -- I think what I'll
2 do is I'll turn it over to Cindy, who can tell you a
3 little bit more about her operation. I believe she is
4 on the Zoom.

5 MS. GOWAN: Yes, thank you. Thank you for
6 giving that introduction. I -- my name is Cynthia
7 Gowan. I live here in Brighton and I'm also the head
8 of school as Betsy mentioned.

9 And I just -- I wanted to take a minute
10 because I know that there are a lot of neighbors. And
11 I want to point out that I've lived here in Brighton
12 for -- with my husband for 21 years. We're raising
13 our family here. I volunteer for schools, for
14 community organizations.

15 My own children are walkers. They walk to
16 school. They ride bikes. They play in our
17 neighborhoods. And I've gotten to know over these
18 years the many wonderful neighbors in our community.
19 But I think it's important to just -- to state that I
20 care about my town. I care about my neighbors and my
21 community and that this care is something that I see
22 and share by the families who send their children to
23 our school.

24 As Betsy mentioned, we've been at Brookside
25 for quite some time, for over 20 years now. We've

1 been in existence since 1965. So we have a long
2 history of serving the community. And I just want to
3 take a minute to talk a little bit about some of the
4 concerns that the neighbors raised, which were -- you
5 know, we just really saw some of them.

6 Our school takes up probably about
7 20 percent of Brookside. And as Betsy pointed out,
8 we're at that sort of southern corner. We're securely
9 separated from the rest of the building and situated
10 around that main entrance and bus loop. Our school
11 isn't really directly or safely able to be reached by
12 that back parking lot. And because of those ages of
13 the children that we serve, our children are just
14 quite small and proximity to the entrance is really
15 vital to their safety and security and wellbeing.

16 I know that the -- we just saw the
17 conditional use permit packet from the neighborhood.
18 And so I just wanted to comment about a few of the
19 things. I know that they've proposed some structural
20 accommodations that would significantly diminish the
21 property's green space and would create many new
22 concerns for the safety and security of our very young
23 students.

24 So by expanding roads and driveways around
25 the building, it would cut through green and play

1 spaces. It would require significant paving to
2 connect the two parking lots, further diminishing the
3 environmental integrity of the property that both our
4 school and the neighborhood value.

5 I think that they provided two alternatives,
6 one going around what's on the screen is the bottom of
7 the screen and one going up and around the top. The
8 one going around the bottom I can't imagine would
9 environmentally work because the creek is right there.
10 And so I imagine that the environmental impact would
11 be such that that wouldn't -- that wouldn't work.

12 I think the other piece for us about that
13 Winton Road entrance that is concerning is that I'm
14 concerned personally about the safety of entering and
15 exiting from that entrance through such a busy
16 thoroughfare. It wasn't designed to accommodate that
17 much traffic. It's now a four-lane road that people
18 use and tend to drive pretty quickly up and down.

19 And, in fact, that was a concern that I know
20 that the Brighton School District shared when they
21 were considering the use of this site several years
22 back before they did their addition at Council Rock.
23 That was one of the concerns they had was about the
24 safety and security of using that entrance for
25 children.

1 I want to acknowledge that our school does
2 bring some additional cars to the community. However,
3 the traffic to our school falls far below the capacity
4 to the building, property and entrance that they were
5 built to accommodate. The neighborhood maintains that
6 there's really no way to estimate the number of
7 vehicles or traffic expected when the building was
8 built. But I'd suggest that the parking lot size is a
9 great indication of the number of vehicles that
10 Brookside expected at its inception.

11 So if you look at where we are, where that
12 bus loop is and where that main parking lot is, that
13 tells you how many cars or how much traffic they
14 expected in 1957 when they built that school. And
15 even during our busiest times, we fall far below that
16 capacity of the current parking lot. And that's with
17 the shared other tenants use.

18 Our drop off and pick up times are staggered
19 and Betsy mentioned. So it really does keep traffic
20 from being too great at any given time. And I know
21 that Betsy was mentioning about the drop off period
22 and I -- and I want to just make it really clear.
23 When our main drop off period is, there's only one
24 more bus that goes through the neighborhood at that
25 time. It's a French Road bus. And there are stops

1 that happen between the 8:30 and 8:50 for which our
2 cars are coming through. But at that point the
3 transportation department let me know that they are no
4 longer on Idlewood. They're in other parts of that
5 neighborhood.

6 And so I think it's just important to
7 recognize that at that point Council Rock is in
8 session. The high school's in session. The middle
9 school's in session. And French starts at 9. So most
10 of those kids are out of the house and on the bus or
11 with their parents in their cars driving to their
12 schools.

13 We also have a drop off period that extends
14 throughout the day and is never more than 30 cars in
15 about a half an hour period. And I think that -- what
16 we recognize is that families aren't creating a burst
17 of traffic that a neighborhood that has almost 400
18 houses can't handle. So we're talking about a very
19 small fraction of cars added into the large amount of
20 cars that are a part of that neighborhood already.

21 But that said, I think it's important to say
22 that we feel that as good neighbors we take safety and
23 security of our surrounding streets seriously. We see
24 ourselves as part of the neighborhood. And so, you
25 know, I find it really troubling to feel that I'm, you

1 know, at odds with my neighbors.

2 We regularly remind our parents to drive
3 slowly. We ask them to watch closely for pedestrians.
4 They do that also because they're parents of young
5 children. You know, they know about safety. They
6 know how important it is. We've safely run our school
7 as a part of that neighborhood for over 20 years. We
8 also share our gardens and our play spaces and our
9 outdoor resources with the community who come mostly
10 outside of our operating hours despite the fact that
11 we're a private school and not a public park. We
12 share it with the community because we think that's
13 important.

14 I will say that when I began at MSR as the
15 head of school, I was struck by the kindness and
16 consideration of our families and that they share with
17 the Brighton community. Our Montessori education is
18 built on the values of grace and courtesy and I've
19 been overwhelmed by the generosity of spirit that our
20 families really do display and live out those values.

21 Many of our families live here in Brighton.
22 Some of our families moved to Brighton while their
23 students are at our school. We bring them in. They
24 love the community and they move here. They -- from
25 year to year we might have 35 to 50 percent of our

1 students from Brighton. And by the end, that often
2 increases.

3 Our families walk to school. They bike to
4 school. They walk through the neighborhood, Evans
5 Farm neighborhood. So we know -- we know that it's
6 important that we be careful in that neighborhood and
7 we are.

8 We're thankful to be a part of that
9 community. We're thankful for our neighbors. We hope
10 to be able to continue to operate in the manner that
11 we have. And we're just hoping that the Planning
12 Board will recognize that our application isn't making
13 any requests, but really it's just a continuation.
14 We've coexisted with our neighborhoods -- with our
15 neighbors peacefully and safely and without incident
16 for over 20 years. And we'd really like to continue
17 that into the future.

18 MR. OSOWSKI: Okay. Thank you Cindy. And I
19 want to --

20 MS. BRUGG: So I'd like -- I'm sorry. I
21 just wanted to add to that. So the Montessori School,
22 even though we're looking at a conditional use permit
23 separately as a separate conditional use permit, it is
24 part of a larger project. Any connection with the
25 traffic -- I should say that the overall project

1 involves some improvements to the building that will
2 involve changing the use of the Idlewood driveway to
3 reduce the amount of vehicles going out that driveway.

4 So the other uses, the Brighton and public
5 uses in the building will be rerouted to use the
6 Winton Road exit so that the Idlewood traffic will be
7 reduced.

8 Matt Tomlinson should be on. And I think he
9 can speak to questions of that sort. Is he there?

10 MR. TOMLINSON: Thanks, Betsy. I am here.
11 I'm sorry. I didn't hear what you -- you broke up a
12 little on what questions you wanted me to address at
13 this point.

14 MS. BRUGG: I just said that you have some
15 information on the number of parking spaces available
16 to Montessori.

17 MR. TOMLINSON: Yes. There's a total of 98
18 spaced on the -- on the Idlewood side. And that would
19 not be contemplated to be changed by any means.

20 But again, the use -- the uses and the
21 square footage within the buildings would be reduced
22 that use that Idlewood side. So there's no observed
23 parking issues now and we'll be lessening the demand
24 for parking on that Idlewood side as Betsy mentioned.

25 MS. BRUGG: I would add that -- so, you

1 know, we have to address some special -- excuse me --
2 some conditional use permit standards. I'm happy to
3 go through them, but we have addressed them in writing
4 in a letter.

5 And as I said, we did just get the package
6 from the neighborhood, that lengthy letter. We just
7 got it a couple days ago. So we really have not had a
8 chance to put in a formal response.

9 MR. OSOWSKI: Okay. Thank you, Betsy.
10 Thank you, Matt.

11 Cindy, I have a question regarding
12 enrollment. So is there a maximum enrollment that
13 your school -- that you envision for your school and
14 what is your enrollment now?

15 MS. GOWAN: Sure. I appreciate that
16 question. Honestly, we're full. We can't accept any
17 more students. And if you look at the space that is
18 shown on the map on your screen there, we're not
19 taking any -- over any more rooms.

20 So you know at most we have about 92
21 students. And we really can't accept more than that
22 because we don't have the space for that. And part of
23 that is because of the ages that we serve. So we have
24 an infant room that when it was school might have held
25 30 children. We can have at most eight children in

1 that room. We have some toddler rooms, again, that
2 might hold 30 children, but we can at max accept 12.

3 So we're limited in our numbers and we're
4 not looking to increase them. We can't in our current
5 footprint.

6 MR. OSOWSKI: Okay. So you're not looking
7 to grow your enrollment and take over more space then?

8 MS. GOWAN: No, sir.

9 MR. OSOWSKI: Thank you. Okay do any other
10 members have questions for Betsy, Cindy or Mat? David
11 Fader, do you have anything?

12 MR. FADER: No. I am all set.

13 MR. OSOWSKI: Okay thank you. Jason?

14 MR. BABCOCK-STIENER: I'm good. Thanks.

15 MR. OSOWSKI: Karen?

16 MS. ALTMAN: I'm set. Thank you.

17 MR. OSOWSKI: All right. Julie?

18 MS. FORD: I'm good. Thank you.

19 MR. OSOWSKI: Okay. Ken Gordon, do you have
20 any comments?

21 MR. GORDON: I have some questions, yes.
22 And perhaps this is for Ms. Gowan. Ms. Gowan, could
23 you let us know when your staff arrives and when your
24 staff departs?

25 MS. ALTMAN: You're muted.

1 MS. GOWAN: There we go. Sorry. The host
2 wasn't letting me unmute. Sorry about that, Ken.

3 So our staff arrives at a couple of
4 different times during the day. The bulk of them
5 arrive around 8:15. Again, some of them ride public
6 transportation. So, you know, and I looked to see if
7 she was on. One of my teachers mentioned to me this
8 morning that she regularly sees a lot of traffic in
9 the neighborhood when she's walking at 8:15 and they
10 aren't necessarily the people coming to and from
11 our school because that's the time that the people are
12 exiting the neighborhood.

13 But they come to work at about 8:15.
14 There's a handful of people who come a little bit
15 earlier. So they're openers. There are three of them
16 that come at 7:30. I come at 7:35 every morning and
17 wave to my 16-year old peers who are driving to school
18 through the neighborhood but -- and then the bulk of
19 them leave around 3:30, 4 o'clock. And then, again,
20 we have another handful of people who stay for that
21 aftercare portion between 4 and 5:30. By the time
22 5:30 rolls around, it's usually just me and two other
23 people.

24 MR. GORDON: And maybe this is a question
25 for Matt. Matt, do you have an actual vehicle count

1 for the morning, we'll call it, rush and the afternoon
2 pick up time?

3 MR. TOMLINSON: Yes, Ken. We have engaged
4 SRF Associates. And they did actual traffic counts
5 while school was in sessions a couple weeks prior to
6 our application of the Planning Board material last
7 month. So this was around the beginning of April.
8 And so what's reflected in that trip gen letter,
9 actual counts at the driveway and at Idlewood.

10 MR. FRISCH: I have a question about that if
11 I can jump in.

12 MR. GORDON: Yes, please. Go ahead, Jeff.

13 MR. FRISCH: There's kind of an assumption
14 with the trip generations about how many trips are
15 going to drop off as the other tenants are routed
16 around to the entrance on Winton. And it seems to me
17 that that assumption is based on square footage that
18 they take up and not on the specific trips generated
19 by those places.

20 And it seems to drop down a lot. It kind of
21 seems like predominantly there's going to be a lot of
22 trips generated by parents dropping their children
23 off, but those aren't really associated with the
24 school itself. They're more associated with a general
25 square footage of the building. And it seems like

1 that might not get the best results.

2 MR. TOMLINSON: I believe that we used a
3 generic square footage for trips that would be moving
4 to Winton because we didn't stop each vehicle and ask
5 them which space they were coming to, Jeff.

6 So I can circle back with the traffic
7 engineer. We did note that comment in the comments
8 received. But the anticipated Montessori traffic
9 based on the number of students and no bus traffic, I
10 believe, was consistent through there. But I will
11 clarify that with the traffic engineer.

12 MR. GORDON: Just to clarify the record on
13 this point, the Montessori School is not expecting any
14 change in the vehicular traffic for its operation;
15 correct?

16 MS. GOWAN: Correct.

17 MR. TOMLINSON: That's correct.

18 MR. GORDON: And I think I heard the
19 testimony that currently the Montessori School serves
20 74 families, which means that there are 74 cars coming
21 and going from the Montessori School potentially every
22 day since we have no busing of students; correct?

23 MS. GOWAN: Yup. I can tell you the exact
24 times that they come as well.

25 MR. GORDON: But I'm just doing numbers.

1 MS. GOWAN: Yeah. Oh, yeah.

2 MR. GORDON: That's 74. And then 22 -- 20
3 to 22 trips by employees.

4 MS. GOWAN: Sure and that's -- and that's in
5 the cold weather because we do have families that --
6 we had about ten families ride and walk today. But
7 certainly in the winter there are far fewer of them
8 walking.

9 MR. GORDON: And so max trip generation
10 approximately per day, 94 coming, 94 going.

11 MS. GOWAN: Correct.

12 MR. GORDON: All that sound right to you,
13 Matt?

14 MR. TOMLINSON: It does. And I would just
15 note that it is dispersed not just concentrated in one
16 half-hour period, but across that spread of times that
17 Cynthia mentioned, both arriving and especially at
18 dismissal.

19 MR. GORDON: Matt, do you have any vehicular
20 accident or pedestrian accident data for the Evans
21 Farm neighborhood specifically on Idlewood?

22 MR. TOMLINSON: We do not. We -- Monroe
23 County would not track anything like that on a town
24 road. And we have not been made aware through the DPW
25 of engineers department of any known issues.

1 That, again, can be something that I check
2 with the traffic engineer on. But I don't believe
3 that there would be reports kept for that
4 specifically.

5 MR. GORDON: There might be by address
6 available from the Brighton Police Department.

7 MR. TOMLINSON: I'll reach out to him and
8 find out if he asked for that information already,
9 Ken. I'm not aware of it at this point.

10 MR. GORDON: And similar question for the
11 stretch of Winton Road south between 590 and Westfall
12 Road, any accident data for that?

13 MR. TOMLINSON: I will check on that one as
14 well.

15 MR. GORDON: All right. How about -- what
16 is the speed limit on Winton Road South in that
17 stretch, if you know?

18 MR. TOMLINSON: I believe that it's 40 miles
19 per hour, but I do not know what the 85 percentile
20 speed, which is usually what traffic studies are based
21 on from a safety perspective, is.

22 MR. GORDON: Is that something you can check
23 on and let us know?

24 MR. TOMLINSON: Absolutely.

25 MR. GORDON: And the speed limit on Idlewood

1 in the vicinity of the Brookside school, do we know
2 what that is?

3 MS. GOWAN: 25.

4 MR. TOMLINSON: Yeah. I believe that the
5 Town speed limit on all un-posted neighborhood streets
6 is 25-miles per hour.

7 MR. GORDON: It is not, but we do --

8 MS. GOWAN: It's 25.

9 MR. GORDON: It has to be posted as 25 in
10 order for --

11 MS. GOWAN: And it is. Yup.

12 MR. GORDON: Let me just check my notes here
13 for a moment. For now those are my questions, John.
14 Jeff may have some.

15 MR. FRISCH: That's a lot of them that I
16 had. Cynthia, do you have any -- do you have any
17 knowledge of complaints that the school has received
18 from the neighborhood about traffic or anything in the
19 neighborhood?

20 MS. GOWAN: Sure. I think that, you know,
21 at least a couple of times a year people will call and
22 say that people are speeding through the neighborhood
23 and that's the result of the school. And at which
24 time we always support them talking to the police
25 department because speeding is obviously something

1 that is, you know, dangerous not just for the people
2 in the neighborhood, but our cars that also travel, my
3 teachers who are walking, you know, I ride my bike. I
4 don't want to get hit either. And so we regularly
5 send emails when we get those calls and just remind
6 parents about that.

7 But certainly there has never been a
8 complaint that has been located in an accident or a
9 concern in that way. And so it's usually just a
10 global "people are speeding by" kind of conversation.

11 And to be quite honest, our entrance is
12 still used for Parks and Recreation and for lots of
13 other things. And so we take that seriously, but we
14 also can't necessarily locate whether or not those
15 cars are coming to and from our school that are doing
16 those kinds of dangerous things in the neighborhood.

17 MR. FRISCH: And just as a kind of note,
18 this application -- I know you probably saw it, but
19 the application didn't have any information on
20 parking, this conditional one. It was included with
21 the other application, but I think that we'll need
22 some numbers submitted for this application moving
23 forward.

24 MR. TOMLINSON: Yeah --

25 MR. GORDON: I'm sorry.

1 MR. TOMLINSON: If I could just speak to
2 that for a second. The existing parking, again, the
3 tenants there have no issues with the amount of spaces
4 on that side of the street. And we will be reducing
5 the vehicular load on that said of the school.

6 And the site plan submitted does have the
7 parking calculations for each use broken down by the
8 square footage per code included on that.

9 So I think you do have a large chuck of
10 that. If we need to get into some specifics, we can
11 absolutely provide some additional information.

12 MR. FRISCH: Yeah. We had this as part of
13 the Talmudical application, but not as part of the
14 conditional use application.

15 MR. GORDON: Right. They are two separate
16 applications let's remember. We have two separate
17 records.

18 If I could, I did recall there was one
19 subject that I wanted to have Ms. Gowan just expand
20 upon just a bit. You talked a little bit about the
21 fact that a road along the south side of the building,
22 that's the side that Talmudical Institute's proposed
23 dormitory building would be if that road was extended
24 around the south side.

25 I think you said something along the lines

1 of that would cut through play spaces and green spaces
2 utilized by your children who attend your school.
3 Could you just elaborate on what fields are there,
4 what the usage is, how that would interfere? Could
5 you just give us a little more on that?

6 MS. GOWAN: Sure. Absolutely. So if you're
7 looking at -- as you look at the screen where it says
8 the phase two dorms and that sort of like juts out
9 towards our school and there's a little alcove there
10 between our buildings and those dorms, the road would
11 go right by -- that's our toddler play space. So our
12 toddlers and infants play in that space. So children
13 under three.

14 For those of you who have been back there,
15 there's these big shade sails and there's a hill and
16 some natural logs that our children can climb on. But
17 that's right on that back part of the building that
18 the road that the neighborhood proposed would go right
19 by. There's not a fence there. It's blueberry bushes
20 that sort of signal to the children that they should
21 go past there.

22 And then right where it's a sign that says
23 "South Wing Montessori School of Rochester" and
24 there's an arrow that points to our side of the
25 building, that arrow goes right through what is now

1 our garden space. So there's a bunch of raised beds.
2 I think there's eight or ten raised beds there of
3 garden space. And the children walk along the back of
4 the building there to get to those beds. And most --
5 all of the children use those beds. So toddlers
6 through age six walk along that path there.

7 And then in between that and where the road
8 would go is -- I'm sorry. In between that and where
9 the playground is where they play, that is a park
10 playground currently. A playground maintained by the
11 park I should say. The street would go right through
12 that.

13 So if the street went around there, you
14 would effectively be putting a lot of cars right
15 outside where we have toddlers and infants and very
16 young children walking and playing. And I think
17 that -- I think that poses for us a security issue and
18 something that we would be very concerned with.

19 I also just want to point out that those
20 fields, if anyone who's been back there, are swamps.
21 It's very, very wet. And so I worry about the safety
22 of those road conditions when it's wet or raining or
23 snowing. It just -- to me there would be a big safety
24 issue there and I think that my families would feel
25 the same about driving past where their little

1 children play to get to the main entrance.

2 MR. GORDON: Thank you for that elaboration.
3 That's what I was hoping you would help us understand
4 a little bit better.

5 And Matt, earlier Ms. Gowan made reference
6 to the fact that road around the north end of the
7 building might come into conflict with the watershed
8 of the creek and would be difficult to create and
9 maintain. I don't know if Marathon has looked at the
10 possibility at all or if you haven't had an
11 opportunity to do that. I just don't know.

12 MR. TOMLINSON: Yeah. We have not explored
13 it in a lot of detail. It is or they -- any type of
14 expansion of roadway or anything else would impact the
15 floodplain EPOD and potentially woodlot on that side
16 as well as a result of fill that would be necessary
17 and would require -- or -- result in additional impact
18 to the 100-year floodplain.

19 Of course there's always solutions such as
20 mitigation and that kind of thing for those items, but
21 it's better to avoid those where possible.

22 MR. GORDON: Thanks. And then my last
23 comment, I think is -- or question or request, is I
24 noticed, I think, that the EAF submitted on this
25 application, Matt, was identical to the one that was

1 submitted on Talmudical, even to the extent of the
2 description of the project. There was nothing in the
3 EAF that referenced, that I could find, a conditional
4 use permit application for the Montessori School.

5 And I was hoping that you could prepare and
6 submit a EAF for the conditional use permit
7 application specific to it. I think you could
8 probably even use a short form for that. But I'll
9 leave that to your decision.

10 MR. TOMLINSON: Yeah. We absolutely can. I
11 think there's some question on our part as to whether
12 or not there would be separate SEQRA findings for
13 this. So we can absolutely prepare that for you.

14 MR. GORDON: Thank you.

15 MR. OSOWSKI: Ken, this John. Thanks for
16 bringing that up because I was looking at the short
17 EAF for this submittal. And on section E.3,
18 "designated public resources on or near the project
19 site," you checked off F for "sensitive for
20 archeological site on the New York State Preservation
21 Office, SHPO." You checked off yes. And we're
22 curious to know what that may specifically be
23 referring to.

24 MR. TOMLINSON: Sure, John. It is --
25 because of our proximity to Allens Creek, typically

1 that -- and an older community such as Brighton is
2 with many old homes and structures in it, it's more
3 likely to be within a sensitive area or a check area,
4 which is designate by what's called "circles and
5 squares" on the Chris website.

6 So we are in a sensitive check area. We did
7 submit an application or an "all clear request" to
8 SHPO as part of our due diligence because we're
9 required to do that for our stormwater pollution
10 prevention plans. We did receive a letter in the
11 interim since we've submitted to the Planning Board
12 and now indicating that SHPO concerns and that it is
13 all clear. So we included that documentation with our
14 follow-up submission.

15 MR. OSOWSKI: All right. Thanks. And also,
16 under letter H it asks "Is the project site within 5
17 miles of any officially designated and publicly
18 accessible federal, state or local scenic or aesthetic
19 resource." And I guess I would put the Erie Canal in
20 that category. And anyway, maybe you might want to
21 consider checking off yes and include that. I don't
22 think it's going to affect anything, but I just --

23 MR. TOMLINSON: Yeah. John, if I could
24 speak to that. So designated visual resources or
25 cultural wetlands, all of those items are actually

1 auto selected by the DEC's website on those EAF
2 fillers.

3 So if there is not one designated, it will
4 select no. So that's -- that kind of gives you guys
5 as the lead agency the confidence that we won't select
6 something or not label something that is officially
7 registered or not provide follow-up information.

8 So if that box is checked, no, then
9 according to DEC, who's kind of the keeper of all of
10 those records and resource logistics, that would not
11 qualify for consideration as part of SEQRA. Ken, of
12 course, correct me if I'm wrong there.

13 MR. GORDON: You got that right. That's all
14 good.

15 MR. OSOWSKI: Okay. Thank you. So I
16 guess -- have we come to the public comment section of
17 this presentation?

18 MS. BRUGG: Sure. I was actually looking at
19 the chat and I'm going to just address one question
20 that was there. If I wasn't clear, there was a
21 question about --

22 MR. GORDON: Actually if I -- I'm going to
23 stop you Betsy. Betsy?

24 MS. BRUGG: Okay.

25 MR. GORDON: Is that you talking? I think

1 it is.

2 MS. BRUGG: Yeah. Yeah.

3 MR. GORDON: So there have been a number of
4 components and questions posted in the chat. The chat
5 is not part of the public hearing record. If you want
6 to have comments or questions, we would ask that you
7 speak or send a written comment into the Town via
8 email or letter because we don't have the ability to
9 save these chats.

10 I mean, it is recorded. But we don't have
11 the ability to save the chats as part of the public
12 hearing record like we can with the testimony. It
13 certainly is not something that our stenographer is
14 taking down. She's not recording the chats.

15 So please if you have questions, if you have
16 comments, we encourage you to speak up. And John, why
17 don't you explain how we're going to do that.

18 MR. OSOWSKI: Yeah. So anybody who's signed
19 up to make public comments, you'll need to raise your
20 hand so that you can be identified. And then we're
21 asking you to try to limit your comments to the
22 three-minute range because we have a lot of people who
23 want to make comments.

24 And when you do make a comment, you'll need
25 to state what your name is and your address. And then

1 you can just respectfully make your comments known.
2 And they will be appropriately recorded into the
3 minutes of this meeting.

4 MR. GORDON: And this is Ken Gordon, Town
5 Attorney. Just I will make this additional note. Our
6 technician, actually our engineer, Brendan, has posted
7 on your screens a three-minute timer. And he'll be
8 starting and stopping that timer. So when your timer
9 gets to zero, we ask that you wrap things up so the
10 next speaker can have an opportunity to speak.

11 MR. OSOWSKI: And then please when you
12 start, again state your name, where you live and then
13 go from there. Thank you.

14 MR. GORDON: And John, are you going to be
15 calling them or is Jeff going to be calling the
16 speakers?

17 MR. OSOWSKI: I don't see them on my screen.
18 So either Brendan or Jeff, whoever sees them. Yeah.

19 MR. GORDON: Jeff, you can do that?

20 MR. FRISCH: Yeah. I can do it.

21 MR. GORDON: Jeff will handle that then.
22 Very good.

23 MR. FRISCH: I'll try to take them as best
24 as I can in order. But I'll start with the -- first
25 up will be Judy Massare.

1 MS. MASSARE: All right. My name is Judy
2 Massare. I live on Idlewood Road. And I'd like to
3 shed a little bit of light on the traffic issue.

4 I did my own little traffic study last
5 Thursday. I did not stop cars and ask where they were
6 going. It really wasn't necessary because I could
7 just watch where they went. From 7:30 in the morning
8 until 9 o'clock, 73 cars entered the Brookside School
9 area from Idlewood Road. 67 of those cars were for
10 Montessori School. The remainder went to the north
11 wing of the building and they had keys to let
12 themselves in. Nobody went to the middle section of
13 the building, which is where Brighton Rec is.

14 So from my perspective at most there'll be a
15 10 percent reduction in traffic, which is really not
16 that significant. Between the hours of -- well
17 between 8:15 and 8:45, 50 of those 73 cars entered
18 from the Idlewood Road entrance. 46 of them, again,
19 around 90 percent were going to Montessori School.

20 At that time there were times when there
21 were two, three or four cars per minute entering the
22 property. That's not something that Idlewood Road was
23 ever designed to take care of.

24 Moreover, this is -- as the director pointed
25 out, this is the warm season and there are a number of

1 parents and a number of staff members that are biking
2 in. And, in fact, I saw four or five people on
3 bicycles going to the Montessori side of the building.

4 In the wintertime all of the staff and all
5 of the parents will be coming through the Idlewood
6 Road entrance. And at that time Idlewood Road itself
7 is considerably narrower because we have snow banks on
8 either side of the road.

9 So I don't think that the traffic situation
10 is going to change at all once the building changes
11 hands and the building is being occupied by the
12 Talmudical Institute.

13 So the other point that I want to make is
14 that the Evans Farm neighbors has tolerated this level
15 of traffic for however long the Montessori School has
16 been there because it was paying rent to the school
17 district and there was a tangible benefit for the
18 neighborhood to put up with the traffic because the
19 rent was helping to pay for the upkeep on Brookside
20 School. The rent was going essentially to subsidize
21 Brighton taxpayers.

22 The property is about to change hands into a
23 private entity. And it seems to me if that private
24 entity is going to be collecting rent, it should be
25 willing to put up with the inconvenience of the

1 traffic rather than imposing it on the Evans Farm
2 neighborhood.

3 MR. GORDON: Thank you, Ms. Massare.

4 MR. OSOWSKI: Thank you, Judy Massare. Can
5 we have our next speaker?

6 MR. FRISCH: Yup. Aaron Reina. Sorry about
7 the name.

8 MR. REINA: Sorry. Took a second there to
9 connect. Cynthia, I just wanted to say thank you.
10 That was a very impassioned presentation. And as a
11 renter in the facility -- can you guys hear me okay?

12 MR. GORDON: If you could please state your
13 name and your address, sir.

14 MR. REINA: Yup. Aaron Reina. 62 Poplar
15 Way. I live here in Evans Farm.

16 But Cynthia, I want to say thank you. I
17 appreciate it. When we've reached out and spoken with
18 you, you've been very responsive when we've talked
19 about the traffic.

20 I do want to correct some things. Not
21 everyone comes from Westfall. There's probably four
22 or five entrances that transient traffic uses to get
23 to Brookside, whether they're going to the Montessori
24 School, whether they're going to the YMCA Wrap Around
25 program, whether they're going to Brighton New

1 Wardrobe, the food cupboard, the ambulance Corp or
2 any of the senior programs, any of the Brighton Rec
3 programs that are there, the building itself is not
4 being reduced in size.

5 So I want to scope this by essentially
6 saying this may or may not all be the Montessori
7 School, but there's nothing in either of these plans
8 that is going to reduce the building. So there is
9 nothing that we as neighbors should believe is going
10 to reduce traffic in any of this. The new owners are
11 going to maximize that space.

12 So keeping it to that, we are looking at
13 trying to redirect that traffic. It's not about the
14 Montessori School. In fact, I support them staying.
15 I just support the traffic being redirected to Winton
16 Road permanently.

17 I will say there is a correction that needs
18 to be made. French Road Elementary's buses do not
19 leave the neighborhood until almost ten minutes to
20 nine. I know that because my daughter's bus comes
21 somewhere between 8:30 and its posted time of 8:45.
22 And we live on Poplar. The bus comes straight down
23 Idlewood and takes a right, which is an eastbound
24 turn, after traveling north on Idlewood to get to our
25 street. She's one of the last pickups.

1 Although the bus does then circle back
2 around Glen Hill and Idlewood back down our road to
3 pick up a couple more kids. So just to be clear on
4 that.

5 I also walk my dogs most days from Poplar
6 towards Hunters. And please don't hit me with your
7 car if you're upset with my comments tonight. But I
8 will say there's a number of times where I've had
9 close calls with people coming near me while I'm
10 stooped over cleaning up after my dogs. I've been in
11 the gutter lanes or in the grass and it's still just a
12 narrow street. It's only 19-feet wide.

13 We have for years, not just because of this
14 presentation, but we have for years been talking with
15 Brighton police, with Town representatives and others
16 trying to figure out how to mitigate the traffic on
17 that road in particular. And we have been asking for
18 years, again, not just this application, to try and
19 figure out how to reroute the traffic to something
20 more appropriate like Winton Road.

21 Whether or not that bridge or entrance is
22 designed for that kind of traffic, that's not the
23 neighborhood's responsibility to try and resolve. I
24 will remind the Planning Board and everybody in
25 attendance, there is not a single, not one, sidewalk

1 connection from our neighborhood to anywhere in Town
2 at a traffic light except at the corner of Dartford at
3 the other corner of the neighborhood going southbound
4 to --

5 MR. GORDON: Mr. Reina, your time is up. If
6 you would please wrap up.

7 MR. REINA: Oh, I'm sorry. I couldn't see
8 the timer. And just to remind you guys, there isn't a
9 sidewalk there. Thanks for listening and I appreciate
10 it.

11 MR. FRISCH: Thank you.

12 MR. OSOWSKI: Thank you, Mr. Reina.

13 MR. FRISCH: Next we'll have Viki Reina.

14 MS. REINA: Hi. Thank you. I -- also thank
15 you for the time to speak. I agree with the
16 comments --

17 MR. GORDON: Again, if you could please
18 state your name and your address.

19 MS. REINA: Oh, sorry. Viki Reina, 62
20 Poplar Way. I will try not to be redundant. I agree
21 with what Judy said and what Aron has stated.

22 I just have a couple of clarifications or
23 things to add. The first one is that in some quick
24 math, and I will acknowledge math is not my strength,
25 if we look at the number of employees and possible

1 cars that are dropping off for Montessori, we have an
2 increase to our neighborhood of 31 percent of traffic
3 every day, which is a pretty significant statistic I
4 feel as a member of this neighbor who walks and drives
5 in this neighborhood.

6 I also think we can't make the assumption
7 that adding 400 more feet or a wider roadway on the
8 north wing of the property would have an environmental
9 impact that couldn't be mitigated, much like was said
10 by the engineering group. I think that that should be
11 fully explored.

12 I also want to contend that many of us have
13 stated that we would be okay with the idea that the
14 Idlewood entrance would stay open until the first
15 phase of construction, so 2023, so that it wouldn't be
16 an undue burden during the construction phase with the
17 additional trucks. So I think that there is some
18 concession there in working together for a solution
19 that works for us all.

20 And the last thing I wanted to add is that
21 Brighton really as a neighborhood is focused on a
22 vision for safe roadways. And I really want to
23 reiterate that our neighborhood streets should be part
24 of that plan and town agenda. And eliminating the
25 commercial use of roads within a neighborhood, one

1 like ours that is contained, should have the same
2 weight as a state-owned roadway.

3 And I'll share what so eloquently has been
4 stated by our own Town Board member, Christine
5 Corrado, that no matter our age or ability we want to
6 be able to walk or bike safely in Brighton and that
7 this especially includes our own neighborhoods. I
8 think that our community has provided some really good
9 options for the Talmudical Institute and for
10 Montessori to consider that would meet all of our
11 needs. And I really hope that the Planning Board and
12 all those involved will take due diligence relative to
13 those. Thank you.

14 MR. OSOWSKI: Thank you, Viki.

15 MR. FRISCH: Next will be Vince hope.
16 Vince, I asked you to unmute. You can hit the unmute
17 button.

18 MR. HOPE: There we go. Sorry. Vince Hope.
19 We're all starting out on 30 Poplar Way. It's an
20 active -- active street in the neighborhood and it's a
21 cut-through, if you don't know the neighborhood, that
22 is through the big circle. So we're a very indirect
23 route from people coming from Edgewood to the
24 entranceway, the whole Brookside property. And there
25 is, as other people have stated, quite a bit of

1 traffic that does come that way. So if the counts had
2 been only off of Westfall, that hasn't captured what
3 really happens. And then the history of the place,
4 Brookside as a school, this was the primary entrance.
5 And the Brighton 2 school system where I went in
6 kindergarten, first grade, before Evans Farm was
7 built, as it was built, Carverdale and Del Rio were
8 shipped off in a different direction. And Evans Farm
9 was exclusively sent to this school. So it was
10 really -- the entranceway was a school entrance at the
11 time.

12 I understand from good research that's been
13 done in the neighborhood that our roads fall into a
14 federal highway classification of yield highways that
15 are exclusively for local residents and not for
16 through motor vehicles.

17 I can understand how a school being set up
18 in this environment worked when it was a school and
19 school traffic. But now that it's going private, I
20 think it's an appropriate time to take away any
21 uncertainty about future use.

22 This is not about the Montessori School.
23 And so it's difficult to bring this in right here in
24 this application and unhinge it from the larger issues
25 of the entrance. But the uncertainty of who may

1 commercially be in this space in the future is now the
2 right time just to change and give the school the
3 opportunity to fulfill their request to make Winton
4 the primary interest and actually make it the primary
5 entrance for everybody.

6 I hope that the engineers can take a serious
7 look at the north side and putting a roadway in there
8 because that would be a clear solution that would be a
9 win-win for everybody. Thank you.

10 MR. OSOWSKI: Thank you, Mr. Hope.

11 MR. FRISCH: Next we'll have Seth Holmes.

12 MR. HOLMES: Hi. I'm Seth Holmes at 182
13 Idlewood Road. I want to second all the comments that
14 have just come from the other town folk here who just
15 spoke. And -- let me get this thing on my screen --
16 and just kind of reiterate a few of the points and add
17 to it.

18 Similar to what Aron said and what Vince
19 just said, this is not about Montessori. It's just
20 that this is the one moment we really get to talk
21 about the entrance; right? I would fully support
22 Montessori staying in the building. It's not about
23 them. It's about the entrance.

24 And I would appreciate, to Vince's point,
25 that there is a hard look at a way to connect the two

1 parking lots and exit out onto Winton so that we can
2 all have safety.

3 I appreciate Cynthia's comments about safety
4 of her own students and recognize that. And there's
5 structural solutions that can help solve that, whether
6 it's a roadway, whether it's fencing.

7 But if the continuation of the traffic
8 through Evans Farm, which by the way, has no
9 sidewalks, which I don't know if that's actually been
10 mentioned yet tonight, but there are no sidewalks in
11 our neighborhood. And so that's why we're so
12 concerned about this roadway. And if cars keep going
13 through it, there is no structural solution there.
14 They will just keep going through the neighborhood.

15 Whereas, if we send them out onto Winton,
16 you know, yes, it's a high speed road and that's an
17 issue. But a traffic light is a structural solution
18 that could help with that. A roadway and, you know,
19 rethinking the floodplain on the whole 22 acre site is
20 a solution; right? There are ways we can think about
21 this, and to Vince's point, have sort of a win-win for
22 everybody involved, the Talmudical Institute,
23 Montessori and any other future tenants in the
24 building.

25 And, you know, I just -- I would hope we

1 could look into those things because it is different.
2 I mean, it was originally a bus loop for buses, not
3 all cars; right? It's big because it had to take big
4 buses in it. And so that's not what it is anymore.
5 And we need to sort of rethink how this entire layout
6 on the land of that property is functional.

7 You know, to that end it's -- you know, it's
8 about the potential of what we can do. And right now,
9 it's -- they don't align. So I would hope that the
10 Town could take that into consideration. And I would
11 hope that the Talmudical Institute and their tenants,
12 Montessori in this case, could work to that as well.
13 Thanks.

14 MR. OSOWSKI: All right. Thank you, Seth
15 Holmes.

16 MR. FRISCH: Next will be Dan Royo.

17 MR. ROYO: Hi. Thanks for taking my
18 comment. My name is Dan Royo. I live at 175 Roby
19 Drive. I have a son who goes to the Montessori School
20 of Rochester. I certainly empathize with the parents
21 who are troubled with the amount of traffic that goes
22 through the neighborhood. Roby Drive also doesn't
23 have any sidewalks. I'd love to have less traffic on
24 my road as well.

25 I will say that every parent that I know

1 that goes to the school is very cognizant of how fast
2 they are when they go through that neighborhood. We
3 all have young children. You know, if we're there
4 going to the school, it's because we have kids that
5 are under six. So we all try to do the best we can to
6 look out for people and be very cautious.

7 I don't know. I guess the reason we're all
8 here today, right, is because the name on the deed of
9 the property is changing; right? The circumstances
10 aren't changing. The school's not asking to increase
11 their scope or to operate in any way. You know, I
12 think at the end of the day, everyone who lives in
13 Evans Farm -- that school has been there in that state
14 for 20 years. And before that it was also a school in
15 other forms with other kids going there.

16 So I feel like a lot of people in this
17 neighborhood have been dealing with this for a long
18 time and aware of the amount of traffic. This is not
19 any kind of change. This is just the status quo that
20 we're asking to maintain. There's clearly a lot of
21 interest on the neighborhood side here to do
22 something. There's an extraordinary act of civics
23 just seeing the number of people here.

24 My understanding is that the decision to put
25 in sidewalks is something that is done at the

1 neighborhood level and that the Town of Brighton puts
2 a lot of power into the neighborhood itself to do the
3 proposal and the funding and the planning of these
4 sidewalks. So it sounds like it would be a great
5 option. And I would really encourage them to pursue
6 that kind of thing.

7 It's certainly something that we're looking
8 to do on Roby because, you know, the rest of our
9 neighborhood, which is Meadowbrook, has sidewalks.
10 And we're kind of like the odd ones out. And it would
11 be great for our kids to have that as well.

12 So, yeah. I guess it really is just we want
13 to be considerate of your neighborhood as well. We
14 try to do our best to be considerate. We're not the
15 only people traveling through those roads. And I
16 don't know. Again, like this is not worsening your
17 quality of life in any way. This is just kind of
18 maintaining what has been acceptable for the last 20
19 years. So thanks.

20 MR. OSOWSKI: Thank you, Don. Appreciate
21 that.

22 MR. FRISCH: Next is Tim Beach.

23 MR. BEACH: Hey. Good evening, everyone.
24 And thank you for taking my comment. I do want to
25 speak and say that I do support all of the other

1 comments made by Aron and Judy and Viki.

2 Again, my name is Tim Beach, B-E-A-C-H. I
3 live at 200 Idlewood Road. I'd like to get that on
4 the record.

5 And this has nothing to do with the
6 Montessori School. The biggest concern is about the
7 roads within our neighborhood. Montessori School is
8 not the owner of this land. They're just a tenant.
9 And so they -- we are concerned about the future of
10 the space here in -- at the Brookside School.

11 When Cindy Gowan mentioned the winter and
12 having more drivers than walkers, this would be -- is
13 this also the worst time for our neighborhood with
14 school, with walkers and dog walkers and children
15 walking to bus stops because that is when the snow is
16 most impactful.

17 So I would -- I would love for the Planning
18 Board to put in the condition that they look and
19 highly suggest to the -- the TINUI to move the --
20 connect the two parking lots and close the Idlewood
21 entrance to the Evans Farm neighborhood.

22 So that's all I have to say for this
23 evening. I appreciate the time.

24 MR. OSOWSKI: All right. Thank you, Tim
25 Beach.

1 MR. FRISCH: Next we have Peg Warrick.

2 MS. WARRICK: Yeah. This is Peg. I live at
3 215 Idlewood. And my main point is, yes, we have put
4 up with this for a number of years, but not happily.
5 And that if it hadn't been a public owned building, we
6 would have had a chance to speak up. But since the
7 school district owned it, they were able to use
8 Idlewood beyond what it was intended.

9 It was not -- when the school started or
10 when it ran as an elementary school, did not have this
11 level of traffic. There were a lot of kids working
12 and there were school buses, a lot different than 60
13 cars. Parents didn't drive as much for many of those
14 years.

15 Specifically in the April 18th note from
16 Woods Oviatt Gilman about this particular application,
17 page 1, third paragraph says "Its former iteration at
18 Brookside Elementary School as a neighborhood public
19 elementary school, much traffic was directed toward
20 Idlewood Road and Evans Lane."

21 I'd say much of the small amount of traffic,
22 but I would -- I have -- I take exception to "much
23 traffic." There just wasn't much driving traffic to
24 elementary schools ever in -- you know, in the first
25 30 years that this was an elementary school. That's

1 all I had to say. Thank you very much.

2 MR. OSOWSKI: Thank you very much, Peg.

3 MR. FRISCH: Next is KC Sacco.

4 MS. SACCO: Hi. This is Kathleen Sacco and
5 Frank Sacco. We live at 20 Dartford Road.

6 One concern we just wanted to bring up to
7 the Board is that, you know, we actually live --
8 living on Dartford we are the eastern entrance to the
9 neighborhood. And we do also see traffic increases
10 during particular hours going in and out of the
11 school.

12 So one consideration we would want to see is
13 any professional traffic studies would just be focused
14 at Westfall, but really understanding what's coming in
15 at the Idlewood entrance itself because it coming --
16 traffic is coming from multiple streets as Vince
17 mentioned using Poplar as a cut-through. So that's
18 one thing that we wanted to make you aware and just
19 kind of add onto some of the things that our neighbors
20 have also said.

21 Also we do appreciate the Montessori School.
22 Again, we are not opposed to the school being a part
23 of our neighborhood. We appreciate them. We do
24 consider them an asset. The concern really is just
25 that entrance off of Idlewood and just trying to cut

1 down some of the traffic that comes to our
2 neighborhood that's really not meant for our
3 neighborhood's use.

4 One thing that has been mentioned a lot
5 seemed to be French Road, Council Rock, the children's
6 schedules in the morning and busing. I think what
7 people are forgetting is that this is a very walkable
8 neighborhood as far as families and individuals walk.
9 And they walk their dogs. It has nothing to do with
10 children. While we all want to say it has to do with
11 child safety, a lot of it is just adults walking for
12 exercise and adults walking their dogs. And, you
13 know, living here now for eight years, and especially
14 being home with COVID over the past couple years,
15 we -- it's -- we see it all day. People walk in our
16 neighborhood all day long. And it's for recreation.
17 It has nothing to do with children on and off the
18 buses.

19 I think we need to separate the topics from
20 when Brighton Central School District does their pick
21 ups and their drop offs and really focus on the people
22 that live here because only a small percentage have
23 young children who are going to school. Everyone who
24 lives here has the ability to use these roads as
25 walking space. And without any kind of sidewalks

1 and -- you know, as mentioned we only have 19 foot
2 wide roads. And when the snow comes, it reduces it
3 further. We are all walking on the street and we
4 are -- you know, people have to kind of -- the
5 driver's have to go down the center of the road to
6 avoid us. And we don't like getting passed by at 25
7 miles per hour or any faster, but even 15 miles per
8 hour can feel very fast and unsafe.

9 So we're just asking that not knowing as
10 this moves to a private entity, no longer publicly
11 owned property, that the Idlewood entrance gets closed
12 off so that the new private owner can divert all
13 traffic on Westfall and even -- or on -- sorry.
14 Winton Road. And even potentially add their own
15 traffic light there. Thank you.

16 MR. OSOWSKI: All right. Thank you, Kathy
17 and Frank Sacco.

18 MR. FRISCH: Next is Michael Blok.

19 MR. BLOK: Hi. I'm Michael Blok. 151
20 Evandale Road. I just wanted to say I'm both in the
21 neighborhood as living in Evans Farm and also sending
22 my kids to the Montessori School. I very much
23 appreciate the comments on both sides I would say.

24 One thing I wanted to add is echoing what I
25 think Dan was saying, saying that we are very careful

1 and considerate drivers. We have little children
2 ourselves.

3 But also, living in a neighborhood, I do see
4 the concern. And I get the feeling that a lot of the
5 concern is not about Montessori. It's just about the
6 traffic situation period. I would very much agree. I
7 wasn't aware that we could do something about
8 advocating for sidewalks. I am very much in favor of
9 that. I would happily sacrifice part of my front yard
10 for that. I think we should do that.

11 And I wanted to say it's not that there's
12 not so much traffic from the Montessori School. If we
13 make calculations comparing neighbors and the school,
14 I encounter a lot of unsafe situations due to
15 delivery, due to construction. There's so much other
16 traffic. And I just want to make the point that I get
17 the feeling that what we're really concerned about is
18 the traffic. It's not the Montessori School. And so
19 I would advocate for trying to solve that in our
20 neighborhood. I'm definitely in favor of that.

21 And I also wanted to echo what Cynthia said
22 about the inconvenience of connecting the road from
23 the other side. I definitely think that that's --
24 it's not just the inconvenience for the school because
25 also as parents on the weekends when we don't send our

1 kids to school, we go to the playground. And I don't
2 see a nice way of connecting the roads without
3 interrupting that. So, yup. Thanks.

4 MR. OSOWSKI: Thank you. Appreciate that.

5 MR. FRISCH: Next is Audrey Schroder.

6 MS. SCHRODER: Hi. I'm Audrey Schroder. I
7 live at 190 Idlewood Road. So I'm just --

8 UNIDENTIFIED SPEAKER: Hello?

9 MS. SCHRODER: Hello?

10 MR. FRISCH: Go ahead.

11 MS. SCHRODER: There we go. Hello? Can you
12 hear me now? I'm Audrey Schroder and I live at 190
13 Idlewood Road, which is two doors down from the
14 entrance. And we moved in about -- nearly six years
15 ago into the neighborhood. I've -- and I was
16 surprised by the amount of traffic. So I agree this
17 is an ongoing concern. I have three children that are
18 ages 11 and under. And so this has been a concern
19 that we've had for years.

20 But I have -- the concern during the morning
21 drop off at Montessori is -- definitely makes the
22 traffic more noticeable in front of -- on Idlewood in
23 front of our property where my children are walking
24 down the road to the bus stop. And it's concerning.
25 And I don't know if it's -- even as it is currently, I

1 feel that they're unsafe. I have to be out there kind
2 of even like slowing cars down as they're going to
3 their bus stop or at least I feel that way that
4 they -- that they're unsafe.

5 And I don't know if that traffic will get
6 worse in the future with future tenant uses. We do
7 have this opportunity now to request that this traffic
8 be rerouted to the other entrance and the Idlewood
9 entrance be closed. So that's what I'm requesting.

10 MR. OSOWSKI: Okay. Very good. Thank you
11 for your comments Audrey Schroder.

12 MR. FRISCH: Next is Iris Bieri.

13 MS. BIERI: Hi. Thank you, everyone.
14 Really appreciate all the comments. This is my
15 husband. We live on Roosevelt Road. So we're just
16 across Westfall.

17 We have been at the Montessori School for
18 over five years now. We have a five-year-old and a
19 two-year-old. And we are strongly asking that we keep
20 the same entrance. We would agree with Michael, who's
21 also part of the community, he just spoke, that it
22 seems to be that the problem is more about traffic in
23 the neighborhood and that there's no sidewalks in the
24 neighborhood. And that's a concern for us.

25 We actually are one of the families that

1 bike to school. So we also are concerned about, you
2 know, cars. And we wouldn't want any type of reckless
3 driving in the neighborhood either. We bike with our
4 five-year-old and our two-year-old on a regular basis,
5 even in the colder months.

6 And so I would say that we all have similar
7 interests, that keeping our children safe and our
8 community safe. We're really proud to be part of this
9 community. But clearly the concern is not directed
10 toward the Montessori School itself, in my opinion, or
11 what I'm hearing through conversation, but really
12 about traffic and the concerns about needing more
13 sidewalks. And frankly, we need better bicycle
14 infrastructure in our community as well. And I've
15 raised this with Bill Moehle himself and the Town
16 Board. I feel like this is really important and that
17 it's something that Brighton is going to have to look
18 at as a Town as a whole more broadly.

19 So I just want to kind of point out
20 something that I think is bigger than just closing an
21 entrance to the Montessori School that would really
22 endanger our children and would be really disruptive
23 to our community. And we appreciate you hearing us
24 out on this. I don't know if my husband wants to add
25 to that.

1 MR. BIERI: Nope. Stated it very well.
2 Thank you.

3 MR. OSOWSKI: Thank you, Iris and thank you,
4 Thomas. Appreciate your comments.

5 MR. FRISCH: Next is Tamara.

6 MS. CAROL: Good evening. I'm --

7 MR. FRISCH: We can hear you.

8 MS. CAROL: I'm Tamara Carol. I live at 20
9 Poplar Way. And I'd like to echo the comments of my
10 neighborhood in Evans Farm.

11 I have seen Audrey's children trying to get
12 safely down the street to get to the bus. I walk my
13 dog every day. And my husband and I, if we leave ten
14 minutes late, then we have to go the other direction
15 because we know that the Montessori traffic is going
16 to be so bad, particularly if there are trucks, which
17 there often are, tree work, other kinds of lawn mowing
18 equipment, where they park in the street, converting
19 it to a single lane. It's just really not safe.

20 I have a seven-year-old daughter. She has
21 just learned how to ride her bike. And I'm very
22 concerned about her getting hit. It's just not a safe
23 situation. We've lived here for ten years. It feels
24 to me like it's getting worse, possibly it's just
25 because we got our dog during COVID and we're out

1 there walking a lot more.

2 But I would like to agree with my neighbors
3 and ask that we please move the entrance to Westfall.
4 It is -- excuse me -- to Winton. It's just not
5 sustainable and especially where we have an expansion
6 of the property and the potential for more traffic
7 coming through, it's really important that we take
8 this step now. Thank you.

9 MR. OSOWSKI: All right. Thank you, Tamara.
10 Appreciate your comments.

11 MR. FRISCH: If there's anybody else in the
12 audience that would like to speak, please raise your
13 hand or you can turn your video on and wave. We
14 should be able to see you.

15 John, I'm not seeing anybody else at the
16 moment.

17 MR. OSOWSKI: All right. Great. Thank you
18 very much. Appreciate everybody who provided comments
19 for application 5P-02-22.

20 Next up is application 5P-03-22.

21 **Application 5P-03-22**

22 Application of Winton Acquisitions, LLC,
23 owner, and Marlee Finestone, SWBR Architecture, agent,
24 for Site Plan Modification to improve access and
25 circulation within the plaza, landscaping improvements

1 and replace parking lot lighting fixtures on property
2 located at 3450 Winton Place (Winton Place Plaza).
3 All as described on application and plans on file.

4 MR. OSOWSKI: Okay. So is Marlee here to
5 present to us?

6 MS. FINESTONE: Can you hear me okay?

7 MR. OSOWSKI: Yeah. Great. Thank you.

8 MS. FINESTONE: Great. And we also have
9 Garth Winterkorn on the call as well. He is with
10 Costich Engineering.

11 And my name is Marlee Finestone. I'm with
12 SWBR as a landscape designer representing Winton
13 Acquisitions, LLC, for this property at 3450 Winton
14 Place, also known as Winton Place Plaza.

15 And this application is for various site
16 improvements, site plan modification to improve the
17 access onto the property. And also some landscaping
18 improvements and to replace some of the light fixtures
19 within the parking lots.

20 So this property for the last 30 or so years
21 has not had any improvements to the landscaping. A
22 lot of the landscaping is overgrown. In some
23 scenarios, some of the trees are either dead or in
24 poor health. So we propose to do improvements to the
25 landscaping, to replace some of the trees that are

1 on-site, to clean up other trees with pruning.

2 And we also are proposing a reconfiguration
3 on the east side of the property. If we could flip
4 back quickly to the existing plan. We can just take a
5 look at how vehicles enter the site currently. Is
6 that possible?

7 MR. FRISCH: Brendan, will you flip back to
8 the existing conditions page?

9 MS. FINESTONE: Thank you. So you can see
10 that here the existing conditions, vehicles enter into
11 the property on the east side off of a private road,
12 also called Winton Place. And this road does not have
13 access into the most eastern parking lot that's
14 attached to this property's business. They actually
15 have to go through an adjacent property owner's
16 parking lot in order to gain access into this parking
17 lot and enter this business on this side of the
18 property.

19 So if we can switch back to the proposed
20 site plan, you can see the reconfiguration of this
21 easternmost drive lane to allow access into this
22 parking lot onto the same parcel of land. So the
23 improvements include that reconfiguration as well as
24 some sealing and restriping. And also we are adding
25 some islands on the south end of the property of the

1 large parking lot just to deter folks from cutting
2 through the parking lot.

3 Right now, people come around the corner and
4 cut straight through the parking lot. And it's a
5 safety hazard. So by putting in some islands and some
6 trees, we reinstate that drive lane and make it a
7 little bit more safer for pedestrians and vehicles
8 coming into the space.

9 And in terms of the parking we are just
10 sealing and restriping. And then if we want to scroll
11 down to the landscaping plan, we can just quickly look
12 at that.

13 So this is the landscape demolition plan and
14 improvement plan. A lot of these trees that are
15 existing on-site are just being pruned. And then the
16 next sheet does show landscaping improvements that we
17 are proposing across the front of the building.
18 There's existing plant beds that go along the front of
19 the building that haven't had much landscaping
20 improvements over the last few years. So we're
21 proposing new plant materials to brighten up the
22 facades of the building as well as some new trees and
23 landscaping within the new islands on the south end of
24 the parking lot.

25 And with that I will open it up to any

1 questions that the Board may have. Both Garth and I
2 can answer any questions about landscaping or site or
3 engineering. Thank you.

4 MR. OSOWSKI: Thank you, Marlee. Did Garth
5 have any particular comments to make before we open it
6 up or he'll just wait until we ask questions; is that
7 correct?

8 MR. WINTERKORN: Marlee and myself went
9 through all the Planning Board reports this morning
10 and feel that we can conform to any comments. I'd be
11 happy to answer any specific questions.

12 There was one comment under the application
13 section of the report that might be a typo. It's
14 number 12. Number 12 says "The indicated road
15 improvements shall be constructed to specific Town
16 standards" -- which, of course, all the improvements
17 will meet town standards.

18 And it says "of the property owner and
19 dedicated to the Town of Brighton." I'd just like to
20 ask that that -- the end of that statement be removed.
21 We're not looking to dedicate any of the roads or
22 facilities associated with the plaza in this
23 application.

24 MR. OSOWSKI: Yeah. I see what you mean.
25 Everything there is private, owned by the plaza

1 owners.

2 MR. WINTERKORN: Correct. Yes.

3 MS. FINESTONE: Correct.

4 MR. FRISCH: Yeah. That can be removed.

5 MR. WINTERKORN: Okay. So if there's any
6 questions, like Marlee said, we can answer them or try
7 to.

8 MR. OSOWSKI: Tell me has the Conservation
9 Board looked at this, made any comments regarding any
10 types of trees or plantings or anything along those
11 lines?

12 MS. FINESTONE: Yes. They have looked at
13 it. They support the site improvements. They did
14 make a comment of the use of a low-mow technique and
15 pollinator beds is encouraged.

16 MR. OSOWSKI: Oh, yeah. Okay.

17 MS. FINESTONE: So we would propose that in
18 locations where we are topsoil and seeding. And they
19 also made a comment to add some additional bike racks
20 throughout the site, which we are okay with adding two
21 bike racks to the property.

22 MR. OSOWSKI: All right. Thank you. And
23 typically the Town of Brighton requires that landscape
24 plantings be guaranteed for three years. Do you take
25 any exceptions to that or is the plaza owner okay with

1 that?

2 MS. FINESTONE: They're okay with that.

3 MR. OSOWSKI: Okay. And the -- the
4 lighting, I couldn't quite tell the details. Will the
5 lights be less than 3,000K lighting color, do you
6 know?

7 MR. WINTERKORN: Marlee, you got that?

8 MS. FINESTONE: Yes. I believe -- I believe
9 the cut sheet we provided may have been above that.
10 But we will revisit that and make sure they are
11 3,000K.

12 MR. OSOWSKI: All right. Great. Thank you.
13 And there was some question about how much surface
14 area was going to be disturbed. And do you have the
15 exact numbers on that? How many square feet will be
16 disturbed with this construction?

17 MR. WINTERKORN: Yes, we do. The area
18 disturbance is -- as shown on the plans submitted is
19 21,483 square feet, which is 0.49 acres years.

20 MR. OSOWSKI: Okay. Are you aware of a Town
21 requirement that if it's over 20,000 square feet, it
22 kicks it up to a different compliance level.

23 MR. WINTERKORN: Yeah. I think I can answer
24 that one and another question that was included in
25 the -- in the comments concerning green space. The

1 north east corner of the front parking lot where the
2 road kind of loops through what's a proposed island
3 now, we can add green space to an area that's being
4 disturbed so that the net result for the improvements
5 would be an increase in green space. And it would
6 also -- doing that we could also achieve getting the
7 area of disturbance under the 20,000 square feet.

8 MR. OSOWSKI: All right. Great. Thank you.

9 MR. FRISCH: Garth, just so -- I think that
10 the comment was that the -- I mean, you show like a
11 proposed amount of disturbance and like you show the
12 green space, you show what's existing on the plans and
13 also what's required of the Town. But there's not --
14 there's not a proposed amount --

15 MR. WINTERKORN: With this one change, Jeff,
16 that I'm speaking to, we'll add that information to
17 the plan.

18 MR. FRISCH: Okay. Because we'll just need
19 to know that it's going to be more percentage green
20 space than there is now.

21 MR. WINTERKORN: Yup. Understood.

22 MR. FRISCH: Yup. Thank you.

23 MR. OSOWSKI: And we had a comment submitted
24 to the Town Board regarding a stormwater facility that
25 apparently was overgrown with cattails and shrubs and

1 other vegetation and potentially losing capacity.

2 Were you aware of that?

3 MR. WINTERKORN: Have not seen that comment,
4 no.

5 MR. FRISCH: There was a comment submitted
6 by a neighboring property. There's a stormwater pond
7 on the northeast part of the property that it seems is
8 getting a little backed up because there's -- there's
9 one -- the largest pond that's in the northwest seems
10 to have some plants and trees and things growing in it
11 that might be impacting its overall stormwater
12 capacity. And because of -- they think it might be
13 getting backed up to the one in the northeast corner.

14 MR. WINTERKORN: With the one change, we
15 will be introducing a slight increase in green space.
16 You know, on the overall size of the parcel being what
17 it is, it's not a significant amount in terms of. You
18 know, greatly reducing runoff. But -- so also by this
19 change we wouldn't require SWPPP. So at this time we
20 weren't proposing to do any -- any work in the
21 existing stormwater facilities.

22 This is the first we heard of it. I think
23 they're more than large enough to handle the plaza at
24 this time.

25 MR. FRISCH: Okay.

1 MR. OSOWSKI: I just want to verify in my
2 own mind. So the north -- the plaza is kind of split
3 east/west, or the parking lot is down the middle by
4 two different owners; is that correct?

5 MR. WINTERKORN: The parking lot in front of
6 the existing plaza is all under control of the
7 applicant. There's a shared access easement roadway
8 that goes east/west that's shared by the different
9 owners.

10 MR. OSOWSKI: Oh, okay. All right. Thank
11 you. This parking lot is all one owner. Okay.

12 MR. WINTERKORN: Yes.

13 MR. OSOWSKI: All right. Good. Thank you.
14 Because I thought that the Brighton Henrietta Town
15 Line Road and you know Brighton versus Henrietta
16 created a demarcation there, but it doesn't. Good.
17 Thank you very much for clarifying that in my mind.

18 Okay. Do any other Planning Board members
19 have any comments to address this? David Fader,
20 anything?

21 MR. FADER: No. I'm fine with it.

22 MR. OSOWSKI: All right thanks, David.

23 Jason?

24 MR. BABCOCK-STIENER: No.

25 MR. OSOWSKI: You good? Okay. Julie?

1 MS. FORD: No comments.

2 MR. OSOWSKI: Okay. Karen?

3 MS. ALTMAN: I'm all set. Thank you.

4 MR. OSOWSKI: All right. Ken Gordon, do you
5 have anything to add?

6 MR. GORDON: No, I don't. Thank you very
7 much, John.

8 MR. OSOWSKI: Thank you. Jeff, any
9 additional comments?

10 MR. FRISCH: I'm all set.

11 MR. OSOWSKI: All right. Good. This is a
12 public hearing. So if there are any members of the
13 public who wish to address this application, please
14 make yourself known and we'll open the floor to you.

15 MR. GORDON: Please use the raised hand
16 feature or turn on your camera.

17 MR. FRISCH: I'm not seeing anybody.

18 MR. OSOWSKI: All right. Very good. Okay.
19 The next item on the agenda was postponed, 10P-NB1-21,
20 the Quickle's on Monroe avenue.

21 So we'll move along to agenda item number
22 5P-NB1-22.

23 **Application 5P-NB1-22**

24 Application of the Talmudical Institute of
25 Upstate New York, contract vendee, and the Brighton

1 Central School District, owner, for Preliminary Site
2 Plan Approval, Preliminary EPOD (watercourse) Permit
3 Approval and Preliminary Conditional Use Permit
4 Approval to construct a 23,000 +/- square foot
5 building addition (with an additional 8,700 square
6 foot future phase), to re-purpose the former Brookside
7 School for the use by the Talmudical Institute of
8 Upstate New York Residential High School and make
9 other site improvements on property located at 1666
10 South Winton Road. All as described on application
11 and plans on file.

12 MR. OSOWSKI: So we'll open it up to who's
13 going to present on this application to us.

14 MS. BRUGG: Hi. Good evening. Hopefully
15 I'm unmuted now.

16 MR. FRISCH: We can hear you.

17 MS. BRUGG: Great. My technology's a little
18 better. Hi. Good evening. My name is Betsy Brugg.
19 I'm with Woods Oviatt Gilman. I'm here representing
20 the Talmudical Institute on this application.

21 Since we've already done the application for
22 the Montessori School, I'm probably going to repeat
23 some things, but I'm going to try to kind of cover all
24 the bases and get all this information in this record
25 for this application.

1 So on the Zoom we should have Rabbi Shlomo
2 Nobel with the Talmudical Institute of Upstate New
3 York, Matt Tomlinson from Marathon Engineers, and
4 David Hamlin from Hamlin Architects should be on, as
5 well Jerry Goldman from my office.

6 So there's been a lot of interest in this
7 application. The Board will remember that we
8 presented a concept plan to the Board back
9 in February, February 16th. We've also held a
10 neighborhood meeting. We had a fairly significant
11 participation, quite a few people showed up on Zoom.
12 That was on March 3rd. I think the Conservation Board
13 has seen this project at this point.

14 We've received lots of correspondence, you
15 know, via the Town, emails, correspondence. The
16 20-something page letter that was referenced a little
17 earlier, we did receive that. We have not had a
18 chance to fully digest it and respond to that. We do
19 plan to do that after this meeting. But, again, it
20 just came in last week, late last week.

21 So I will start by telling you a little bit
22 about the Talmudical Institute. They are a
23 residential high school for boys. They are what's
24 called a Yeshiva, which is a religious Jewish school
25 for young men who come there. It's a residential

1 school. So they come there and they live there. And
2 the purpose of there being there is to receive an
3 intensive rigorous program of study of religious
4 studies as well as secular studies.

5 They are all their board with rare
6 exceptions. The Rabbis and teachers that instruct at
7 the school, that teach at the school, for the most
8 part people live in the Town of Brighton. The young
9 men that come here may come from our local
10 communities, they may come from out of town. Some of
11 them come from communities that don't have a Yeshiva.
12 They don't have a large enough Jewish community.

13 Many of the students do go on -- just to
14 give you an idea, they come there for serious study,
15 both religion and academic. Most of them do go on to
16 college. Many of them go on to medical school, law
17 school, become professionals. So they do get a, you
18 know, full education at the school.

19 So the current proposal is -- the Talmudical
20 Institute, as you know, has the property under
21 contract purchased from the school district. And we
22 have been working on this project for quite some time.
23 The plan is to occupy a portion of the building. The
24 current building is 56,000 square feet in size.
25 They're going to use approximately 27,600 square feet

1 of the building.

2 You do, I guess I would point out, it's sort
3 of like the central area. There's a floor plan I
4 think you had it up a little earlier that sort of had
5 like a central section. I think it's currently the
6 west wing of the building and I guess you could call
7 it the central wing together combine to about 2700 --
8 excuse me -- 27,600 square feet.

9 The proposal is also to build a 23,100
10 square foot addition on the southwest end of the
11 building. This is required to construct some
12 dormitories. They'd like new, modern dorms, some
13 necessary study areas and living spaces, kitchen,
14 study areas, that they need. It's all laid out on our
15 site plan.

16 We do show on here sort of like at the
17 bottom of your screen here the possibility of a phase
18 2, another 8,700 square feet for the additional 20
19 something dorms in the future should they want to
20 expand.

21 You're familiar with the site. I am going
22 to turn it over to Matt in a little bit, but I'll tell
23 you a little bit about the operation and kind of
24 what's planned here. As you can see from the
25 orientation, we have Idlewood on one side, Winton on

1 the other. The plan is to construct the addition and
2 to orient all of the uses in the building, including
3 all of the new traffic related to the Talmudical
4 Institute, everything is going to be routed to Winton
5 Road. It is only the Montessori School that will
6 continue to use Idlewood.

7 There are some town-related services in the
8 building. We have the Town Brighton Recreation
9 Department, volunteer ambulance uses the space.
10 Brighton Food Cupboard used the space. I think BOCES
11 uses the space. So all of those areas are going to be
12 concentrated, we're showing them in the north wing.
13 All of the parking for that will be on the Winton Road
14 side of the building.

15 The operation itself, the Yeshiva, again,
16 it's a residential school. They currently have about
17 65 students. They are all boys. They're all here for
18 a serious course of religious studies.

19 There is a kind of a careful selection
20 process. You know, they do interview and select
21 students who want to be here, who are here for serious
22 intensive study. The school has about five to ten
23 rabbis and five to ten secular teachers who come in
24 for instruction every day.

25 The normal day is 7:30 to 6:30 of school.

1 There's dinner. After school there's more homework.
2 After dinner they study and they have lights out at
3 11. The typical day starts with morning prayer at
4 7:30.

5 The rabbis typically arrive in the morning
6 to be there for prayer and the various secular
7 teachers come throughout the day depending on the time
8 that they need to be there for their classes. So the
9 teachers and rabbis leave at various times during the
10 day.

11 They do provide everything they need on the
12 campus. These are orthodox religious students. So
13 they follow strict dietary laws. So they provide all
14 of their food on campus. The students really rarely
15 leave campus. Friday night to Saturday is the Jewish
16 Sabbath. So many of them, you know, will go to their
17 families. They might go to a rabbis house for the
18 Sabbath. Orthodox Jews do not drive on the Sabbath.
19 So they will be walkers. So that's really the only
20 time that they'd probably be or possibly be out on the
21 street past 11 o'clock.

22 The Yeshiva does have their own vehicles.
23 They have two vans that they use when they need to
24 transport students for some kind of activity and
25 shopping or whatnot. They get one truck a month for

1 their delivery for food from, you know, out of the
2 local area. They get a kosher delivery.

3 The students do not have vehicles. The only
4 other typical traffic during the day would be one
5 school bus. They do have an affiliated elementary,
6 middle school. So boys from that school might --
7 well, they do. They get brought here in the mornings
8 for morning prayer. It's an important part of the
9 program of study. It's important for their religious
10 studies both for the high school kids and for the
11 younger students. This is kind of a key part of their
12 operation. But it is one bus that comes in and out in
13 the morning.

14 They don't really hold any public events.
15 They really don't have a lot of events of their own.
16 They celebrate holidays. They, you know, take care of
17 the needs of their students. But it's a relatively
18 low intensity, low key operation.

19 The site plan, I'm going to turn it over to
20 Matt and let him tell you about the proposed addition
21 and go through the site plan with you. I think we --
22 we've received many comments and I think we were able
23 to address many of the issues that were raised during
24 the neighborhood meeting and that have been raised at
25 earlier meetings. So, Matt.

1 MR. TOMLINSON: Yeah. Thanks, Betsy. Matt
2 Tomlinson, Marathon Engineering. We're the site civil
3 engineers on the project.

4 Betsy's kind of given the description of the
5 locations of the additions and future additions. I'm
6 just going to walk through the site plan briefly. The
7 intention is to leave the Idlewood Road side, which is
8 the east side of the property exactly the way that it
9 is today, meaning there's no tree removals, the
10 lighting is going to say exactly the same, the number
11 of parking spaces. The only work on the east side of
12 the school would be utility extensions from the
13 existing private utilities that service the school,
14 being water main and sanitary sewer being extended to
15 accommodate the building additions as they are not
16 able to be extended internal to that west wing.

17 And so that will come around through the
18 pavement area and then be restored as lawn and
19 pavements just the way they are today.

20 Entering from the Winton Road side, some of
21 the modifications made to facilitate the school and
22 the expansion and to provide a campus for them is a
23 slight expansion of the existing parking lot, which
24 currently services the west side of the building.
25 That parking lot is intended to add and formalize an

1 entrance for relocating the uses access that Betsy
2 mentioned in that north wing and provide an access
3 point with 88 spaces and some additional parking off
4 of this main entrance, a drop off and arrival point
5 for the Talmudical school as well with an entrance
6 that's going to be framed by some nice landscaping,
7 which we'll flip to on the landscaping plan in just a
8 minute.

9 And then service drive and access road for
10 emergency vehicles in order to comply with state fire
11 code. There are limits to how far a building can be
12 from a paved fire access road. And so the connection
13 is made, but will not allow traffic. It's only for
14 emergency vehicles past the point of the dumpster and
15 delivery area that Betsy was mentioning when they get
16 kosher food deliveries. That's at the west side where
17 we're also proposing some parking over near that area
18 for staff, kitchen folks, visitors to the school to
19 exit through the back area as well as over near the
20 dorm.

21 The intention, as I mentioned, is not to
22 provide any additional parking. So while we are
23 increasing the amount of parking spaces to slightly
24 above what is required by code, what we are intending
25 to provide is the number of parking spaces to support

1 the school as well as the Town function and other
2 tenants that are going to stay in that north wing
3 without providing or requiring any of those uses to
4 use that Idlewood side.

5 If we could flip to the landscaping and
6 lighting plan, I'd like to talk a little bit about
7 some of the efforts that we've made in order to
8 address, as Betsy said, some of the comments received
9 from neighbors. So while we're waiting for that to
10 load, I will -- I think we're in the engineering
11 report versus than plans there.

12 All right. I'll speak a little bit to the
13 lighting. So we're proposing to provide LED, dark sky
14 compliance fixtures, 18 feet in height. You're still
15 in the traffic report there. So it should be about
16 the fifth page in that plan site. One more. Yeah.
17 Perfect. Thank you. Great.

18 So as I mentioned, the lighting that exists
19 on the Idlewood side, the bus loop and the parking
20 over there would remain exactly the same. The entry
21 drive, the existing parking lot, kind of the northwest
22 corner of the school and then back to the delivery and
23 ancillary parking area at the rear of the school,
24 would have 18 foot high LED shoebox-style down
25 lighting that would be dark sky compliant. They would

1 be 3,000 Kelvin in color. And these would potentially
2 be dimmable lights because they'd be fully controlled
3 LEDs for after hours and after lights out, as Betsy
4 mentioned.

5 All of these lights are behind or to the
6 west of the proposed building addition and therefore
7 would be screened from any potential impacts to
8 neighbors as we're not extending them along any other
9 portions of the road.

10 We did appear before the Conservation Board.
11 Our proposed plan is to remove a total of three trees,
12 which are located primarily in the front entrance or
13 lawn area as you approach the school. We need to do
14 some regrading around those trees. We did have a
15 landscape architect go out and take a look at them.
16 And they're not in great condition and kind of block
17 the view and approach and improvements that we're
18 proposing.

19 As part of the proposed development, we're
20 going to be planting 33 trees. And that is in an
21 effort to create a nice campus and supplement the
22 existing wood line that is on the north and west
23 portions of the site approximate to the creek. In
24 addition, we're also planting a tree line along the
25 southeast corner where there are neighbors backing to

1 the school where there could be some visibility or is
2 some visibility from the rear of those towards the
3 playground area and also to the building additions.

4 That area, as has been mentioned a couple of
5 times by neighbors, gets very wet. And we are
6 somewhat limited in the landscape material that could
7 be planted over there. So we're proposing some trees
8 that will provide good shade, establish a nice tree
9 line along that property line, but also can survive
10 having their roots be wet for large portions of the
11 year.

12 I think with that -- I know there are many
13 questions relative to comments received from staff,
14 comments from the Town engineer that we're confident
15 that we can address. We do have a floodplain EPOD or
16 water course and flip point EPOD that we'll be working
17 with the Town engineer and staff to address all of
18 those comments to their satisfaction. We did have a
19 wetland delineation performed by environmental
20 resources that show here on the plans proximate to the
21 creek. We're not impacting any of that whatsoever.
22 It's all -- all of the wetland is located within the
23 woodlot or wood line, which we're not proposing to
24 clear.

25 And I think any other comments or specific

1 questions that the Board may have, we can answer as
2 those questions come up. So with that I'd like to
3 just turn it over. I think, Betsy, I'll turn it over
4 to David to talk just a little bit about the
5 architecture.

6 MR. HANLON: Thanks, Matt. David Hanlon,
7 Hanlon Architects for the Talmudical Institute. So on
8 that site plan you see before you, you know, there's
9 a -- we're constructing a one-story addition to the
10 school, to the existing school. We're using a good
11 portion of the existing school. The Montessori is
12 staying. Brighton Town community spaces are staying.
13 They're going to be relocated over to the north wing.

14 And the Talmudical Institute will occupy
15 22,600 -- or 27,600 square feet of existing space. So
16 we're repurposing existing classrooms and spaces for
17 both class and administrative functions, as well as
18 the gym that exists there.

19 And then beyond that, we need space for, you
20 know, the scholastic or the large -- larger gathering
21 or scholastic activities, the dining hall, the
22 kitchen, the dormitory is the functional types of
23 spaces that can't really be accommodated within the, I
24 would say, shorter school roof height. And so just by
25 square footage alone we need that additional space as

1 well.

2 So the addition as you can see has been
3 oriented towards Winton Road. The entry for the
4 institute is on the -- off of that main parking lot
5 that Matt mentioned. So the coming and going we'll be
6 happening away from the neighborhood towards Winton
7 Road.

8 There is also, you know, as Betsy mentioned,
9 the kids live here. You know, so they study and live
10 here 24/7. So the outdoor spaces for the students are
11 formed within interior courtyards that are off the
12 dining hall and the dorm areas. So even there, you
13 know, we've kind of given them outdoor spaces, but
14 oriented them away from the neighbors and more
15 internally. So it's, you know, to lessen the impact
16 on the neighbors.

17 The architectural design is a fairly
18 contemporary design, a lot of natural materials. And
19 we will be going to the Architectural Review Board as
20 part of this process. So they'll have a chance to
21 look at it and weigh in on it and give us their
22 approval.

23 So I would guess I would just quickly say
24 that we're making good use of remaining spaces within
25 the existing school that's available to us beyond the

1 two tenants that are remaining. And then constructing
2 newer spaces, you know, to accommodate those types of
3 functions that wouldn't be appropriate in the older
4 school.

5 So it's really -- it's fairly
6 straightforward on my part. I know more of this is
7 site-related issue. So I'll just finish there and
8 answer questions as people have them.

9 MR. OSOWSKI: All right. Great. Thank you
10 Betsy, Matt and David. And I would say -- start with
11 a few fairly straightforward questions. Is the water
12 system, water main being provided for the facility, is
13 it adequate to provide fire protection sprinklers in
14 the building?

15 MR. TOMLINSON: It is. I don't know that a
16 full analysis has been done relative to sprinklers
17 within the existing portions of the building that are
18 not going to be redone or reutilized for the
19 Talmudical.

20 I know that there's local sprinkler law that
21 we'll be dealing with the Fire Marshal and his review
22 on in order to provide compliance. But there's an 8
23 inch dedication water main to the water authority that
24 comes to the hydrant near the entrance off of
25 Idlewood. And we'll be extending a private 6 inch

1 line to provide fire protection for the project from
2 that point.

3 MR. OSOWSKI: All right. Thank you. Are
4 you satisfied with the handling of snow storage coming
5 off the parking lots and sidewalks?

6 MR. TOMLINSON: Yeah. We've got some very
7 large and significant lawn areas adjacent to all of
8 the parking areas. And there will be plenty of snow
9 storage there.

10 This site is 21 acres and we're
11 approximately 25 percent in total on impervious areas.
12 And so there's plenty of space for that snow storage.

13 MR. OSOWSKI: Okay. Thank you. You
14 mentioned not doing any kind of upgrading for lights
15 on the east side of the building, the Montessori
16 School side. Are those existing lights, are they
17 fairly energy efficient or not? Are they old? You
18 know should, they -- would an upgrade to them be a
19 good idea just to save energy for the entire facility?

20 MR. TOMLINSON: That's possible. We really
21 have not explored the possibility of upgrading those,
22 again, as our intention is to leave that east side as
23 similar to the existing conditions and not creating or
24 providing any kind of impacts to the neighbors there.

25 So they're more the traditional post-top

1 lantern-style lights, but we have not done any further
2 analysis over there to date.

3 MR. OSOWSKI: Okay. So potentially they are
4 not dark sky compliant?

5 MR. TOMLINSON: They are not dark sky
6 compliant, no.

7 MR. OSOWSKI: All right. Thank you. I'd
8 appreciate it if you could take another look at those.

9 There could be an issue with what appears
10 the dumpster location. It looks like it's coming off
11 the corner of new parking lot. And when someone's
12 going to do trash pick up, it could potentially
13 interfere with cars parked there. Do you see what I'm
14 referring to on that?

15 MR. TOMLINSON: I do, John. Yeah. So that
16 dumpster location would be primarily to service the
17 tenants in the north wing. Currently those tenants,
18 as indicated by some of the neighbor comments, really
19 don't have a presence there in the mornings per se.
20 And that would be open or coordinated with the trash
21 pick up in order to make sure that it was clear at
22 those times.

23 If it ever became an issue in the future, we
24 could absolutely add some signage or stripe that off
25 to limit vehicles interfering.

1 MR. OSOWSKI: Okay. All right. Good.
2 Thank you. Do you have any plans to provide an
3 emergency backup generator?

4 MR. TOMLINSON: Rabbi or David, I don't know
5 if you can speak to that. I don't know that we have
6 decided that at this point.

7 MR. HANLON: So, no, we haven't evaluated
8 that yet. I'm thinking we might have some functional
9 need for it given that the dining hall, you know, has
10 refrigerated goods. So possibly we'll have some small
11 generator, not for the whole facility, but for just
12 some critical needs like that. It would be oriented
13 towards South Winton if it were to be placed on the
14 site.

15 MR. OSOWSKI: All right.

16 MR. HANLON: We'll update that at the next
17 meeting.

18 MR. FRISCH: So sort of diesel generator
19 might need some additional approvals.

20 MR. HANLON: Yeah. Yeah. That's a good
21 question. We'll address that at our next submission.

22 MR. OSOWSKI: Okay. How about HVAC units
23 for the new addition? Where will those be located?

24 MR. HANLON: Those will be probably rooftop
25 located and they will be screened. They would --

1 screened in such a way they would not be visible from
2 any surrounding areas.

3 MR. OSOWSKI: Okay. Is natural gas the main
4 fuel being used to provide heat for the buildings?

5 MR. HANLON: Yes. I would imagine so. You
6 know, Matt, we do have gas service to the site;
7 correct?

8 MR. TOMLINSON: Correct. Yeah. There's a
9 decent sized gas service that's been utilized
10 historically for the existing boilers and heating
11 systems within. We'd have to work with RG&E as to
12 whether or not the existing services is sufficient.
13 That will be a part of the design as we move forward
14 with building permitting.

15 MR. OSOWSKI: Okay. Will the dorms be air
16 conditioned also?

17 MR. HANLON: Yes.

18 MR. OSOWSKI: Okay. You might want to
19 consider geothermal as a source for heating and
20 cooling for -- for at least for the new addition.
21 But, you know, that's up to you for that cost-benefit
22 analysis. I would highly recommend it.

23 I've used it before for school dormitories
24 and it saved us tons of money on utilities over the
25 years.

1 MR. HANLON: Yeah. I can imagine.

2 MR. OSOWSKI: Okay. That's all I have for
3 now. I'll ask if any other Board members have
4 questions. David Fader, do you have anything?

5 MR. FADER: No. Not really.

6 MR. OSOWSKI: Okay. Jason? Anything else?

7 MR. BABCOCK-STIENER: No. I'm good for now.
8 I think.

9 MR. OSOWSKI: All right. Thank you. Karen?
10 Karen? No?

11 MS. ALTMAN: Yeah. No more questions at
12 this time.

13 MR. OSOWSKI: Julie Ford?

14 MS. FORD: No questions at this time as
15 well.

16 MR. OSOWSKI: All right. I just want to
17 reiterate that I think it would definitely be
18 worthwhile for the architect and the site engineer to
19 take a good hard look at the proposed north road to be
20 able to shut down the Idlewood entrance and to take a
21 hard look at the south road also. Take a look at both
22 of those alternatives to see how feasible they are in
23 order to take care of the traffic issues that have
24 been brought up at this meeting by the neighbors.

25 It's worth taking a look at for this is an

1 opportunity to make some improvements to the
2 neighborhood. And I just think the alternatives ought
3 to be investigated. Thank you. Okay.

4 Ken Gordon, do you have anything else to
5 say?

6 MR. GORDON: Yeah. I've got a couple
7 questions if you don't mind, John. Thank you.

8 MR. OSOWSKI: Sure.

9 MR. GORDON: So this is perhaps for Betsy or
10 perhaps for Rabbi Noble. Could you speak a little bit
11 about the Talmudical Institute's reaction or plans
12 vis-à-vis the request that the Talmudical Institute
13 provide an easement or a license to the neighbors in
14 the Evans Farm tract to access across your property,
15 what will become your property, to get to Winton Road
16 and to allow for some continued recreational use of
17 your property? Can you talk a little bit about that?

18 MS. BRUGG: Okay. Great. Thank you. Yeah.
19 I think I can address that a little bit. We, I think,
20 have already stated that the Talmudical Institute has
21 no objection to the kind of activity use that is
22 currently happening where, you know, people walk
23 through. They use the existing playground. They
24 really don't have any objection. They want to be part
25 of the neighborhood, part of the community.

1 However they do have to, you know, consider
2 some safety and security kinds of issues. So we're
3 really looking into that and evaluating that. And
4 we'll get a more complete response to the Town after
5 we've had a chance to do that.

6 MR. GORDON: Yeah. I'd be interested in
7 knowing whether this would be simply an informal
8 understanding or whether the Talmudical Institute is
9 willing to formalize it in terms of a legally
10 enforceable license or easement agreement of some
11 sort.

12 MS. BRUGG: Yeah. There currently isn't a
13 proposal to do that, but as I said, we're looking at
14 those on --

15 RABBI NOBLE: I just want -- I'm terribly
16 sorry to interrupt. I feel very bad. I may get
17 myself into trouble here, but I need to speak on my
18 own behalf. Ken, you know that.

19 MR. GORDON: Of course.

20 RABBI NOBLE: And I mean this sincerely. I
21 want the people to feel comfortable. I even want to
22 give them an easement. It is impossible. I can't do
23 it. The insurance implications, the other
24 implications, there's just -- it just can't be done.

25 We want them there. I would never get up

1 there publicly and be insincere and say, hey, I want
2 them there if I didn't. I want them to be comfortable
3 using it. Brighton Rec, as you know Ken, is planning
4 to stay with us for a long time. Those are a lot of
5 residents. Those are a lot of our people. We want to
6 work with everybody.

7 In terms of making an absolute easement,
8 we'd have problems with our insurance company. It's
9 just something that would be impossible to do. The
10 reason I interrupt and say this is, I don't want
11 anybody to say that we have been insincere. And we
12 have expressed and continued to express and I express
13 now the interest in having the people there. But
14 please nobody confuse that with the possibility to
15 have an easement because I just don't see how that's
16 possible.

17 MR. GORDON: Thank you, Rabbi. I do
18 appreciate you opening your mic and speaking up
19 because I think right now it is just to provide
20 clarity for the Board to understand what the
21 Talmudical Institute's position is. And you've done a
22 great job of doing that. Thank you so much.

23 RABBI NOBEL: I appreciate the kind words,
24 my friend.

25 MR. GORDON: I have a question. I think

1 this is for Matt. There has been some discussion --
2 there was some discussion certainly at the concept
3 review relative to the current condition of the bridge
4 leading in from south Winton Road and whether it is
5 currently adequate for carrying the loads that will be
6 necessary for both construction equipment and ongoing
7 traffic once the Talmudical Institute is in operation.

8 Can you tell us, Matt, a little bit about
9 the plans to verify the bridge's durability and
10 purpose for that?

11 MR. TOMLINSON: Yeah. Absolutely. Thanks.
12 We had not at the last meeting or even until recently
13 had a structural engineer on the team yet. We have
14 added a structural engineer who specializes in bridges
15 with Erdman and Anthony, recently engaged them to an
16 analysis of the bridge, observe it and review the
17 original design documents as well as the existing
18 condition and give us a report on that. So I
19 anticipate by the time we move this forward that we'll
20 have some additional information for the Town's staff
21 and engineer to review that and be comfortable as well
22 as for ourselves with the structure capacity of that
23 bridge.

24 MR. GORDON: Excellent. Thank you. My last
25 question for now is relative to the layout that you've

1 shown. Brendan, can you pull up their layout of the
2 actual interior of the building please? Not this one,
3 the one that actually shows their usage.

4 MR. FRISCH: It might be on the Montessori
5 one.

6 MR. GORDON: It might actually be in the
7 Montessori papers, right.

8 MR. TOMLINSON: I think that one you just
9 showed is the same as what was submitted with
10 Montessori.

11 MR. FRISCH: Zoom in on that.

12 MR. GORDON: That's better. Now I can read
13 it.

14 So what I'm seeing is overflow dorm rooms I
15 guess is what you've labeled them are across the
16 hallway from the large gymnasium. Is that still the
17 plan?

18 MR. HANLON: So I can answer that, Ken.
19 Those rooms will likely be located closer to the
20 student dorms between the basement and student dorms.
21 You know, it's a possibility that that space could be
22 better used by either Brighton community space or
23 academic space. So those will move over to the new
24 area.

25 MR. GORDON: And I would just encourage you

1 to provide an updated plan when it's ready to be
2 shared.

3 MR. HANLON: Sure thing.

4 MR. GORDON: Jeff, I think you're going to
5 be asking some questions relative to drainage. So
6 I'll leave that to you.

7 MR. FRISCH: Okay.

8 MR. GORDON: That's all I have.

9 MR. FRISCH: Thanks again. For those dorm
10 rooms, what are they going to include? Is it going to
11 be a bed and a bathroom? Is it going to be a kitchen
12 included?

13 MR. HANLON: Typically it's just a bed and
14 bathroom because we have, you know, dining facilities
15 on site.

16 MR. GORDON: And just to be super clear on
17 this, when you say "typically," I believe I understand
18 that there will not be kitchens in those units; is
19 that correct?

20 MR. HANLON: Correct. It's not meant to be
21 long-term apartments or, you know, that type of
22 establishment.

23 MR. FRISCH: Thank you. This is for Matt.
24 I think you probably saw our notes that the entirety
25 of the stormwater pond looks like it's going to be in

1 the floodplain, which might cause issues during storms
2 because it would be full and there wouldn't be any
3 abatement for the stormwater running off the property
4 because of the floodplain. The stormwater pond would
5 be -- could be full of floodwater in an event like
6 that. Have you looked at that?

7 MR. TOMLINSON: Sure. Yeah. So there's
8 some -- a couple of different items. And we'll go
9 into greater detail with yourself and Evert, the Town
10 engineer, relative to how we're modeling that.

11 But the stormwater management facility has
12 been sized to accommodate the hundred-year storm
13 event, which from a stormwater treatment standpoint is
14 a 24-hour rainfall event in a single day. Typically a
15 flood staged on a creek is significant after that
16 24 hours. And so our stormwater from our stormwater
17 management facility would be passed through that and
18 not impacted by the storage.

19 In addition to size that we're showing on
20 the plan here currently is large enough to accommodate
21 both the increase in runoff volume from our site as
22 well as expanding the small amount of volume that
23 we're impacting from the hundred-year floodplain.
24 That area of the site is very flat. So even during a
25 hundred-year event, that only represents 4 to 6 inches

1 of storage capacity below that floodplain volume.

2 So, again, we'll formalize all those
3 responses, Jeff, and address those with you and the
4 Town engineer.

5 MR. FRISCH: Okay. And another note is that
6 we have a code -- our code has a different section for
7 Type 1 -- what's considered a Type 1 action. We have
8 some Town requirements that go above and beyond what
9 are the SEQRA requirements. And we were looking at
10 those and I would encourage you to look at them and
11 see -- there's a condition that about 25 percent of
12 those standards being next to navigable waterway that
13 those standards that are there might -- you might need
14 only to impact 25 percent of them instead of the full
15 totals that are listed.

16 So I would take a look at that and see if
17 you might need to -- might be considered a Type 1
18 action under the Town.

19 MR. TOMLINSON: Okay. We'll take a look at
20 that.

21 MR. OSOWSKI: Okay. No further comments
22 from anybody, Planning Board or town officials? Okay.

23 MR. FRISCH: Nope. All set.

24 MR. OSOWSKI: All right. Well this is a
25 public hearing. So we invite any members of the

1 public who are still out there to raise your hand,
2 make yourself known. And we'll let you speak to this
3 project. And again we'll institute the three-minute
4 limit, assuming there's a fair number of you out there
5 who want to speak. And again, I'll ask that you
6 identify yourself and let us know where you live.
7 Thank you.

8 MR. FRISCH: Okay. First, will be Aron.

9 MR. REINA: Cool. Thanks, again. Aron
10 Reina, Poplar Way. I'm impressed with the engineering
11 proposals from the sense that I really feel like the
12 engineering firm does a great presentation.

13 I have to say that I'm incredibly
14 disappointed that I'm not seeing many, if any,
15 reflection of what the neighborhood has communicated
16 over the past year included in the submission. We've
17 had conversations. I've talked to representatives
18 from Woods Oviatt. I'm just not seeing it. It's
19 truly disappointing to me.

20 A couple of things that I'd like to mention
21 and I say this in passing, I'd really like somebody
22 from the Town to review the zoning on this. I just
23 don't feel the dorms fit into the zoning as declared
24 there, but I don't want to take up time tonight
25 talking about that.

1 Couple of things we need to pay attention
2 to. And this is how I live my life. You get what you
3 inspect, not what you expect. And so when we look at
4 this property, we need to think about long-term
5 planning. We need to think about the possibilities
6 for the property, not today's standard or what we're
7 thinking our plans or going to be. And with all due
8 respect, everybody running the place, I'm sure they're
9 being honest about it, but they're not going to run it
10 forever and they're not going to be making those
11 decisions.

12 And so we don't know who the tenants will be
13 permanently. We have one tenant who presented
14 themselves earlier tonight about safety as it pertains
15 to the current blacktop area at the southern portion
16 of map. You'll see the applicants have submitted a
17 roadway that buts up adjacent to that black top.

18 So it's really not all that far away to
19 extend that road around the side of the building. And
20 I'm pointing that out because we heard from the tenant
21 and we spent a lot of time talking about that. The
22 tenant also mentioned access to the property, which is
23 not something that we can codify in writing. Again,
24 what can we inspect, not what can we expect.
25 Leadership changes, we may lose access to that

1 entirely. So I really would like the Planning Board
2 to see what we have in writing and to see what is
3 actually written down and what's happening.

4 One thing I'd like to point out is RG&E just
5 came through and replaced a bunch of poles along the
6 eastern side of the property, which resulted in a net
7 loss of a lot of trees. That just happened in the
8 last month. I'd really like to see the applicants
9 offer the residents an opportunity to have some
10 screening along that side. I see screening at the
11 southeastern corner, but it doesn't extend all the way
12 up. I'd really like to see that added personally.

13 I also would like to see in writing a
14 restriction for construction equipment to only use
15 Winton Road. We talked a lot about traffic in the
16 neighborhood. What we can control is this traffic
17 coming in and out of this property. And it's always
18 been a public resource. We've always had a method to
19 address that. We've always had a method to talk to
20 the school Board to figure that out. Successful or
21 not, once this goes through a private entity, that
22 pathway becomes more restricted than it is today.

23 And I would just like to see that
24 construction equipment permanently and officially in
25 writing, not word of mouth, but in writing restricted

1 to that bridge off of Winton.

2 MR. FRISCH: That will be your time.

3 MR. REINA: Thank you. Just so you know,
4 the timer's not showing up on the screens.

5 MR. FRISCH: Next we have Seth Holmes.

6 MR. HOLMES: Hello, again. Seth Holmes, 182
7 Idlewood Road. Thank you, again. And I want to
8 express my thanks to the design team and Talmudical
9 Institute for considering the document that, you know,
10 myself and a number of neighbors -- we're all on here,
11 some with their hand up right now -- have sent over to
12 you. And we hope you review that and take into
13 consideration our thoughts and concerns particularly
14 with the traffic, as we've all heard about and
15 continue to talk about that. I think that really is
16 the big issue.

17 I appreciate the insurance situation that
18 Rabbi Noble mentioned. And I would hope maybe there's
19 another mechanism that we could talk about that
20 insurance would be happy with, whether it's, you know,
21 creating some sort of tenant regulation that the Town
22 has a tenant space so they access to land or even just
23 being a tenant of the land possibly. That -- there
24 is, to Aron's point, some form of in writing for, you
25 know, a long period of time potentially that residents

1 would be able to access the land.

2 And we do appreciate the gesture and we want
3 to just find some sort of happy medium where we're
4 both safe in that in terms of us, you know, knowing
5 that we have the right there more than just a
6 handshake agreement I guess.

7 But, you know, as has already been said, I
8 think the notion of this land switching over to a
9 private use and being, you know, 70 years since its
10 inception almost, that it's different now and the
11 connection to the neighborhood with the vehicular
12 traffic is no longer what it initially was set up for.
13 And it seems like a solution that is literally 300
14 feet away or 400 feet away in terms of extending the
15 driveway that Aron just mentioned along the south
16 with, you know, proper fencing and security for the
17 children that may be there. Or looking at the north
18 side as we talked about earlier.

19 And we would -- we -- I'm hopeful in hearing
20 the team talk to looking through that document. And I
21 would hope that the Town, you know, requires them to
22 investigate that and present those options to us
23 before the Town makes a decision on a piece of
24 property that affects the Town overall and, you know,
25 the neighbors in this district.

1 And we have, you know, collected a lot of
2 signatures. We have, you know, more than 270
3 signatures in agreement with our sort of pair of
4 conditions that we put out there that we would hope we
5 would look at.

6 Because we welcome Talmudical Institute to
7 the neighborhood. You know, we want you to be our
8 neighbor. We're just hoping that there's a way we can
9 sort of use the space appropriately for the way the
10 neighborhood functions. So thank you again for your
11 time and your consideration.

12 MR. OSOWSKI: Thank you, Seth Holmes.

13 MR. FRISCH: Next is Viki Reina.

14 MS. REINA: Thank you, again. Viki Reina,
15 62 Poplar Way. I'm probably going to be a bit
16 redundant to what others have said. I agree with Aron
17 and Seth.

18 The first thing I want to say is we are not
19 at all opposed to TINUI being our neighbors. It is
20 primarily the structure of traffic to and from that
21 site for tenants that they have. And much like Aron
22 said, we have no idea what the future might hold and
23 who future tenants may be.

24 Therefore until an alternative to tenants
25 using the Idlewood entrance is designed, I don't feel

1 that this is an appropriate or kind of finished
2 product on how they might modify that land and the use
3 of that land.

4 I also wanted to state because Betsy had
5 mentioned that they just received our 21-page
6 document. And I do appreciate that. But I do want to
7 mention and get on the record for the broad Planning
8 Board to know that when we met with them in March, we
9 did ask them to consider alternatives to closing the
10 Idlewood entrance. And that conversation would not be
11 entertained at all at that meeting.

12 And that really drove us to being very
13 research driven and that a number of us crafted this
14 document that provides some really reasonable
15 alternatives to be considered. So much like Seth
16 said, we would hope that there would be some kind of
17 authentic review and consideration and exploration of
18 the alternatives that could be possible. I think that
19 that due diligence is really important for the
20 requests of Evans Farm.

21 That's really all I have to add. I agree
22 with all the literature that we've provided, the kind
23 of will of the neighborhood and what we've shared.
24 And again, I really hope that there is consideration
25 for that and that approval of this would be delayed

1 until we're able to work through some of these issues.
2 Thank you.

3 MR. OSOWSKI: All right. Thank you, Viki
4 Reina.

5 MR. FRISCH: Next is Tim Beach.

6 MR. BEACH: Hey. Good evening again. Name
7 is Tim Beach, B-E-A-C-H, I live at 200 Idlewood Road.
8 I do want to just reinforce everything that was
9 mentioned by Aron and Seth and Viki as well. And I do
10 want to bring up two other concerns that might support
11 the closing of the Idlewood entrance.

12 I would like to point out that all schools
13 of Brighton are served by main arteries except for
14 Council Rock School, the Seton Catholic school and the
15 Montessori School. But Council Rock school and Seton
16 Catholic school are both set on roads that are wider
17 and are supported with sidewalks on both sides of the
18 street.

19 The Montessori School uses the Idlewood,
20 Evans Farm neighborhood roads. And Idlewood itself is
21 19 feet wide with no sidewalks. The road that they
22 propose in the TINUI campus would be at least 20 feet
23 wide. That's just 1 foot wider than our road here in
24 the neighborhood.

25 So redirecting all the 19 -- all the 1666

1 South Winton property traffic to South Winton Road
2 would put Montessori and TINUI in align with the rest
3 of the schools in Brighton and increase the safety of
4 the Evans Farm neighborhood. It's a win-win.

5 The second point I want to bring up is that
6 there's another point of entry off of South Winton
7 Road that does not have any access to the Evans Farm
8 neighborhood. That's the Cambridge Place Corporate
9 Center at 1800 South Winton Road.

10 When that was constructed, there was no
11 plans to connect it to the Evans Farm neighborhood.
12 And since the Brookside property is turning completely
13 into a private entity, TINUI and any future private
14 use of that property should not use the streets of
15 Evans Farm.

16 I want to conclude with keeping the status
17 quo is not how we progress as a society. Now is the
18 time for the Planning Board to listen to our concerns
19 of the 275 voices of Brighton residents and take that
20 into consideration. Thank you very much for all your
21 time this evening.

22 MR. OSOWSKI: All right. Thank you, Tim.

23 Next up.

24 MR. FRISCH: Judy Massare.

25 MS. MASSARE: Hi. Judy Massare. I live at

1 126 Idlewood Road. And I'd like to thank the Planning
2 Board for letting so many people speak today at the
3 public hearing. I think this is considerably more
4 than you usually have. I agree with what all of my
5 neighbors have said up to this point and I am not
6 going to repeat what they've said.

7 My obsession is, of course, with the
8 traffic. And it's terrific the Talmudical Institute
9 is shifting the main entrance to their school, to the
10 Winton Road side. But just saying the main entrance
11 is Winton Road is not going to automatically make
12 everyone use Winton Road as an entrance. As long as
13 the Idlewood Road entrance is open, there's going to
14 be traffic going to the north wing and there's going
15 to be traffic going to the south wing.

16 The day that I counted cars 92 percent of
17 the cars went to the south wing and 8 percent of the
18 cars went to north wing. None of the cars went to the
19 middle part, which is the part that's going to be
20 occupied by the Talmudical Institute. So I take issue
21 with the traffic study that was included with the
22 application.

23 And in particular Table 3 on page 74 is
24 complete fiction. There will be no change in the
25 traffic on Idlewood Road when the Talmudical Institute

1 occupies the building as long as the Montessori School
2 is still there and as long as the Brighton community
3 offices are still there.

4 So the fact that the traffic study suggested
5 that there was going to be a deduction to a third of
6 what it is right now is complete fiction, boarding on
7 incompetence because the traffic is not related to
8 what portion of the building is being occupied. It's
9 related to how many people are accessing that
10 particular portion of the building.

11 So that's all I have to say. I agree with
12 my other neighbors. And I'll thank you for your time.

13 MR. OSOWSKI: Thank you, Judy Massare.

14 MR. FRISCH: Next will be Peg Warrick.

15 MS. WARRICK: I'm Peg Warrick, 215 Idlewood
16 Road. Two things. Obviously I'm in support of
17 what -- my other neighbors' comments.

18 But regarding sidewalks, it would be a real
19 shame to lose all the trees that we would lose. We've
20 talked about sidewalks in the neighborhood before and
21 a lot of us have mature trees within the space that it
22 would take to put a sidewalk. And that's just kind of
23 against the whole green, you know, objective and what
24 have you.

25 The second thing I want to point out, I

1 forgot to ask earlier, will the community playground
2 that's on the grounds now still be a town playground
3 maintained by the Town or will the Town have easement
4 to that? Or is that a Talmudical playground now that
5 they will maintain?

6 MR. OSOWSKI: Yeah. Thanks for your
7 question. I'm not sure who at the Town can answer
8 that question. We might have to follow up on that.

9 MS. WARRICK: Okay.

10 MR. OSOWSKI: Yeah.

11 MS. WARRICK: That's --

12 MR. GORDON: John, this is Ken Gordon.

13 MR. OSOWSKI: Yeah.

14 MR. GORDON: Two points. One, this is a
15 time for public comment. And so typically boards are
16 listening to comments, taking input at the public
17 hearing, not at this point in time responding to
18 questions.

19 But I'll make an exception here and let
20 Ms. Warrick know that that playground is not a Town
21 playground. It is not owned by the Town of Brighton.
22 It is not a town park. It is on Brighton School
23 District property. And it is currently owned by
24 Brighton Central School District. And once the
25 Talmudical Institute purchases the property, it will

1 be owned by the Talmudical Institute.

2 MS. WARRICK: That makes a lot of sense.

3 Thank you. The current sign says Town of Brighton,
4 but I suspect -- that makes a lot of sense. That's
5 all I have. Thank you very much.

6 MR. OSOWSKI: Thank you very much, Peg
7 Warrick. Next up, Jeff.

8 MR. FRISCH: We have Audrey Schroder.

9 MS. SCHRODER: I am Audrey Schroder. I live
10 at 190 Idlewood Road. And I, again, agree with all of
11 my neighbors just said. And I've talked with them a
12 lot over the past couple of months about -- about the
13 property. And we've had a lot of thoughtful
14 discussions.

15 And I just want to say that I hope that the
16 Board takes our concerns and requests very seriously.
17 And when it was first kind of made public that the
18 Talmudical Institute was going to be purchasing the
19 property, I had really no concerns at that point. And
20 I was surprised to hear that there would be such a
21 large tenant space still existing on that property
22 and, again, kind of just circling back to the concerns
23 about traffic coming in through the neighborhood and
24 using that Idlewood entrance.

25 And so I have concerns, again, about the

1 current level of the traffic. But without knowing the
2 long-term plans for that property -- that side of the
3 property as well, I'm just -- I'm concerned.

4 And so closing that entrance is top
5 property. And, again, we've spent a lot of time
6 talking with each other, being very thoughtful about
7 this request, talking to neighbors. And we hope that
8 you really consider both of these conditions.

9 MR. OSOWSKI: Very good. Thank you, Audrey
10 Schroder.

11 MR. FRISCH: Next will be Vince Hope.

12 MR. HOPE: Thank you. And I want to thank
13 you, everybody involved. And I want to welcome the
14 institute to the neighborhood.

15 MR. FRISCH: Can you -- can you just give us
16 your name and address.

17 MR. HOPE: Oh, I'm sorry. Vince Hope, 30
18 Poplar Way. And the Board is hearing from the same
19 places tonight it appears.

20 Two items that I want to bring up. I'm not
21 an engineer and I got a letter into the Board, but it
22 wasn't in time to be included in the packet so you
23 have it, but I just wanted to verbally put it out
24 there, I've always -- we walk our dogs all the time on
25 the property, around the neighborhood. We are walkers

1 and -- for recreation. And this is a walking
2 neighborhood. And it would be inappropriate for the
3 neighborhood to install sidewalks to accommodate a
4 commercial entity that's out there, a private owner,
5 because of the opportunity here that we really have to
6 close Idlewood.

7 One comment, and there are no longer
8 Montessori folks here that are parents, but closing
9 that entryway, but leaving it as a bike path would
10 certainly -- and a walking path, would certainly be an
11 appropriate way for Montessori parents to access the
12 property. And we would welcome that.

13 And, again, we're always looking for this
14 opportunity for access ourselves, the way the property
15 has been available. So that, again, would be a
16 win-win in terms of just a bike path instead of a
17 road.

18 Not an engineer. I want to go back to the
19 bridge just for a second. In the letter that I sent
20 we all know here that the Evans Lane bridge up to
21 Westfall from our neighborhood is quite narrow. And
22 it -- legally, I don't know what the legal
23 requirements are for bridges or anything else, but
24 it's narrow enough that we have to be cautious. And
25 in personally measuring it, it's 22 feet exactly from

1 curb to curb. And it's tight when there are big
2 trucks going by, when there's, you know, other
3 equipment going through.

4 Measuring the bridge and, again, I don't
5 know what's required by the Board, but the bridge --
6 existing bridge is only 20 inches -- 20 feet and 2
7 inches wide, almost 2 feet narrower than the Evans
8 Lane bridge. So I would hope that in the engineering
9 discussion for the Winton Road bridge, that
10 appropriate spacing for larger vehicles that are going
11 to be using as primary entrance, actually is a
12 consideration. Thank you for your time.

13 MR. OSOWSKI: Okay. Thank you, Vince Hope.
14 Appreciate your comments. Next.

15 MR. FRISCH: Next is KC Sacco.

16 MS. SACCO: This is Kathleen Sacco, 20
17 Dartford Road. Thank you all for your time. We do
18 really appreciate you listening and hopefully reading
19 the letters that we've written and can take those
20 comments into play as you guys talk about it.

21 I think the biggest thing that we need to
22 bring to the table is that the largest concern for us
23 is that we are changing a property forever from being
24 what was always -- has always been a public property,
25 you know, owned by the Brighton School District,

1 taxpayers have, you know, a foot in the game, changing
2 that to a private property. And now, how does that
3 impact our neighborhood, our home values and how could
4 that development change in the future?

5 And the only way to control any of that is
6 through zoning requirements, through permitting,
7 through easements, to allow us to continue to have the
8 assets that we currently have in our neighborhood.
9 Right now the property is an asset to the Town. It
10 does serve -- it has Town services in it, Brighton
11 Rec, ambulance, you know, we've named them all.

12 So it is an asset to the Town. It is an
13 asset to the neighborhood as open green space and
14 recreational areas. I think Vince just made some
15 really good points. You know, we use it, as fields,
16 as playgrounds, as walking areas.

17 And so what we are asking is just to use the
18 control that you have that will then put standards in
19 place, legal standards in place, on this property for
20 future, not just for now, not just for four years, but
21 something that's really in writing, in Town
22 documentation that, one, separates now a private
23 property from a neighborhood as far as traffic
24 concerns.

25 MR. HOPE: Well put.

1 MS. SACCO: The tenants, you know, everyone
2 has to use a public entrance off of Westfall because
3 there's no longer a public entity that's serving a
4 neighborhood.

5 The other part is providing some kind of
6 zoning requirement or easement that maintains green
7 space for Brighton use. And, again, whether that is
8 the use of playgrounds or just a walking loop or a
9 direct path across the parallel with the creek to get
10 us from the neighborhood over to, you know, Buckland
11 Park, especially if it does expand. Those are the
12 types of things that are important to us. And those
13 are the only things that can be ensured with the help
14 of the Planning Board.

15 So I appreciate your time and I just want to
16 clarify that. And it's really just ensuring that our
17 neighborhood property is now -- gets maintained and
18 that it's something that's legal and it's not just a
19 gentleman's handshake or a verbal agreement. And
20 that's what we're asking for support with. Thank you.

21 MR. OSOWSKI: Thank you, Kathleen Sacco.
22 Next Jeff.

23 MR. FRISCH: I don't see anybody else at
24 this point. Is there anybody else that wants to
25 speak? Raise your hand or turn on your camera and

1 wave. There's a Kay Wilkcoff.

2 MR. OSOWSKI: Okay. Thank you very much.

3 All right. That's --

4 MR. FRISCH: We have one more.

5 MR. OSOWSKI: Oh, okay.

6 MS. WILKOFF: Hello. Can you see me?

7 MR. FRISCH: Yes.

8 MS. WILKOFF: Hi. I'm Kay Wilkcoff from 10
9 Southwood Lane, so another Evans Farm resident and an
10 early participant and interest in some of the early
11 planning for this.

12 I didn't have a chance to sign the current
13 neighborhood, I guess, submission. But I definitely
14 would. But I guess another figure that you can add to
15 that number.

16 I agree with the sentiments of my neighbors
17 shared tonight and especially the last comment shared.
18 I appreciated those as well. My main interest would
19 be advocating for the neighborhood long term. I'm
20 excited about the Talmudical Institute joining our
21 neighborhood, but want some sort of guarantees for
22 property value for the future development at Buckland,
23 for our neighborhood to have access to that with easy
24 walking and biking access.

25 And I would have not just for Evans Farm,

1 but for Willowbend to access across the crosswalk that
2 goes across Edgewood currently and coming through our
3 neighborhood, walking and biking to access that public
4 spaces as well. And then even some of the
5 neighborhoods just south of the highway that would
6 come up north and, again, cutting through our
7 neighborhood to walk and bike on some of the quieter
8 neighborhood streets versus along Edgewood.

9 The western side of Edgewood doesn't have
10 sidewalks as Aaron pointed out earlier how they end at
11 the south end of our neighborhood. So a lot of kids
12 who do like to bike currently down to FRES will cut
13 through the neighborhood. And I see the expansion of
14 community and public services in Buckland Park area,
15 neighborhood -- neighbors being drawn to that area,
16 that this cut-through through the property that,
17 again, we're looking to change into private hands, is
18 a majority throughway for future access to those
19 resources.

20 So I would love to see some sort of easement
21 or other legal or some sort of in-writing agreement,
22 again, for the long term reassurance for neighbors
23 that we can maintain this asset and throughway. And
24 then, again, some of the other neighbors highlighted
25 having the walking path or biking path in the place of

1 the current road is a great solution for partial, I
2 guess, accessibility to that side of the building for
3 the pre-school.

4 But certainly would agree that that entrance
5 needs to be closed at this time. And I'm thankful
6 that the Board is hearing out some of our concerns as
7 a neighborhood. Thank you.

8 MR. OSOWSKI: Okay. Thank you very much,
9 Kay Wilkcoff. Jeff, will that do it for us?

10 MR. FRISCH: I'm not seeing anybody else.

11 MR. OSOWSKI: All right. Great. I guess we
12 can invite Bill Price back and move on to the next
13 agenda item.

14 CHAIRMAN PRICE: Okay thank you. All right.
15 It does bring us to the application 5P-NB2-22.

16 **Application 5P-NB2-22**

17 Application of Bristol Valley Homes, LLC,
18 owner, and PEMM, LLC, contract vendee for Preliminary
19 Site Plan Approval to construct a 968+/- square foot
20 gas pump canopy, renovate an existing 1,278 square
21 foot building, install two gas pump islands, and make
22 additional site improvements for the purpose of
23 operating a Quickee's gas station and convenience
24 store on property located at 3108 East Avenue. All as
25 described on application and plans on file.

1 CHAIRMAN PRICE: Good evening. Is there
2 someone representing this applicant?

3 MR. GOLDMAN: Yes, Mr. Chairman. My name is
4 Jerry Goldman. I'm the attorney and agent for PEMM,
5 LLC, who is the operator of Quicklee's. With me on
6 the meeting tonight are John Sciarabba, who is the
7 project engineer. In addition, I believe that Lou
8 Terragnoli and perhaps Ken Perelli from PEMM are also
9 with us this evening.

10 We have appeared before the Planning Board
11 on concept. And now we are here on preliminary
12 approval and preliminary approval application. But as
13 the discussion went in your pre-session if you will,
14 this is a matter and a site that has been under
15 consideration with the Town for a substantial period
16 of time.

17 Our first real formal visit was with the
18 Historic Preservation Commission because, in fact,
19 this is a historic property. It had been operated as
20 a gas station for many, many years. And it's
21 protected under the Town regulations and requires HPC
22 review.

23 This I believe is probably the first
24 proposal that the HPC really liked because the
25 intention is to maintain much of the integrity of the

1 building itself on the site and basically to restore
2 the use to what its historic use had been. In
3 addition, the gas canopy which is being proposed is
4 meant to architecturally match up with the -- with the
5 building.

6 You have received some early iterations of
7 that architecture, which will be refined and will be
8 represented to the HPC as we go along in the process.
9 We do know that we need HPC approval for that in lieu
10 of visiting the Architectural Review Board.

11 So in addition to the Planning Board
12 approval, we will need approval for variances on the
13 site. As your staff report has pointed out, this is
14 0.36 roughly acre site south of the fire hall and
15 north of the driveway for the Friendly Home. It is in
16 the BE1 zoning district, which is an office district,
17 which much of the corridor is. Although nothing in
18 the district is an office.

19 So it does require relief from the Zoning
20 Board of Appeals by way of a use variance. In
21 addition, because of the size of the site and the fact
22 that it is part of BE1 zoning, there are some area
23 variances that are required for pavement setbacks,
24 parking and front yard canopy. And those variances
25 will be applied for from the Zoning Board of Appeals.

1 Typically the Town has requested when there
2 is a use variance attached to an application that we
3 come and file our initial preliminary application and
4 meet with the Planning Board before going to the
5 Zoning Board. And that is what we did. So we
6 anticipate that we will be hopefully at the next
7 application deadline making our application to the
8 Zoning Board of Appeals for the use variance and the
9 area variances for the site itself.

10 While a minor review County Planning has
11 completed their review of the site and has determined
12 it to be a matter for local determination and
13 literally provided no comments. They circulated that
14 to a number of agencies. And those comments are not a
15 problem for us to deal with as well.

16 In terms of the site itself, what I'm going
17 to do is turn this part of the presentation over to
18 John Sciarabba, who is the engineer from Lantech, who
19 has designed the site plan, to walk through the site
20 plan elements which frankly, are very much in line
21 with what we have presented at concept.

22 So with that, John.

23 MR. SCIARABBA: Good evening, Jerry. Good
24 evening, everybody. My name is John Sciarabba with
25 Lantech representing PEMM, LLC, this evening.

1 I think Jerry did an excellent job outlining
2 what the project goals are. But just to -- I'll go
3 through the site plan a little bit. This is more of a
4 revitalization in my opinion or a restoration.

5 You know, we had -- all existing utilities
6 are to the site. So we have existing water service,
7 sanitary laterals, storm service, gas and electric are
8 all there. What we tried to do as site engineers to
9 improve this site for traffic patterns and make it --
10 and beautify it.

11 One of the bigger elements that we've done
12 is we're reducing the access points on the north side
13 coming into the site. We are keeping the two access
14 points for traffic flow since it's such a small site.
15 We're adding landscaping elements. One of them is
16 landscape wall about 3 and a half feet in size --
17 height. Excuse me. Between the two entrances.

18 With that we've also reduced the amount of
19 impervious by about 11 percent. That's about 1700
20 square feet of asphalt that we're removing in that
21 island area between the two access points and along
22 the north property line.

23 Also intending to add some landscape --
24 excuse me -- some lighting to the site. We have three
25 pole-mounted lights. That will be one on this north

1 property line, one on the south property line and one
2 in the island. Those will be LD -- LED lighting, kind
3 of a historic gooseneck appearance. Those are 16 feet
4 in height.

5 We were able to generate 16 parking spots --
6 excuse me -- 14 parking spots on this site, seven
7 along the north property line, two adjacent to the
8 building. And then we counted the four sites at the
9 two pump islands in our count. Code only requires
10 six. So we're in good shape with that.

11 I did have a chance to review some of the
12 staff comments and the town engineer comments.
13 Currently the site drains partially to a dry well
14 within the property. And it also drains in a
15 northeastern direction between the property of the
16 fire hall and the Friendly Home down an existing slope
17 towards Allens Creek.

18 This site is only three-tenths of an acre
19 and we're not required to do a stormwater pollution
20 prevention plan. So in a good faith effort, we wanted
21 to control stormwater in some ways. So if you see
22 behind the building, we created a depression to
23 achieve that goal to slow the water down, retain it
24 for a little bit. The Town engineer did comment on
25 that and wants some more specifications to that, which

1 we will do. I don't see any show stoppers on any of
2 the comments.

3 One of the comments that -- and my client
4 might want to make sure, if you look at the north
5 entrance and then along the north side of the canopy
6 going towards the building, we have a -- kind of a
7 crosswalk. We want to bring our clients off of East
8 Avenue as they walk and find a way. But we feel that
9 hatched area is really not an appropriate location.
10 We really want to focus on the hatched area at the
11 southern entrance, which is kind of down between the
12 driveway and the Friendly Home and kind of traverses
13 into our site, past the bike rack, towards the
14 handicap spot and into the -- into the building.

15 We really want to eliminate that. We hope
16 that you agree that that's the better access point.
17 Really that's going to be striped area just to
18 delineate where pedestrians can access the site.

19 Other changes that you probably wanted me to
20 note, the landscaping plan that we provided may be
21 retooled a little bit, due to the height of the wall,
22 some of the plantings we proposed will not be seen and
23 then areas of snow storage in that site as well. So
24 that will be retooled.

25 Other than that, all comments that we

1 received from staff I think we can address as we move
2 through the project. I look forward in working with
3 the Board and addressing any comments you have.

4 MR. GOLDMAN: Normally at this point I would
5 turn it over to Lou Terragnoli, who is the director of
6 real estate at PEMM. But I just got a text from him
7 saying that he had to leave for a family situation.
8 So John and I will have to improvise the best we can
9 in terms of any questions that the Board may have
10 relative to the application.

11 I think it's -- it will be pretty
12 challenging to think that we would be looking at any
13 form of approval tonight. So we certainly will take
14 everything into account and be able to address your
15 comments as part of a -- as part of a resubmission if
16 that's deemed necessary.

17 CHAIRMAN PRICE: Okay. Jerry and John,
18 thank you. Jeff and Brendan, do you guys have some of
19 the architectural elevations of this project? I know
20 that's not in our purview.

21 MR. FRISCH: We can find them.

22 CHAIRMAN PRICE: If you could at some point.
23 You know, I did listen to this application when it was
24 presented at the Conservation Board. I'm not actually
25 sure I've got any specific questions, you know,

1 knowing that you do need a use variance and some area
2 variances, as well as Historic Preservation
3 certificate of appropriateness.

4 So I guess I'm not sure I really have many
5 questions. I'd be interested in the rest of the Board
6 and maybe moving on to the public.

7 Other Board members have any questions or
8 concerns for Jerry or John?

9 MR. OSOWSKI: This is John. I just have a
10 question. Is there -- are there plans for a backup
11 generator for this facility?

12 MR. SCIARABBA: There's no plans at this
13 time for a backup generator. There are staff comments
14 about HVAC equipment. And that will be located on the
15 rear of the building towards the fire hall away from
16 the family home residence that's there.

17 MR. OSOWSKI: Okay. Tell me has this
18 building been evaluated for the presence of any
19 asbestos containing materials that may need to be
20 abated?

21 MR. SCIARABBA: I know there's been a Phase
22 1 completed, Jerry, but I'm not sure about asbestos.

23 MR. OSOWSKI: Okay. May want to get back to
24 us on that. And since this has been a gas station for
25 so many years, has it -- has the soil been

1 investigated for any leaks of gasoline contamination?

2 MR. SCIARABBA: So the -- and this is just
3 knowledge that Lou Terragnoli would have better than
4 me, but the tanks were removed at one time under DEC
5 guidelines. So there are no tanks there. There are
6 no records of spills from our knowledge. And we'll be
7 working in the future with a company for the
8 installation of new tanks that they'll get a permit
9 for.

10 MR. OSOWSKI: All right. Thank you.

11 CHAIRMAN PRICE: Anyone else on the Board
12 have questions? Unfortunately I can't see everybody.
13 So Karen, do you have any questions?

14 MS. ALTMAN: What are the hours of operation
15 that are proposed? I wanted to be clear on that for
16 the store and the gas.

17 MR. SCIARABBA: At this time we're proposing
18 5 a.m. to midnight for the operation of the store.

19 MS. ALTMAN: Thank you.

20 MR. FRISCH: Will the lights be turned off
21 at those times -- after those times.

22 MR. SCIARABBA: Yes. There might be some
23 small lighting, but obviously the outside lights will
24 be off.

25 MR. FRISCH: Okay.

1 MR. GOLDMAN: Just to note, the BE1 district
2 we are located does not have any limitation on hours
3 of operation unlike other commercial districts and
4 towns. So we are restricting those hours. It's
5 certainly not going to be a 24-hour operation.

6 CHAIRMAN PRICE: All right. Thank you,
7 Jerry.

8 Jason, do you have any questions?

9 MR. BABCOCK-STIENER: All good.

10 CHAIRMAN PRICE: Okay. David Fader? How
11 about Julie? Any questions Julie?

12 MS. FORD: Not at this time.

13 CHAIRMAN PRICE: Okay. All right. Thank
14 you. And I did ask for David and I'm not sure if he
15 said no or shook his head or anything. So all right.

16 Okay. Jeff or Ken, questions from either of
17 you.

18 MR. FRISCH: Yeah. I have a few. Were
19 the -- is there going to be any food production on the
20 site that would require a grease trap?

21 MR. SCIARABBA: No, there will not. The
22 only prepared food would be a coffee maker.

23 MR. FRISCH: Okay. Where will the gas tanks
24 be located?

25 MR. SCIARABBA: Currently the owner

1 speculates they're going to be in the southeastern
2 portion of the site underneath the handicap spot in
3 that area.

4 MR. FRISCH: Yeah. That's kind of where
5 they were before I think.

6 MR. SCIARABBA: Correct. And too, Jeff, was
7 I did have a conversation with the Fire Marshal and
8 based on code, this building will be sprinklered.

9 MR. FRISCH: Okay. So you'll just have to
10 show that there's enough water to -- pressure to --

11 MR. SCIARABBA: Yeah. We'll have to -- a
12 back flow plan would be designed and approved by water
13 authority, health department for that.

14 MR. FRISCH: Did you meet with any of the
15 neighbors before this project? I know it was kind of
16 recommended previously, but --

17 MR. SCIARABBA: I have not personally. And
18 I don't believe we have. It's kind of a unique
19 situation where obviously we have the fire hall and
20 then we have the Friendly Home. And I think the other
21 house may be a rental.

22 MR. FRISCH: Okay.

23 MR. SCIARABBA: So hopefully some neighbors
24 speak tonight and I'd like to hear any comments they
25 have.

1 MR. FRISCH: Yeah. There was a lot of
2 concerns. There's a lot regarding traffic and also
3 reuse of the building as well.

4 MR. GOLDMAN: We'd be very interested in
5 seeing those comments. As you know Jeff, I was at the
6 Town hall last Thursday I believe. And at that time I
7 didn't know whether we had any on and I didn't see any
8 reflected in the final agenda, which was posted.

9 So we certainly would be interested in
10 hearing what comments are out there so that we can
11 adequately --

12 MR. FRISCH: Many of them came in the last
13 48 hours. I did post some additional comments.
14 They're under the agenda session. But I kind of put
15 those --

16 MR. GOLDMAN: Okay. That's fine. I mean,
17 obviously, we have the public hearing, which gives the
18 ability to hear that. We'll have the opportunity to
19 review those comments in writing.

20 MR. SCIARABBA: Bill, to add to that, I just
21 want to let you know I did submit this plan to the New
22 York State DOT because we are modifying the driveway
23 access point. So I wanted to share that we got that
24 information very early.

25 MR. FRISCH: Yeah. Looked like on the

1 plan on the south side, it looks like one of the lanes
2 is about 8 feet wide. So it's like noted on the plan.
3 So I'll take a look at that and make sure those will
4 comply.

5 David, do you have something?

6 MR. FADER: I just -- Bill I don't think
7 could hear me before. And I just wanted to let him
8 know that I didn't have any questions.

9 CHAIRMAN PRICE: Thank you. All right. And
10 did I ask Jason? I think I did.

11 MR. BABCOCK-STIENER: You did. And I don't.

12 MR. GORDON: Jeff, are you all set? This is
13 Ken.

14 MR. FRISCH: I'm all set, Ken.

15 MR. GORDON: I just have one suggestion for
16 whatever is going to be presented as to HPC. When
17 this was presented to HPC in concept review, I do not
18 recall the new entrance and exit doors on the
19 building. There's two of them that are going to be
20 installed.

21 I think that HPC is going to be interested
22 in seeing details as to what those doors are going to
23 look like to make sure that they blend with the
24 historic character of the building. So just be
25 prepared for that please.

1 MR. FRISCH: Also in the future submissions,
2 if you would show the HVAC location. It seems like
3 that might interfere a little bit with the pond, the
4 stormwater that you're showing in the back.

5 MR. GORDON: I would say -- I would say also
6 specify in the future the UST location as well because
7 we couldn't find that.

8 MR. SCIARABBA: Thank you. Good
9 suggestions.

10 CHAIRMAN PRICE: Okay. Ken, you're all set?

11 MR. GORDON: Yup. All set. Thank you.

12 CHAIRMAN PRICE: Okay. John and Jerry, I'm
13 going to move on to public comment now.

14 This is a public hearing and everybody who
15 is interested in this application is welcome to speak.
16 Please raise your hand and Jeff or Brendan will find
17 you and we'll be happy to hear your comments or
18 questions.

19 MR. FRISCH: There's a Bridget Stone.

20 CHAIRMAN PRICE: Good evening.

21 MR. FRISCH: Bridget, you can speak now.

22 MS. STONE: I don't know if you can see me.

23 MR. FRISCH: Yup. We can see you.

24 MS. STONE: Okay. Hi. I'm Bridget Stone
25 and I'm at 1110 Allens Creek Road, which is right

1 across the street from the proposed site.

2 I was surprised to hear the hours of
3 operation. I wasn't aware that it was going to be
4 5 a.m. to midnight. This is a residential area. This
5 is not a commercial area. This -- there's no --
6 there's no place for this -- for this project in our
7 residential area. I don't understand how the Board
8 could consider a variance use for a project such as
9 this.

10 CHAIRMAN PRICE: Okay. That's for the
11 Zoning Board of Appeals to determine.

12 MS. STONE: What is this committee
13 determining then?

14 CHAIRMAN PRICE: We're the site plan
15 approval. Do you have any comments on the site plan?

16 MS. STONE: The lighting.

17 CHAIRMAN PRICE: Okay. What about?

18 MS. STONE: It's excessive for a residential
19 area.

20 CHAIRMAN PRICE: And how do you know that?
21 What's that based on? Actually we're just here to
22 listen to comments. Okay? We're not -- we don't --
23 we'll take your comments and address them. If it's --
24 lighting sounds like it's a comment and you would like
25 us to -- we'll take a look at --

1 MS. STONE: There's environmental study. I
2 mean, I could go on. There's traffic.

3 CHAIRMAN PRICE: What -- okay. This
4 wasn't --

5 MS. STONE: The traffic -- I looked at the
6 traffic report. It was observed for one day. They
7 looked at traffic for one day in January.

8 CHAIRMAN PRICE: Okay.

9 MS. STONE: So they're basing the increased
10 traffic on Penfield percentage of increase, not
11 Brighton. I just think there's so many things
12 incorrect in this proposal. So I could go on for a
13 half an hour, but...

14 CHAIRMAN PRICE: Well, okay. Go on for 52
15 seconds more.

16 MS. STONE: You know what? I have a lot of
17 neighbors that also want to speak. So I will give up
18 my 52 seconds for them to speak because it is almost
19 11 o'clock.

20 CHAIRMAN PRICE: Thank you very much. Who's
21 next, Jeff?

22 MR. FRISCH: Karen Bentley.

23 CHAIRMAN PRICE: Good evening.

24 Who do we have?

25 MS. BENTLEY: Karen Bentley. I live at --

1 my husband Bob and I live at 3939 Elmwood Avenue. Our
2 property is directly across from this proposed gas
3 station plan. And we are very concerned about the
4 light pollution that would emanate from the station
5 with this huge canopy, which is 16 feet tall. And the
6 glare that would come across the street to our
7 property would be significant, especially in the
8 winter months when there's snow on the ground.

9 And it states on page 137, item 14, the
10 parking lots shall be placed on a timer and shall be
11 turned off from 10 p.m. to 6 a.m. So now we've been
12 told by the representatives that this is going from
13 5 a.m. to midnight. Those hours are totally
14 unacceptable to us.

15 And we consider the fact that we are a
16 residential neighborhood and our property values are
17 over \$400,000. And this will significantly affect any
18 resale value that we would have if this goes forward
19 as planned. So we pay taxes to the Town of Brighton.
20 And we expect that we will have some due diligence
21 done on this proposed plan because it is totally
22 unacceptable to us who live directly across the street
23 and around the corner from this proposed gas station,
24 which is really now an office space. Thank you.
25 That's all I have to say.

1 CHAIRMAN PRICE: Thank you. Jeff, who's
2 next?

3 MR. FRISCH: Kate Hartford.

4 MS. HARTFORD: Hi. Can you guys hear me?

5 CHAIRMAN PRICE: Yes, we can.

6 MS. HARTFORD: Okay. Thank you so much.

7 I'm going to keep this brief because I didn't -- I
8 also live in the neighborhood across the street from
9 the proposed location. And I will admit that my lack
10 of knowledge of the Planning Board and the process is
11 extremely limited. I just heard about the proposal as
12 I think all of us in our neighborhood did just within
13 the past couple of days. So to the point that, you
14 know, nobody said anything until now, I think that's
15 just because we didn't know.

16 Also when you compare, you know, our
17 thoughts to those of the folks in the Evans Farm
18 neighborhood over the past couple hours, they've
19 certainly I think had some time to organize, review
20 the plans and everything and were able to speak
21 somewhat more knowledgeabley due to that time to plan
22 and review the plans. So I think part of what you're
23 hearing from us right now is just a lack of
24 familiarity, feeling somewhat surprised.

25 And some mention has been made to the fact

1 that oh, this has always been a gas station. It
2 hasn't been a functioning gas station I don't think
3 recently. You all would have more knowledge of that
4 than we do. But to us, you know, when they said that
5 we've notified the neighbors, we -- it's very much a
6 part of our neighborhood and we didn't know anything
7 about it. So maybe that communication could be more
8 open now.

9 It is a surprise. It is highly residential.
10 And in that intersection there we've had concerns with
11 the Town -- this isn't necessarily with the planning
12 committee -- but so you all are aware of the history.
13 Our children walk to Allens Creek school in the
14 morning. There's no crossing guard. They recently
15 took away the crossing guard at that intersection.
16 It's an extremely dangerous intersection. We have a
17 lot of concerns about safety in that area as you walk
18 there. And I'm talking about the intersection of
19 Allen Creek -- Allens Creek and East, which is right
20 there.

21 So, again, you know, we appreciate a lot
22 goes into the planning. I think that we aren't very
23 familiar with it. And I don't know if there's
24 somebody we could maybe speak with to become more
25 familiar with the process and the committees so that

1 we can be informed and we can have input. Because we
2 do care very much about our community and safety.
3 And, of course, we want to see properties being used
4 and being used in a way that will benefit the
5 community and the Town of Brighton. And I think we
6 just feel like we haven't been aware and have been
7 outside of the process. And now we're trying to be a
8 part of the process. And that's really all I have to
9 say.

10 CHAIRMAN PRICE: Thank you. Thank you for
11 taking time to participate. Anybody else, Jeff?

12 MR. FRISCH: Yup. Linda.

13 MS. STEVENSON: Hi. My name is Linda
14 Stevenson. I live at 12 Creekdale Lane. I'm one
15 street in from Elmwood East area. I've lived here for
16 35 years. I remember the gas station.

17 So I read through your document and I had a
18 series of questions. But I heard that we're not to
19 ask questions. We're just to comment. So I'll just
20 make a --

21 CHAIRMAN PRICE: Feel free to ask them. We
22 just might not respond to them.

23 MS. STEVENSON: Oh, okay. Thank you.

24 CHAIRMAN PRICE: And turn that around and
25 either ask the consultant to address them. Or the

1 applicant. I'm sorry. Or see if the Town staff will
2 address those over the next few meetings. But go
3 ahead and ask, just don't expect a response.

4 MS. STEVENSON: Okay. All right.

5 CHAIRMAN PRICE: We want to be prepared too.

6 MS. STEVENSON: Okay. I read through
7 what -- the pages of documentation. And so my first
8 question or comment is on the tanks. And I heard from
9 the Town that you believe that the tanks -- the
10 underground tanks were previously removed and that new
11 tanks would be installed, which would be verified as
12 part of the meeting tonight.

13 So were the old tanks removed? And was
14 remediation done? And have new tanks been put in
15 place?

16 CHAIRMAN PRICE: The applicant did respond
17 to that. The Town staff was aware that the previous
18 tanks were removed. And the new tanks would be going
19 in approximately the same location on the south side
20 of the building. And those will be added to drawings
21 at our request, one of our -- I believe our town
22 attorney's request. Those will be added to the
23 drawings so you'll know where they're going.

24 MS. STEVENSON: Okay. Relative to the
25 person who just spoke before me, we did just receive

1 this information within the last couple of days. We
2 really are part of the neighborhood. We're across the
3 street. There's such a dichotomy and difference.

4 So the only frame of reference I had was the
5 Quickee in Fairport on north Main Street as to what
6 this was going to look like. I have no sense of what
7 the building is going to look like. I know you talked
8 about the size of the canopy, you know, and their
9 numbers. Bullet I don't have an image. So will there
10 be an image forthcoming?

11 CHAIRMAN PRICE: Sure. Yes. They have
12 actually provided elevation renderings. The building
13 will look substantially similar. It's not like you're
14 going to see a whole new building. It's a renovation
15 of the existing building and new canopy structure
16 being added in front of it to go over the pumps.

17 MS. STEVENSON: I see. Okay. The question
18 on the form was will the proposed action result in
19 substantial increase in traffic above present levels.
20 And you answered no.

21 I'm a marketing person. You're enlarging
22 the functionality, if my understanding is correct, of
23 this building. You're going to be selling more
24 things. It's not just going to be pumping gas. You
25 may have a service area. I don't really know. But if

1 you're adding more inventory to sell, more
2 opportunities to sell, then you need to have people
3 come and buy. And people aren't coming there and
4 buying right now because it's an old building and
5 nobody's using it.

6 So how can you say that there won't be an
7 increase, a substantial increase in traffic? What
8 does substantial mean? Is it 5 percent? 100 percent?
9 I don't know.

10 CHAIRMAN PRICE: Yeah. So all of those
11 questions I am going to dodge not because I don't know
12 the answers, but I'm not the one that checked the no.
13 That's the applicant. And that's for us -- that's our
14 job as the Planning Board is to assess those questions
15 as well.

16 MS. STEVENSON: Okay. On number 9 on the
17 short environmental form --

18 CHAIRMAN PRICE: You've exceeded your three
19 minutes.

20 MS. STEVENSON: Mea culpa.

21 CHAIRMAN PRICE: So please submit the rest
22 of your questions and comments in writing to Jeff
23 Frisch.

24 MS. STEVENSON: I already have. And does
25 email count as writing?

1 CHAIRMAN PRICE: It does. Yes, it does.

2 MS. STEVENSON: Then he has it. Thank you
3 for your time.

4 CHAIRMAN PRICE: Thank you for both coming
5 to the meeting and submitting your questions. Anyone
6 else, Jeff.

7 MR. FRISCH: If anybody else wants to speak,
8 raise your hand virtually or turn your video on. I'm
9 not seeing anybody else.

10 CHAIRMAN PRICE: Okay. All right. Going to
11 give it ten seconds before we move on. Actually I'm
12 not giving it ten seconds. We're moving on. It's
13 late and we have -- that is the last of our public
14 hearings, is it not, Jeff?

15 MR. FRISCH: Yes.

16 CHAIRMAN PRICE: Okay.

17 MR. FRISCH: Jerry's raising his hand to
18 speak.

19 CHAIRMAN PRICE: Who is? Jerry?

20 MR. GORDON: The applicant.

21 CHAIRMAN PRICE: The applicant, Jerry.
22 Jerry, what have you got buddy?

23 MR. GOLDMAN: Only to say that if you had
24 any more questions for us we'd be willing to answer
25 them. I was muted. So I raised my hand to allow us

1 to be able to answer if there were any other
2 questions. But we're fine. And we appreciate the
3 consideration of the Board and the neighbors and look
4 forward to seeing the written comments and we'll work
5 forward from there.

6 CHAIRMAN PRICE: Very good.

7 MR. GOLDMAN: Thank you very much. Night,
8 John.

9 MR. GORDON: I see a hand raise from a Karen
10 Bentley.

11 CHAIRMAN PRICE: Okay.

12 MS. BENTLEY: I just wanted to let you know,
13 tell you that a lot of people who wanted to speak
14 tonight because of the time spent waiting for this to
15 be presented have left the meeting. And so what is
16 the time frame for submitting all of our comments to
17 the Planning Board? Is it within a week's time? Two
18 weeks time? What is the plan?

19 CHAIRMAN PRICE: Well, you'll have -- yeah.
20 That's actually a good question. I would say -- Jeff,
21 do we have a statutory time frame for submitting
22 comments?

23 MR. GORDON: Bill, this is Ken Gordon.

24 CHAIRMAN PRICE: Ken, yes. Thank you.

25 MR. GORDON: Sure. So right now is the

1 public hearing. Comments can be made in person or in
2 writing as long as the public hearing remains open.
3 So it depends on what the Board does with this matter
4 once it deliberates. If it leaves the public hearing
5 and tables the matter, then comments can be submitted
6 in writing through the close of the public hearing,
7 which wouldn't occur until the next meeting.

8 But if the Planning Board decides to close
9 the public hearing today, that cuts off the comment
10 period. So --

11 MS. BENTLEY: So then we need to know are
12 you cutting it off today?

13 MR. GORDON: Ms. Bentley, I wasn't done
14 speaking.

15 MS. BENTLEY: Oh, sorry.

16 MR. GORDON: So it is up to the Planning
17 Board to determine that. And we'll discuss that when
18 we get to discussing this matter later on in the
19 evening I would imagine.

20 CHAIRMAN PRICE: We will.

21 MS. BENTLEY: Okay. Thank you.

22 CHAIRMAN PRICE: Thank you. All right.
23 That is the last of the public hearings for the night.

24 We do have a advisory report to -- an
25 application to look at and make an advisory

1 recommendation I believe. This would be for Jewish
2 Senior Life.

3 Jeff, do we -- does this -- do we have an
4 applicant and plans that we can show and discuss?

5 MR. FRISCH: We have the plans.

6 MR. GOLDMAN: Mr. Chairman, if you'd like a
7 brief presentation, I'd be more than glad to do it. I
8 want to respect the fact that it's been a long evening
9 for you so far and you're not quite done yet.

10 CHAIRMAN PRICE: Yes. Thank you. If you
11 could bring us up to speed on this, that would be
12 great.

13 MR. GOLDMAN: I'd be glad to do it. For the
14 record, my name is Jerry Goldman. I'm the attorney
15 and agent for Jewish Senior Life. With us this
16 evening are Matt Tomlinson who is the project engineer
17 from Marathon Engineering. I believe we may have
18 representatives from our architectural consultant,
19 Perkins Eastman. Also available as well as the
20 president of Jewish Senior Life, Michael King is also
21 in attendance.

22 This matter is an incentive zoning matter.
23 I think most of the Board's familiar with the
24 procedures related to that. But I will briefly
25 summarize. We had had extensive discussions and

1 presentations with the Town Board to deal with
2 incentive zoning on this particular site, which
3 resulted in the framing of an application, which was
4 reviewed by Town staff and by the Planning Board and
5 modified per their comments. And the Town Board has
6 deemed the proposal worthy of further consideration.

7 I'll just briefly summarize what it is that
8 we are talking about here. The property that we are
9 talking about is the Summit property, which is located
10 on Meridian Center Drive shown on your screens right
11 now. There are two buildings which frame the entrance
12 of it on the bottom of the picture, which is the south
13 end of the site, which are slated to house 35
14 additional units each with parking underneath the
15 buildings.

16 And the -- because of the fact we have a cap
17 which was established by a previous incentive zoning
18 of 201 units for the overall site and our proposal if
19 fully built out would wind up with 236 units on site,
20 we need a modification of an incentive zoning
21 condition.

22 Also we need to modify a couple of other
23 incentive zoning decisions dealing with density, which
24 right now is below the 8.2 unit per acre threshold,
25 which was allowed under the incentive zoning, to 9.6

1 units per acre.

2 Also the minimum front setback for this use
3 was established at 300 feet, I think pretty much to
4 tailor it to the buildings which were proposed at that
5 time.

6 The amendments to the incentive zoning that
7 we're proposing here are within the underlying zoning,
8 the RHD2 zoning, which would allow us 14 units per
9 acre, which would allow us probably 342 units on the
10 site and also a minimum front setback of -- which is
11 the far less than what would be required under code.

12 The primary new incentive that we are
13 looking for is building height. And discussion with
14 the Town and discussion in our planning while the code
15 has a maximum of three stories for building height, we
16 are proposing a four-story building, again, with our
17 parking underneath on the site. And this is something
18 which was designed to minimize the disturbance and
19 minimize the green space that is involved.

20 As a result of that building height we also
21 have a building height relief request. Under code
22 it's a 40 foot building height. And we're proposing
23 47 feet. And in addition, surrounding our pickleball
24 court, we are proposing a 10 foot height fence as
25 opposed to a 6 foot high fence.

1 Also we have a second emergency generator in
2 a side yard and one of our accessory buildings is --
3 which is meant to store our equipment is greater than
4 the 250 feet by code. It's a 1400 square foot
5 building. And that accessory building will be 24 feet
6 in height.

7 Those -- those are relatively consistent
8 with the type of development that we are talking about
9 here. And we have had extensive discussions, as I
10 said, with the Town Board. We have negotiated at
11 least to this point what we have viewed as an
12 appropriate amenity to offset the -- to offset the
13 incentives, which we consider to be relatively,
14 relatively minor.

15 But what was being proposed is that Jewish
16 Senior Life is actually going to be constructing
17 sidewalk from where it stops on Winton Road north of
18 the 590 expressway all the way to Brighton Volunteer
19 Ambulance, which is required under -- apparently under
20 their agreements to put 5 foot sidewalks in front of
21 their property. But in addition to that, Jewish
22 Senior Life will be constructing sidewalk on Westfall
23 Road about halfway up to the -- up to Buckland Park.
24 So it's a pretty generous amenity package that we are
25 proposing.

1 So with that brief introduction, I don't
2 know whether Matt or Mike or Scott or anybody else has
3 anything they want to offer. But we'd be happy to
4 entertain any questions that the Board may have.

5 MR. GORDON: Jerry, this is Ken Gordon.
6 Could you just also detail for --

7 MR. GOLDMAN: You froze on me, Ken.

8 MR. GORDON -- just briefly the multipurpose
9 room -- I did. Oh, dear. Multipurpose room and
10 theater and the additional room.

11 MR. GOLDMAN: Yeah. We have a multipurpose
12 room and theater, which basically replicates areas
13 which are located within the existing building. As a
14 part of the resident demand, where as at one time
15 there was a single kosher kitchen servicing the entire
16 site, there was a demand for food service which
17 contained both kosher and non-kosher. And without
18 getting into a lot of details, what has really become
19 necessary is the creation of additional space within
20 the main building to allow for -- to allow for the
21 kitchens and to allow for seating and all of that.

22 The theater sounds like it's something very
23 big. But the theater, in fact, is something which
24 houses 30 residents with wheelchairs, chairs and the
25 like. It's not a theater of any sort.

1 The multipurpose room is not meant to be --
2 designed or meant to be leased out to anyone else. It
3 is designed for use by the residents for common
4 activities on the site.

5 MR. GORDON: And Jerry, in addition to the
6 amenity of -- and you said constructing sidewalks.

7 MR. GOLDMAN: Yes.

8 MR. GORDON: Can you just clarify as design
9 and construction of the sidewalks, 1100 linear feet
10 and I think it's 850 linear feet on Westfall; is that
11 correct?

12 MR. GOLDMAN: That's correct. That's
13 correct.

14 MR. GORDON: And in addition to that, can
15 you just talk very briefly, again, about the cash
16 amenity that's also going to be continued?

17 MR. GOLDMAN: There is -- there is an
18 amenity structure which is in place from Summit. That
19 amenity structure provides that the -- that Jewish
20 Senior Life would pay \$100 per year per unit as
21 adjusted by the consumer price index for -- from the
22 time of the original incentive zoning, which I think
23 now totals about \$170 per year. And in giving what I
24 think the CPI is going to be this year, we could be
25 talking about a pretty substantial increase this year

1 in addition to that. But we are proposing to continue
2 and extend that amenity to the new units that we are
3 talking about.

4 I should point out that while we're seeking
5 approval for the two 35-unit buildings, our proposal
6 is going to be to construct the first building, the
7 one which is located on the east or the right of the
8 driveway first. And as the absorption rate is taken
9 into account, the second building would be
10 constructed.

11 And I believe in discussions that we had,
12 Ken, it appears that that amenity would kick in at the
13 point of the issuance of a C of O for each of the
14 buildings.

15 MR. GORDON: Yes. I would agree.

16 CHAIRMAN PRICE: Jerry --

17 MR. GOLDMAN: Yes.

18 CHAIRMAN PRICE: Okay. So we're not at
19 concept level here are we? We're --

20 MR. GOLDMAN: Correct.

21 CHAIRMAN PRICE: This plan has been
22 advanced. And the Town Board and Jewish Senior Life
23 has kind of worked through the details. So it's not
24 like we're being brought in at a time when you're
25 talking concepts and, you know, issues of density.

1 And you know, we're on the tail end of any
2 conversations here.

3 MR. GOLDMAN: We understand the normal
4 tension between the Town Board and the Planning Board.
5 And I don't see a tension in a bad way.

6 But just the fact that the boards have
7 jurisdictions and sometimes they overlap and the Town
8 Board jurisdiction typically on incentive zoning is --
9 is sometimes viewed as encroaching on some of the
10 Planning Board's, you know, review and everything else
11 relative to the site. But as a practical matter, you
12 know, what we are doing is that we have made a
13 proposal relative to this. And certain elements would
14 likely be locked in as a part of the incentive zoning
15 approval. I think the building height in particular,
16 certain aspects that would normally -- that would
17 normally involve going to the Zoning Board of Appeals.

18 You know, we are hopeful that we are
19 certainly on the right track relative to the site plan
20 issues and design. But we do understand the Planning
21 Board's jurisdiction in dealing with those issues if
22 the incentive zoning is granted.

23 MR. GORDON: Yeah. And if I may, this is
24 Ken Gordon. If I may, Bill. So the code really
25 envisions the Town Board striking the balance between

1 granting the incentives and the amenities that the
2 applicant is offering, but looks to the Planning Board
3 for and advisory report, and that's where we are now,
4 on whether these incentives, building height, density,
5 square footage of the accessory buildings, et cetera,
6 are appropriate for this site.

7 And really the expertise in terms of site
8 review and site planning lies with this Board, not the
9 Town Board.

10 MR. GOLDMAN: And I should add that we are
11 not seeking -- by silence you have the word that we
12 are not seeking, for example, relief from green space
13 requirements. So we are cognizant of the things that
14 are important from the site plan point of view as part
15 of our site design.

16 We're trying do something which we think
17 matches the -- you know, the ability of the site to
18 handle what is being proposed here. And that -- and
19 the four-stories is the primary mover, but remember
20 next door to us we have the seven-story Jewish Senior
21 Life tower. We are within a few feet actually of the
22 actual building height of the cottages, which are the
23 buildings which are in front of the Jewish Senior
24 Life. They have peak roofs. But in terms of the
25 actual height to the peak, we're within a couple 3

1 feet.

2 So we aren't talking about something which
3 is out of character relative to the -- relative to the
4 Jewish Senior Life campus.

5 CHAIRMAN PRICE: You know I -- I remain --
6 and I do hope I'm consistent on this. I remain
7 fundamentally disappointed that this incentive zoning
8 process allows the process to get to this point before
9 bringing it to this Board. And to think that this
10 anything more than us rubber stamping something that's
11 already been decided, you know, don't think that's it
12 anything but. I'm not pleased with this. And, you
13 know, coming and asking us for our blessing after
14 these decisions are clearly -- have been made, I as
15 the Chairman don't appreciate it.

16 That said, if you want me to, you know, work
17 with this Board to come up with, you know, a
18 recommendation does this -- does this fit in the
19 character of the Jewish Senior Life complex, we'll do
20 that.

21 But, this is -- this is disappointing,
22 Mr. Gordon, that this hasn't been brought to us and we
23 haven't been engaged in this process earlier than
24 this.

25 MR. GORDON: The code clearly spells out the

1 process --

2 CHAIRMAN PRICE: I -- yes. We can -- we'll
3 have to talk about the code.

4 MR. GORDON: We can talk about changing the
5 code, but --

6 CHAIRMAN PRICE: We'll talk about it.

7 MR. GORDON: -- the code as it exists today
8 is being followed. And it certainly would be
9 disappointing to the Town Board to hear the Planning
10 Board Chairman think that it's nothing other than a
11 rubber stamp.

12 So I would hope that the rest of the Board
13 at least would use their substantive knowledge in
14 looking at the site plan and determining whether this
15 plan is appropriate for this site, rather than --

16 CHAIRMAN PRICE: This plan is probably very
17 appropriate for this site. It's just why hasn't this
18 Board been brought into this process earlier. All
19 this is --

20 MR. GORDON: Certainly the applicant -- the
21 applicant could have brought this in for concept
22 review, but this is the process that is spelled out in
23 the Town code. And this is the way that it is
24 supposed to go.

25 CHAIRMAN PRICE: Well, I think the

1 Planning --

2 MR. GORDON: Maybe there's --

3 CHAIRMAN PRICE: -- Board has mentioned in
4 previous applications dating back to --

5 MR. GORDON: -- revisions improvements that
6 can be made to the code. Yeah.

7 CHAIRMAN PRICE: Yes. We've made that
8 clear.

9 MR. GORDON: Understood. Thank you.

10 CHAIRMAN PRICE: You know, so the Town Board
11 has -- doesn't -- you know, shouldn't be disappointed
12 with us. They should know our position on this.

13 So let's use our substantive and collective
14 knowledge on site plan and building massing and
15 traffic circulation as to whether this is an
16 appropriate design for this site or not.

17 MR. FADER: I'd just like to comment that I
18 agree with Bill. I think it's unfair to say that
19 they'd be disappointed with him. I mean, he's just
20 stating the truth. This has been going on for years.
21 If anybody should be disappointed it would be Bill.

22 CHAIRMAN PRICE: And I am. That said, this
23 is not a bad site plan. It is not inappropriate.
24 Building heights are not affecting any adjacent
25 neighbors or residence. The variety of height, the

1 variety of architectural styles, it's all well-thought
2 out and not sure there would be, you know, much that
3 we could offer as improvements to this for what is
4 being proposed. I would like the rest of the board's
5 opinion though.

6 MR. FADER: Bill, I agree, the fact that the
7 buildings are located in the same area that the rest
8 of the buildings are. I don't see anything that jumps
9 out that's really terrible.

10 CHAIRMAN PRICE: No. No, I don't. What's
11 happening to the gardens at the walk center -- the
12 memory center? Looks like the gardens out there are
13 being compromised for the theater.

14 MR. GOLDMAN: I'll defer to matter Tomlinson
15 from Marathon or Scott Fitzgerald from Perkins Eastman
16 to address the details of the site plan.

17 MR. TOMLINSON: Sure. I can speak to that a
18 little bit, Bill. We've been working to integrate the
19 outdoor space, pickleball court excluded just because
20 of space constraints, but there are series of raised
21 gardens on the outside of the loop road if you will
22 currently. And the gardens outside the Wolk Center
23 are reported by JSL to be underutilized significantly.

24 So outside of the multipurpose room there's
25 intention to provide some overhang an outdoor space as

1 well as moving the raised gardens, making them ADA
2 accessible, and bringing them inboard of the loop road
3 kind of close to that same gathering area for
4 proximate use by residents and a little more activity
5 outside of that area.

6 CHAIRMAN PRICE: I see. Okay. Thank you.

7 MR. TOMLINSON: I think this plan is a blow
8 up of a clip from the report cover, not necessarily
9 the plan. So I think there's probably a clearer one
10 if folks are having trouble reading this.

11 CHAIRMAN PRICE: We all got a package that
12 had a pretty full set of renderings. And we're -- I
13 was able to see it.

14 Let me just ask other Board members. Jason,
15 do you have any thoughts on this?

16 MR. BABCOCK-STIENER: I generally agree with
17 what you and David had mentioned. The location of the
18 building, the height, massing, they're not
19 inappropriate for the site. I'm generally okay with
20 it.

21 CHAIRMAN PRICE: Okay. Thank you. Karen?

22 MS. ALTMAN: I agree with the previous
23 statements. I'm generally okay with the plan as shown
24 also.

25 CHAIRMAN PRICE: Okay. Julie?

1 MS. FORD: As an initiate, I'm unaware of
2 the tension with the Town Board. But the proposed
3 plan and its configuration seems appropriate.

4 CHAIRMAN PRICE: We'll -- incentive zoning
5 processes have been issues between the Planning Board
6 and the Town Board historically.

7 MS. FORD: Maybe we can have coffee one day.

8 CHAIRMAN PRICE: Since their inception.

9 MS. FORD: But basically what has been
10 presented seems appropriate.

11 CHAIRMAN PRICE: Yeah. Okay. Thank you.
12 And John Osowski?

13 MR. OSOWSKI: Yeah. I'm fine with it.
14 Thanks for asking.

15 CHAIRMAN PRICE: Okay. All right. Jeff,
16 did you have -- is there a -- I apologize. I didn't
17 check. Is there a draft letter for us to send to the
18 Town Board?

19 MR. FRISCH: Yeah, there is.

20 CHAIRMAN PRICE: Okay.

21 MR. FRISCH: It's at the end of the reports.

22 MR. GORDON: Jeff, did you want to talk at
23 all about some of your comments that are in that
24 letter relative to lighting and energy and
25 sustainability?

1 MR. FRISCH: Yeah. There's a lot of
2 sustainability elements that I saw in some of the past
3 letters that have been put to the Board. Many of them
4 are regarding -- some are regarding the reduction of
5 construction debris, 50 percent reduction in
6 construction debris, provisions for public
7 transportation. They're working the GC -- Genesee --
8 Rochester Genesee Regional Transportation Authority to
9 see if there's anything that they can do.
10 Consideration is given for both buildings to be re --
11 to have some lead standards. The possibility --
12 alternate -- alternate suggestion for alternative
13 energy resources used on the site, consideration for
14 preventative new technologies, consideration for LED
15 lighting, pervious pavement where it can be utilized,
16 sidewalks, trails.

17 CHAIRMAN PRICE: All right.

18 MR. FRISCH: Those kinds of things.

19 CHAIRMAN PRICE: I apologize, Jeff, I
20 don't -- I can't seem to scratch together where the
21 letter is. Do you -- could we -- could you call it
22 up?

23 MR. FRISCH: Yeah. Brendan if could
24 share -- can you leave screen share.

25 MR. GOLDMAN: If you -- I believe it's on

1 page is 142 and 143 of the -- of the packet. At least
2 the one that's available online.

3 CHAIRMAN PRICE: Unfortunately that's the --
4 I'm struggling to find --

5 MR. GOLDMAN: Okay. Well, it's up there
6 now.

7 CHAIRMAN PRICE: Okay. May change --
8 reviewed referenced matter -- following comments.

9 Okay. Has everybody kind of had the chance
10 to review this?

11 MS. FORD: Yes.

12 MR. OSOWSKI: Yes.

13 CHAIRMAN PRICE: In general agreement?

14 MS. FORD: Yes.

15 MS. ALTMAN: Yes.

16 MR. OSOWSKI: Yes.

17 MR. FADER: Yes.

18 MR. BABCOCK-STIENER: Yup.

19 CHAIRMAN PRICE: Okay. Very good. Thank
20 you, everyone.

21 MR. FRISCH: Is there anything you'd like to
22 add to that?

23 CHAIRMAN PRICE: No. I think I've added my
24 two cents. Would just like to engage the Planning
25 Board earlier in the process on all incentive zoning

1 applications. Okay.

2 I will -- I'll actually be the one to make
3 the motion to authorize the executive secretary of the
4 Planning Board to transmit the letter of -- the
5 referral letter to the Town Board for Jewish Senior
6 Life application.

7 MR. FADER: I'll second that.

8 CHAIRMAN PRICE: Thank you. Jeff, please
9 call the roll.

10 (Ms. Altman, aye; Mr. Price, aye; Mr. Fader,
11 aye; Mr. Babcock-Stiner, aye; Mr. Osowski,
12 aye; Ms. Ford, aye.)

13 (Upon roll motion carries.)

14 CHAIRMAN PRICE: Okay.

15 MR. GOLDMAN: Thank you very much.

16 CHAIRMAN PRICE: Thank you. Okay. Jerry,
17 best of luck.

18 MR. GOLDMAN: Thank you.

19 CHAIRMAN PRICE: All right. Let's --

20 MR. FRISCH: Do we want to take a break?

21 CHAIRMAN PRICE: Yeah. Let's just -- I know
22 it's late and some want to power through, but can we
23 give it just five minutes, reconvene. I have 11:25
24 right now. Reconvene at 11:30.

25 MR. FRISCH: Sounds good.

1 (There was a pause in the proceeding.)

2 CHAIRMAN PRICE: All right. We've -- we're
3 going to circle back to the top of the agenda. Let's
4 talk about application 4P-01-22. This is 1057 East
5 Henrietta Road. Let's see. This is for the Pure
6 Precision Moving conditional use permit.

7 Does anyone want to make a motion to close
8 the public hearing?

9 MS. FORD: So moved.

10 MS. ALTMAN: Seconded.

11 CHAIRMAN PRICE: Okay. That's moved and
12 seconded, Ford and Altman. Any discussion? Okay.
13 This is on closing the public hearing. Jeff, would
14 you please call the roll?

15 (Ms. Altman, aye; Mr. Price, aye; Mr. Fader,
16 aye; Mr. Babcock-Stiner, aye; Mr. Osowski,
17 aye; Ms. Ford, aye.)

18 (Upon roll motion carries.)

19 CHAIRMAN PRICE: All right thank you. Okay
20 so this is a conditional use permit. Is anybody
21 wanting to offer up a motion?

22 MR. FADER: I'll do it.

23 CHAIRMAN PRICE: Okay.

Application 4P-01-22

25 Application of 1057 E. Henrietta Road LLC,

1 owner, and Pure Precision Moving, lessee, for a
2 Conditional Use Permit Approval to allow a moving
3 company with on-site furniture storage to be on
4 property located at 1057 East Henrietta Road. All as
5 described on application and plans on file.

6 MR. FADER: I move that the Planning Board
7 finds the proposed action will not have a significant
8 impact on the environment and adopts the negative
9 declaration prepared by town staff and the Planning
10 Board adopts the ten conditional use findings outlined
11 in the Planning Board report and the Planning Board
12 approves the application 4P-01-22 based on the
13 testimony given, plans submitted and the seven
14 conditions outlined in the Planning Board report.

15 **Conditional Use Findings:**

- 16 1. The Planning Board finds that the proposed use,
17 office and storage, complies with the standards of the
18 Light Industrial (IG) District.
- 19 2. The Planning Board finds that the proposed use is
20 in harmony with the purpose and intent of Chapter 217
21 Planning Board. The location and size of the
22 facility, the intensity (hours of operation), size of
23 the site and access from East Henrietta Rd have all
24 been considered in the Board's review.
- 25 3. The Planning Board finds that the establishment

1 and operation of office and storage in this location,
2 on a property currently being used for commercial uses
3 will not be detrimental to persons, detrimental or
4 injurious to the property and improvements in the
5 neighborhood, or to the general welfare of the Town.

6 4. The proposed use will be in an existing building
7 and not result in the destruction, loss or damage of
8 any natural, scenic or significant historical
9 resource.

10 5. The Planning Board finds that the establishment of
11 an office and storage space in an existing building on
12 a site designed for such commercial uses will not
13 create excessive additional requirements for public
14 facilities and services and will not be detrimental to
15 the economic welfare of the community.

16 6. The Planning Board finds that the proposed use in
17 an existing building on a site designed and built for
18 such commercial uses will be adequately served by
19 essential public facilities.

20 7. The Planning Board finds that the proposed use in
21 an existing building on a site designed and built for
22 such uses will not result in the loss or damage to
23 trees.

24 8. The proposed use essentially conforms to the Town
25 Master Plan: Envision Brighton 2028. Specifically,

1 the Economic Vitality Policy Statement and Objectives.

2 9. The location and size of the proposed conditional
3 use, the nature and intensity of the operations
4 involved in and conducted in connection therewith, its
5 site layout and its relation to existing streets are
6 such that both pedestrian and vehicular traffic to and
7 from the proposed use and the assembly of persons in
8 connection therewith will not be hazardous or
9 inconvenient to or incongruous with the neighboring
10 residential district nor in conflict with the normal
11 traffic of the neighborhood.

12 10. The location and height of the existing buildings
13 in which the proposed conditional use will operate,
14 the location, nature and height of walls and fences
15 and the nature and extent of the existing landscaping
16 on the site which is not proposed to be modified are
17 such that the proposed conditional use will not hinder
18 or discourage the appropriate development and use of
19 adjacent land and buildings.

20 **Conditions:**

21 1. Prior to commencement of operations, an
22 Operational Permit shall be obtained from the Town of
23 Brighton Fire Marshal (Chris Roth, 585-784-5220).
24 2. Hours of operation shall be limited to 6:00 a.m.
25 to midnight, unless further approval for extended

1 hours has been granted by the Planning Board.

2 3. All requirements of the Building & Fire Codes of
3 New York State shall be met and all required building
4 permits shall be obtained.

5 4. Meet all requirements of the Town of Brighton's
6 Department of Public Works.

7 5. All Town codes shall be met that relate directly
8 or indirectly to the applicant's request.

9 6. Signs shall require separate review and approval.

10 7. A permit shall be obtained for work being
11 completed.

12 MR. BABCOCK-STIENER: I'll second.

13 CHAIRMAN PRICE: Very good. Moved and
14 second for approving the conditional use permit. Does
15 the group want to have any further discussion?

16 MS. FORD: No.

17 CHAIRMAN PRICE: Okay. Jeff, please call
18 the roll.

19 (Ms. Ford, aye; Mr. Osowski, aye;
20 Mr. Babcock-Stiner, aye; Mr. Fader, aye;
21 Mr. Price, aye; Ms. Altman, aye.)

22 (Upon roll to motion to approve with
23 conditions carries.)

24 CHAIRMAN PRICE: Okay. The next three
25 applications -- yes. I believe the next three, John,

1 we need to go back to you. Okay?

2 MR. OSOWSKI: Okie-dokie.

3 CHAIRMAN PRICE: I am going to turn off for
4 a second.

5 MS. FORD: Okay.

6 MR. OSOWSKI: Application 5P-02-22,
7 application of Talmudical Institute, conditional use
8 permit for the Montessori School.

9 **Application 5P-02-22**

10 Application of the Talmudical Institute of
11 Upstate New York, contract vendee, and the Brighton
12 Central School District, owner, for Conditional Use
13 Permit Approval to allow for The Montessori School of
14 Rochester to be located at 220 Idlewood Road. All as
15 described on application and plans submitted. All as
16 describe in the application and on the plans
17 submitted.

18 MR. FADER: I move the application 5P-02-22
19 be tabled based on the testimony given and plans
20 submitted. Additional information is requested in
21 order to make a determination of significance and to
22 have a complete application. The 13 items outlined in
23 the Planning Board report are required to be submitted
24 no later than two weeks prior to the next Planning
25 Board meeting.

1 **Additional Information:**

2 1. An Operational Permit shall be obtained from the
3 Town of Brighton Fire Marshal (Chris Roth,
4 585-784-5220).
5 2. The entire building/store shall comply with the
6 most current Building & Fire Codes of New York State.
7 3. Meet all requirements of the Town of Brighton's
8 Department of Public Works.
9 4. All Town codes shall be met that relate directly
10 or indirectly to the applicant's request.
11 5. If any site lighting is proposed as part of this
12 project, a lighting plan which shows the type,
13 location and lighting contours shall be submitted.
14 The proposed lights shall be designed to reduce
15 impacts to the surrounding properties.
16 6. The parking lot shall be striped as per the
17 requirements of the Brighton Comprehensive Development
18 Regulations.
19 7. The location of the HVAC shall be shown on the
20 site plan.
21 8. The project engineer shall confirm if additional
22 accessible parking spaces are required to be installed
23 as part of this project. All new accessible parking
24 space signage to be installed or replaced shall have
25 the logo depicting a dynamic character leaning forward

1 with a sense of movement as required by Secretary of
2 State pursuant to section one hundred one of the
3 Executive Law.

4 9. The requested information is required to be
5 submitted no later than two weeks prior to the next
6 Planning Board meeting.

7 10. All comments, concerns and requirements of the
8 Town Engineer as contained in the attached memo dated
9 October 20, 2020 From Evert Garcia, Town Engineer, to
10 Ramsey Boehner, shall be addressed.

11 11. EAF description shall be revised to be specific
12 to this application.

13 12. Parking and traffic analyses shall be provided to
14 aid in determination of SEQR.

15 13. In order for the Planning Board to grant the
16 permit for the conditional use it must expressly find
17 under Section 217-5 of the Code that "the location and
18 site of the proposed conditional use, the nature and
19 intensity of the operations involved in and conducted
20 therewith, its site layout and its relation to
21 existing streets are such that both pedestrian and
22 vehicular traffic to and from the proposed use and the
23 assembly of persons in connection therewith will not
24 be hazardous or inconvenient to or incongruous with
25 the neighboring residential district nor in conflict

1 with the normal traffic of the neighborhood." The
2 applicant will need to provide evidence supporting
3 that they meet this requisite finding.

4 MR. BABCOCK-STIENER: I'll second.

5 MR. OSOWSKI: Moved and seconded. All in
6 favor -- please, Jeff do the roll call.

7 (Ms. Altman, aye; Mr. Fader, aye;

8 Mr. Babcock-Stiner, aye; Mr. Osowski, aye;

9 Ms. Ford, aye.)

10 (Upon roll motion to table carries.)

11 MR. OSOWSKI: Okay. Thank you very much.
12 Move along to agenda item 5P-03-22. Application of
13 Winton Acquisitions, LLC, Marlee Finestone, SWBR for
14 site plan modifications at the Winton Place Plaza.

15 Somebody make a motion --

16 MR. BABCOCK-STINER: I move that we close
17 the public hearing.

18 MR. OSOWSKI: Thank you.

19 MR. FADER: I'll second that.

20 MR. OSOWSKI: Okay. Jeff do the roll call.

21 (Ms. Altman, aye; Mr. Fader, aye,

22 Mr. Babcock-Stiner, aye; Mr. Osowski, aye;

23 Ms. Ford, aye.)

24 MR. OSOWSKI: Okay.

25 MR. BABCOCK-STIENER: I'll take this one.

1 MR. OSOWSKI: Thank you.

2 Application 5P-03-22

3 Application of Winton Acquisitions, LLC,
4 owner, and Marlee Finestone, SWBR Architecture, agent,
5 for Site Plan Modification to improve access and
6 circulation within the plaza, landscaping improvements
7 and replace parking lot lighting fixtures on property
8 located at 3450 Winton Place (Winton Place Plaza).

9 All as described on application and plans on file.

10 MR. BABCOCK-STIENER: I move that the Board
11 finds that the proposed action will not have a
12 significant impact on the environment and that it
13 adopts the negative declaration prepared by Town
14 staff.

15 I move that the Planning Board approves
16 application 5P-03-22 based on the testimony given,
17 plans submitted and with the 17 conditions outlined in
18 the Planning Board report.

19 MR. FADER: I'll second that.

20 MR. FRISCH: I think we want to make an edit
21 to condition 12 and remove the end of the sentence
22 where the "will be dedicated to the Town of Brighton."

23 MR. BABCOCK-STIENER: Agreed.

24 MR. FADER: Agreed.

25 MR. OSOWSKI: Thanks, Jeff. Thank you.

1 Okay moved and seconded as amended.

2 Jeff, do you want to do the roll call?

3 MR. GORDON: Before we do that, I just want
4 to make sure that there's any other discussion. I was
5 going to ask if there was any desire on the Board's
6 part to add an additional condition relative to
7 clearing the growth out of the detention pond that was
8 referenced by the neighboring property owner?

9 I don't know how serious a concern that is.
10 I don't know if that's something, Jeff, that you think
11 should be added. I just wanted to talk about it
12 before we moved on.

13 MR. FRISCH: That's something that I would
14 want to check in with Evert on. We received it this
15 afternoon and I don't -- he hasn't seen it yet.

16 MR. FADER: You were there and you didn't
17 see a problem?

18 MR. FRISCH: I don't have a problem. I just
19 heard it from the neighboring property. They
20 submitted an email.

21 MR. GORDON: How about something along the
22 lines -- something generic like the detention ponds on
23 the subject property shall be properly maintained or
24 something like.

25 MR. FRISCH: Okay. Thank you.

1 MR. BABCOCK-STIENER: Yeah. That works.

2 MS. FORD: Yeah.

3 MR. FADER: I'm okay with that.

4 MR. GORDON: And Jason, you made the motion
5 are you okay with that?

6 MR. BABCOCK-STIENER: Yeah.

7 MR. GORDON: So it's actually adding the
8 condition 18.

9 MR. BABCOCK-STIENER: 18 conditions.

10 MR. GORDON: You have the language, Jeff,
11 well enough.

12 MR. FRISCH: Yup. Retention ponds on the
13 property shall be properly maintained.

14 MR. GORDON: That's all that I had. I
15 didn't know if there was any other discussion.

16 MR. OSOWSKI: That's good. Thanks, Ken. So
17 moved and seconded as two amendments, one to item 12,
18 another one to add item number 18. Shall we do the
19 roll call on this one then?

20 **Amended Conditions:**

21 1. Prior to issuance of any building permits, all
22 plans for utility and storm water control systems must
23 be reviewed and have been given approval by
24 appropriate authorities. Prior to any occupancy, work
25 proposed on the approved plans shall have been

1 completed to a degree satisfactory to the appropriate
2 authorities.

3 2. Meet all requirements of the Town of Brighton's
4 Department of Public Works.

5 3. All Town codes shall be met that relate directly
6 or indirectly to the applicant's request.

7 4. The contractor shall designate a member of his or
8 her firm to be responsible to monitor erosion control,
9 erosion control structures, tree protection and
10 preservation throughout construction.

11 5. Light fixtures proposed as part of the
12 improvements shall be fully shielded with a correlated
13 color temperature (CCT) of no more than 3000 kelvins.
14 Cut sheets of the proposed light fixtures shall be
15 provided.

16 6. The contractor shall obtain all necessary Highway
17 Access, Sewer Construction, or other permits from the
18 Town or other agencies prior to starting work.

19 7. If greater than 20,000 sf of the site will be
20 disturbed a SWPPP shall be required in accordance with
21 the design criteria set forth in the most recent
22 version of the Town of Brighton's Design Standards;
23 NYS Stormwater Management Design Manual; and NY
24 Standards and Specifications for Erosion and Sediment
25 Control; and shall be adequate to prevent

1 transportation of sediment from the site to the
2 satisfaction of the Town Engineer.

3 8. All disturbed areas shall be protected from
4 erosion either by mulch or temporary seeding within
5 two weeks of disturbance.

6 9. Maintenance of landscape plantings shall be
7 guaranteed for three (3) years.

8 10. Any contractor or individual involved in the
9 planting, maintenance or removal of trees shall comply
10 with the requirements of the town's Excavation and
11 Clearing (Chapter 66), Trees (Chapter 175) and other
12 pertinent regulations and shall be registered and
13 shall carry insurance as required by Chapter 175 of
14 the Comprehensive Development Regulations.

15 11. The parking lot shall be striped as per the
16 requirements of the Brighton Comprehensive Development
17 Regulations.

18 12. The indicated road improvements shall be
19 constructed to specific Town standards at the expense
20 of the property owner.

21 13. A letter or memo in response to all Planning
22 Board and Town Engineer comments and conditions shall
23 be submitted.

24 14. All new accessible parking space signage to be
25 installed or replaced shall have the logo depicting a

1 dynamic character leaning forward with a sense of
2 movement as required by Secretary of State pursuant to
3 section one hundred one of the Executive Law.

4 15. The project engineer shall confirm if additional
5 accessible parking spaces are required to be installed
6 as part of this project. All new accessible parking
7 space signage to be installed or replaced shall have
8 the logo depicting a dynamic character leaning forward
9 with a sense of movement as required by Secretary of
10 State pursuant to section one hundred one of the
11 Executive Law.

12 16. All comments, concerns and requirements of the
13 Town Engineer as contained in the attached memo dated
14 May 14, 2022 from Evert Garcia, Town Engineer, to
15 Ramsey Boehner, shall be addressed.

16 17. All other approvals from jurisdictional agencies
17 must be obtained prior to that of the DPW.

18 18. Retention ponds on the property shall be properly
19 maintained.

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

23 (Upon roll motion to approve with conditions
24 carries.)

25 MR. OSOWSKI: Okay. Thank you we'll move

1 along to agenda item 5P-NB1-22, application of
2 Talmudical Institute of Upstate New York.

3 MR. FADER: I'll do that one. It's almost
4 the same.

5 MR. OSOWSKI: Thanks.

6 **Application 5P-NB1-22**

7 Application of the Talmudical Institute of
8 Upstate New York, contract vendee, and the Brighton
9 Central School District, owner, for Preliminary Site
10 Plan Approval, Preliminary EPOD (watercourse) Permit
11 Approval and Preliminary Conditional Use Permit
12 Approval to construct a 23,000 +/- square foot
13 building addition (with an additional 8,700 square
14 foot future phase), to re-purpose the former Brookside
15 School for the use by the Talmudical Institute of
16 Upstate New York Residential High School and make
17 other site improvements on property located at 1666
18 South Winton Road. All as described on application
19 and plans on file.

20 MR. FADER: I move that application
21 5P-NB1-22 be tabled based on testimony given and plans
22 submitted. Additional information is requested in
23 order to make a determination of significance and to
24 have a complete application. The 30 items in the
25 planning report are required to be submitted no later

1 than two weeks prior to the next Planning Board
2 meeting.

3 MS. FORD: Second.

4 MR. FRISCH: Thank you.

5 MR. OSOWSKI: I'm just scrolling through the
6 items to make sure that we're satisfied. I remember
7 catching an item in there about consideration of --
8 the consideration of the alternatives for other means
9 of accessing the parking lots. And I remembered
10 seeing one -- one of the items seemed to address that.

11 MR. FADER: We could just add that
12 explicitly, make it 31.

13 MR. OSOWSKI: Yeah. I'm not --

14 MR. FADER: Then there's no ambiguity.

15 MR. OSOWSKI: Yeah. Yeah. I can't -- I
16 can't see the item right now. So I think we ought to
17 item number 31 with the -- for the -- for the -- the
18 project in order to consider alternative measures to
19 be able to close off the entrance to Idlewood and
20 consider alternative means of accessing the east side
21 of the building from the Winton Road from the west
22 side of the property.

23 MR. FADER: I'm good with that. I'm good
24 with having that added.

25 MR. OSOWSKI: Jeff, are you okay with that?

1 MR. FRISCH: Yup. I was wondering if you
2 want to add one that is only the Winton Road access
3 shall be used for construction vehicles and
4 construction access.

5 MR. OSOWSKI: Sure.

6 MR. FADER: Yeah. I have no problem with
7 that either.

8 MR. FRISCH: Okay. So that's 32.

9 MR. OSOWSKI: Okay. So shall we do a roll
10 call on tabling this based upon 32 conditions? Is
11 that correct?

12 MR. FRISCH: Yes.

13 MR. OSOWSKI: Okay.

14 Additional Information:

- 15 1. The entire building/store shall comply with the
16 most current Building & Fire Codes of New York State.
- 17 2. The architectural design and building materials of
18 the proposed building(s) shall be reviewed and
19 approved by the Town of Brighton Architectural Review
20 Board.
- 21 3. The project and its construction entrance shall
22 meet the New York State Standards and Specifications
23 for Erosion and Sediment Control.
- 24 4. The contractor shall designate a member of his or
25 her firm to be responsible to monitor erosion control,

1 erosion control structures, tree protection and
2 preservation throughout construction.

3 5. All disturbed areas shall be protected from
4 erosion either by mulch or temporary seeding within
5 two weeks of disturbance.

6 6. Maintenance of landscape plantings shall be
7 guaranteed for three (3) years.

8 7. Any contractor or individual involved in the
9 planting, maintenance or removal of trees shall comply
10 with the requirements of the town's Excavation and
11 Clearing (Chapter 66), Trees (Chapter 175) and other
12 pertinent regulations and shall be registered and
13 shall carry insurance as required by Chapter 175 of
14 the Comprehensive Development Regulation.

15 8. A pre, during and post protection plan for trees
16 to be saved and moved shall be reviewed by the
17 Conservation Board with final approval by the Planning
18 Board.

19 9. The dumpster shall be enclosed with building
20 materials that are compatible with the existing
21 building and located in the rear yard. The enclosure
22 shall equal the height of the dumpster and shall not
23 be higher than six and one-half (6.5) feet.

24 10. The parking lot shall be striped as per the
25 requirements of the Brighton Comprehensive Development

1 Regulations.

2 11. Should excavation disturb any apparently
3 archaeologically sensitive areas, there shall be
4 immediate cessation of work and notification of the
5 Town.

6 12. A detailed phasing plan is required. Plans for:
7 Utility; wildlife mitigation; roadway improvements;
8 clearing; and erosion control shall be designated for
9 each phase of development.

10 13. Fire hydrants shall be fully operational prior to
11 and during construction of the building.

12 14. All County Development Review Comments shall be
13 addressed prior to final approval.

14 15. All other reviewing agencies must issue their
15 approval prior to the Department of Public Works
16 issuing its final approval.

17 16. A letter of credit shall be provided to cover
18 certain aspects of the project, including, but not
19 limited to demolition, landscaping, stormwater
20 mitigation, infrastructure and erosion control. The
21 applicant's engineer shall prepare an itemized
22 estimate of the scope of the project as a basis for
23 the letter of credit.

24 17. The proposed building shall be sprinklered in
25 accordance with Town requirements.

1 18. Only business identification signage as allowed
2 per the Comprehensive Development Regulations is
3 permitted. This signage must be reviewed and receive
4 all necessary town approvals prior to installation.

5 19. Erosion control measures shall be in place prior
6 to site disturbance.

7 20. The location of any proposed generators shall be
8 shown on the site plan. All requirements of the
9 Comprehensive Development Regulations shall be met or
10 a variance shall be obtained from the Zoning Board of
11 Appeals.

12 21. The location of the HVAC shall be shown on the
13 site plan.

14 22. All new accessible parking space signage to be
15 installed or replaced shall have the logo depicting a
16 dynamic character leaning forward with a sense of
17 movement as required by Secretary of State pursuant to
18 section one hundred one of the Executive Law.

19 23. The project engineer shall confirm if additional
20 accessible parking spaces are required to be installed
21 as part of this project. All new accessible parking
22 space signage to be installed or replaced shall have
23 the logo depicting a dynamic character leaning forward
24 with a sense of movement as required by Secretary of
25 State pursuant to section one hundred one of the

1 Executive Law.

2 24. A letter or memo in response to all Planning

3 Board and Town Engineer comments and conditions shall

4 be submitted.

5 25. The requested information is required to be

6 submitted no later than two weeks prior to the next

7 Planning Board meeting.

8 26. All comments, concerns and requirements of the

9 Town Engineer as contained in the attached memo dated

10 May 14, 2022 from Evert Garcia, Town Engineer, to Jeff

11 Frisch shall be addressed.

12 27. Review section 201-14 of the Town Code to verify

13 whether this is a Type 1 action per Town Code. If it

14 is a Type 1 action an EIS shall be completed and

15 submitted prior to final approval.

16 28. The bridge over Allens Creek shall be assessed to

17 verify it is structurally sufficient to handle loads

18 created by vehicles and machinery to be used in

19 construction of the addition.

20 29. Wetlands shall be surveyed and delineated.

21 30. The project will require multiple jurisdictional

22 approvals, including but not limited to: MCPW, BCSD,

23 and MCWA. All approvals must be obtained prior to the

24 Town endorsing the final plans.

25 31. Consider alternative measures to be able to close

1 off the entrance to Idlewood and consider alternative
2 means of accessing the east side of the building from
3 the Winton Road from the west side of the property.

4 32. Only the Winton Road access shall be used for
5 construction vehicles and construction access.

6 (Ms. Ford, aye; Mr. Osowski, aye;
7 Mr. Babcock-Stiner, aye; Mr. Fader, aye;
8 Ms. Altman, aye.)

9 (Upon roll the motion to table carries.)

10 MR. OSOWSKI: Okay. Can we bring Bill back?

11 MR. FRISCH: Yes. He's here.

12 CHAIRMAN PRICE: I wasn't sure I was coming
13 back. Okay. Thank you, everybody. Let's see.
14 Application 5P-NB2-22, Bristol Valley Homes, LLC, and
15 PEMM, LLC, contract vendee for preliminary site plan
16 approval for the Quickele's gas station at 3108 East
17 Avenue.

18 I'm just going to ask a quick question of
19 our attorney, Ken. We -- Ken or Jeff, we're fairly
20 consistently not proceeded with preliminary site plan
21 approval prior to variances and certainly not a use
22 variance. So it would seem to me that we would be
23 looking for a resolution to table this at this time.

24 MR. GORDON: Yeah. I think Jeff drafted the
25 original report with approval for preliminary, but

1 then sent out a revised draft --

2 CHAIRMAN PRICE: Okay.

3 MR. GORDON: -- suggesting tabling, which I
4 would support as an appropriate action of the Board as
5 well.

6 MS. FORD: Absolutely.

7 CHAIRMAN PRICE: Okay.

8 **Application 5P-NB2-22**

9 Application of Bristol Valley Homes, LLC,
10 owner, and PEMM, LLC, contract vendee for Preliminary
11 Site Plan Approval to construct a 968+/- square foot
12 gas pump canopy, renovate an existing 1,278 square
13 foot building, install two gas pump islands, and make
14 additional site improvements for the purpose of
15 operating a Quickee's gas station and convenience
16 store on property located at 3108 East Avenue. All as
17 described on application and plans on file.

18 MR. FADER: I move that application
19 5P-NB2-22 be tabled on testimony given and plans
20 submitted. Additional information is requested in
21 order to make a determination of significance and to
22 have complete application. The 24 items outlined in
23 the Planning Board report are required to be submitted
24 no later than two weeks prior to the next Planning
25 Board Meeting.

1 **Additional Information:**

2 1. All required variances shall be obtained.

3 2. Proposed project shall be reviewed and approved by

4 the Town of Brighton Historic Preservation Commission.

5 3. Meet all requirements of the Town of Brighton's

6 Department of Public Works.

7 4. The project and its construction entrance shall

8 meet the New York State Standards and Specifications

9 for Erosion and Sediment Control.

10 5. A pre, during and post protection plan for trees

11 to be saved and moved shall be reviewed by the

12 Conservation Board with final approval by the Planning

13 Board.

14 6. The dumpster shall be enclosed with building

15 materials that are compatible with the existing

16 building and located in the rear yard. The enclosure

17 shall equal the height of the dumpster and shall not

18 be higher than six and one-half (6.5) feet. A detail

19 shall be provided.

20 7. The parking lot shall be striped as per the

21 requirements of the Brighton Comprehensive Development

22 Regulations.

23 8. A landscape plan and a protection plan for trees

24 to be saved and moved shall be reviewed by the

25 Conservation Board with final approval by the Planning

1 Board.

2 9. A lighting plan which shows the type, location and
3 lighting contours shall be submitted as part of the
4 final application.

5 10. Fire hydrants shall be fully operational prior to
6 and during construction of the building.

7 11. All other reviewing agencies must issue their
8 approval prior to the Department of Public Works
9 issuing its final approval.

10 12. Prior to the issuance of any building permits, a
11 letter of credit shall be provided to the Town to
12 cover the cost of materials and installation for all
13 landscaping to ensure that all landscaping conforms to
14 the approved plans and that the landscape survives in
15 a healthy condition.

16 13. The parking lot lights shall be placed on a timer
17 and shall be turned off from 10:00 P.M. to 6:00 A.M.

18 14. The proposed building shall be sprinklered in
19 accordance with Town requirements.

20 15. Only business identification signage as allowed
21 per the Comprehensive Development Regulations is
22 permitted. This signage must be reviewed and receive
23 all necessary town approvals prior to installation.

24 16. Erosion control measures shall be in place prior
25 to site disturbance.

1 17. The location of any proposed generators shall be
2 shown on the site plan. All requirements of the
3 Comprehensive Development Regulations shall be met or
4 a variance shall be obtained from the Zoning Board of
5 Appeals.

6 18. The location of the HVAC shall be shown on the
7 site plan.

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

11 20. All new accessible parking space signage to be
12 installed or replaced shall have the logo depicting a
13 dynamic character leaning forward with a sense of
14 movement as required by Secretary of State pursuant to
15 section one hundred one of the Executive Law.

16 21. All comments, concerns and requirements of the
17 Town Engineer as contained in the attached memo dated
18 May 15, 2022 from Evert Garcia, Town Engineer, to Jeff
19 Frisch, shall be addressed.

20 22. The location of the underground tanks will be
21 shown on the plan.

22 23. Details for the bike rack, dumpster enclosure,
23 crosswalk striping, and bioretention area shall be
24 provided.

25 24. A final review of the TIS will be completed

1 subsequent to receiving comments from the NYS DOT.

2 MS. ALTMAN: I'll second.

3 CHAIRMAN PRICE: Moved and seconded. Any
4 discussion?

5 MS. FORD: I have a question. Again, you
6 know being a novitiate here, in tabling it and the
7 phraseology, I was really struck by the request by
8 neighbors, the neighborhood, that they -- part of the
9 request for tabling it was for their feedback. Is
10 that what's included in the verbiage what we just did?

11 CHAIRMAN PRICE: Julie, can -- I do want to
12 address the -- some of the participants and neighbors
13 that came out and some of their concerns about being
14 able to participate. Could we -- and I'll answer your
15 question. Could we.

16 MS. FORD: I don't know if this is
17 appropriate. I really am learning so -- I mean,
18 I'm --

19 MR. FADER: Yes. We table it. But we
20 didn't close it. So they can comment.

21 MS. FORD: Okay. That's -- that was my
22 question. Thank you for clarifying that.

23 CHAIRMAN PRICE: Yeah. It will remain open.

24 MS. FORD: Thank you. I appreciate you like
25 helping me through this process, learning.

1 MR. FADER: We've all been there.

2 MS. FORD: It doesn't seem like it.

3 CHAIRMAN PRICE: Sometimes we talk too fast
4 and throw out jargon. I understand it's hard to keep
5 up with.

6 MS. FORD: I'm beginning to pick it up.

7 CHAIRMAN PRICE: Yeah.

8 MR. GORDON: I'll just add the comment that
9 our former Town Planner Ramsey Boehner tried to make
10 this point with the applicant and I know Jerry
11 Goldman's still on the line and perhaps we lost Lou
12 due to a family issue, but maybe he can pass this on,
13 meeting with neighbors, the applicant meeting with
14 neighbors and doing a neighborhood meeting still might
15 be a good idea. Still would like to see that happen.

16 MS. FORD: Yup.

17 MR. FRISCH: Whoever's out there listening.

18 MR. GORDON: Whoever might be out there
19 listening.

20 MS. FORD: I appreciate everybody taking a
21 pause in the wheel of the meeting to address that for
22 me. I appreciate it.

23 CHAIRMAN PRICE: Let's -- let's finish
24 the -- we have the motion and a second on the table.

25 MS. FORD: Aye.

1 CHAIRMAN PRICE: Jeff, please call the roll.

2 (Ms. Altman, aye; Mr. Price, aye; Mr. Fader,
3 aye; Mr. Babcock-Stiner, aye; Mr. Osowski,
4 aye; Ms. Ford, aye.)

5 (AUpon roll motion to table carries.)

6 CHAIRMAN PRICE: Okay. Any residents who
7 are still out there and listening on this application,
8 there are several steps left to go in this
9 application. The Planning Board addresses site
10 plan-related issues.

11 So we do in fact address issues of traffic
12 and circulation on the site and adjacent to the site
13 on neighboring streets. We look at pedestrian access
14 and circulation. We look at lighting and danger and
15 all the physical things that you see.

16 We do not have jurisdiction over
17 architecture. We have Architectural Review Board,
18 which we usually wait until the Architectural Review
19 Board has approved the architecture of all structures
20 on the site prior to getting site plan -- final site
21 plan approval.

22 In this case there are two other boards that
23 will be involved in this application. Our Historic
24 Preservation Commission will be looking at this
25 because it is a historic -- seemed a historic

1 structure for compatibility and consistency with the
2 historic nature of the building. And it will also be
3 going to the Zoning Board of Appeals because the use
4 needs a variance and there are several aspects of the
5 site plant itself that require variances where the
6 application deviates from what the code allows.

7 So the time -- the opportunities to
8 understand the application -- and this is something
9 where we -- we've just made a recommendation to the
10 applicant to speak to the neighbors so that you do
11 understand what the application is. And just so you
12 know, the Town makes every effort to make sure that
13 adjacent neighbors are informed about it. And I think
14 if you walk out tomorrow morning you should see a sign
15 on the property somewhere about this hearing that's
16 happening tonight.

17 So we do go to great lengths to make sure
18 adjacent properties are notified. But there's going
19 to be a lot of opportunities to comment on this coming
20 up in the future. We look forward to your continued
21 participation in the process.

22 MR. GORDON: I will just add to that if I
23 may, Bill, two things. One is that I know the Town
24 required letters to be sent out by the applicant to
25 some neighboring properties. They were sent out I

1 think a short time ago. But there will be a
2 continuing process as you indicated.

3 And in this particular instance because the
4 building is a land marked building, the architectural
5 review will be done by the Historic Preservation
6 Commission instead of ARB. So those -- those issues
7 relative to what the building is going to look like,
8 what the canopy is going to look like, it will all be
9 reviewed by the HPC.

10 The HPC -- Historic Preservation Commission,
11 I'm sorry -- also holds public hearings and the public
12 is invited to attend and participate in those as well.

13 CHAIRMAN PRICE: Okay. But thank you all
14 for staying up and participating. And unfortunately
15 it's just the nature of the beast that, you know,
16 somebody's later on the agenda and we do lose -- we do
17 lose people due to time frames.

18 All right. Jeff, what do we got left for
19 signs?

20 MR. FRISCH: We have four signs.

21 CHAIRMAN PRICE: Okay.

22 MR. OSOWSKI: How many?

23 MR. FRISCH: Four. I mean, there's six on
24 the agenda, but two of them were administratively
25 approved. We put them on there for the record.

1 **Signs:**

2 1642 Lattimore Physical Therapy, 383 White Spruce
3 Blvd., for a Building Face Sign

4 1643 Hua Mei Asian Supermarket, 2720 West
5 Henrietta Road, for a Building Face Sign

6 1644 Fidelity Investments, 2750 Monroe Avenue
7 For 2 Building Face Signs

8 1645 UR Medicine, 2400 South Clinton Avenue, for
9 an Awning Sign

10 1646 Club Pilates, 1890 Monroe Avenue, for a
11 Building Face Sign, administratively
12 approved

13 1647 Thomas Clothier, 1865 Monroe Avenue, for a
14 Building Face Sign, administratively
15 approved

16 MR. OSOWSKI: Thanks for -- I have a problem
17 with this one. Not with what's proposed for the new
18 sign, but that little sign on the left that you see,
19 the existing one that's there.

20 MR. FRISCH: Yup.

21 MR. OSOWSKI: It has the Thomas Tailor stuff
22 as the bottom panel, the brown panel with the yellow
23 lettering, I want us to approve it as noted that that
24 illegal sign has to be removed by Friday, June 3rd.

25 CHAIRMAN PRICE: Pretty specific, John.

1 MR. OSOWSKI: Yeah. Yeah. I've been
2 fighting this one with -- when they proposed all the
3 new signage for this whole plaza a few months ago.

4 CHAIRMAN PRICE: I remember. Yeah.

5 MR. OSOWSKI: I actually put in a note that
6 that illegal sign had to be removed. And now
7 they've -- you know they've specified that they're
8 getting a new sign. It looks great. Thomas Clothier.
9 Good for them. But that little junky one that's below
10 the Brighton Commons, that has to go. And it has to
11 go soon.

12 MR. GORDON: Jeff, you have this on as an
13 administrative approval. Is that something we can do
14 at this late juncture still?

15 MR. FRISCH: It's tied to the old approval.
16 I would have to look at that. The only thing that was
17 reviewed as part of this was the building face sign.

18 MR. GORDON: Right. I mean, I'd love to do
19 it as part of this because the alternative is give it
20 over to Ed and do a violation on it, which, you know
21 that's a whole other process.

22 MR. OSOWSKI: The former approval from
23 several months had a note in there about illegal signs
24 being removed. So now's the time -- now's the time to
25 act.

1 MR. GORDON: I agree with you, John.
2 Absolutely.

3 MR. FRISCH: This -- we already approved
4 this one administratively. They've already received
5 their approvals from the Town.

6 CHAIRMAN PRICE: So it sounds like it might
7 require a violation notice.

8 MR. GORDON: Well, can we -- can we -- has
9 that approval gone out, Jeff?

10 MR. FRISCH: Yes, it has.

11 MR. GORDON: It has.

12 CHAIRMAN PRICE: Okay. But good
13 observation, John.

14 MR. OSOWSKI: Thank you.

15 MR. GORDON: Jeff, let's you and I talk
16 about that on Friday how we handle that. Okay?

17 MR. FRISCH: Yeah. We can do that.

18 MR. GORDON: I got some ideas.

19 MR. FRISCH: Okay. Thank you.

20 CHAIRMAN PRICE: And John, you drove by
21 recently and it is still there?

22 MR. OSOWSKI: Right.

23 CHAIRMAN PRICE: Yeah. Okay.

24 MR. OSOWSKI: Today.

25 CHAIRMAN PRICE: Oh. I drove by it today.

1 I didn't notice. Okay. What's next?

2 MR. FRISCH: We'll start with 1642. It's
3 for Lattimore Physical Therapy, 338 White Spruce
4 Boulevard. It was approved as presented by the
5 Architectural Review Board.

6 CHAIRMAN PRICE: Any comments?

7 MR. OSOWSKI: No.

8 CHAIRMAN PRICE: Okay. Move to approve as
9 recommended.

10 MR. FADER: Second.

11 CHAIRMAN PRICE: All in favor?

12 ALL MEMBERS: Aye.

13 CHAIRMAN PRICE: Any opposed? All right.
14 That one's good.

15 MR. FRISCH: Next is 1643 is for Hua Mei
16 Asian Supermarket, 2720 West Henrietta Road.

17 CHAIRMAN PRICE: That's within -- all of
18 that is fitting within code, Jeff?

19 MR. FRISCH: Yup.

20 CHAIRMAN PRICE: Okay.

21 MR. GORDON: My only comment on this is they
22 still need Planning Board site approval. They still
23 need Zoning Board approval. Maybe you approve the
24 sign ahead of all that. But that seems kind of weird.

25 CHAIRMAN PRICE: Yeah.

1 MR. FRISCH: Zoning approval is going to be
2 difficult.

3 MR. GORDON: Mm-hm. It will be.

4 MR. FRISCH: Yeah.

5 CHAIRMAN PRICE: Let's -- I move we table
6 this application.

7 MR. BABCOCK-STIENER: I'll second.

8 CHAIRMAN PRICE: Pending ZBA approval.

9 Seems like a lot, but -- has ARB reviewed this? This
10 is already --

11 MR. FRISCH: Yeah.

12 MR. GORDON: The ARB approved it as
13 presented, but there's some -- there's some tough
14 tissues on this. This is the old Arigato Steakhouse.

15 CHAIRMAN PRICE: Yeah. Okay. I was
16 wondering so this is actually the north face of the
17 building.

18 MR. FRISCH: It's the west -- west face.

19 CHAIRMAN PRICE: It's the west.

20 MR. GORDON: West face. North face faces
21 perpendicular to West Henrietta Road.

22 CHAIRMAN PRICE: Right, right. Not
23 parallel.

24 MR. GORDON: Parallel would be the west
25 face.

1 CHAIRMAN PRICE: And this is the west face.

2 MR. FRISCH: Yup.

3 CHAIRMAN PRICE: Oh. So they're putting --
4 because I thought the doors to that were on the north
5 face.

6 MR. FRISCH: There used to be some sort of
7 door there. I don't know. It may have been like a
8 drop-off door, something like that.

9 CHAIRMAN PRICE: Okay. All right. So it
10 doesn't -- it wouldn't have to go back to ARB again.
11 It could just come back to us after ZBA approval.

12 MR. FRISCH: Yup.

13 CHAIRMAN PRICE: All right. There was a
14 motion and a second; right?

15 MR. FRISCH: Yep.

16 MR. BABCOCK-STIENER: I seconded, Jeff.

17 CHAIRMAN PRICE: All in favor?

18 ALL MEMBERS: Aye.

19 CHAIRMAN PRICE: Opposed? Okay.

20 MR. FRISCH: The next is 1644, Fidelity
21 Investments, 2750 Monroe Avenue. They have two --
22 they have building face signs on two faces. So
23 they're seeking a variance. I think they're on next
24 month for the variance application.

25 MR. GORDON: The public hearing was held.

1 The matter was tabled at ZBA to the June meeting.

2 MR. FRISCH: Okay. Thank you, Ken.

3 CHAIRMAN PRICE: All right. So again, this
4 is -- the ARB did approve as presented?

5 MR. FRISCH: Yup.

6 CHAIRMAN PRICE: I move we table pending ZBA
7 approval.

8 MR. FADER: I'll second that.

9 CHAIRMAN PRICE: Moved and seconded. All in
10 favor?

11 ALL MEMBERS: Aye.

12 CHAIRMAN PRICE: What was it tabled for at
13 ZBA, Ken? Is this -- just more information or --

14 MR. GORDON: To get additional information
15 and to allow counsel to write up findings on this
16 variance application for a portion of the Whole Foods
17 project.

18 CHAIRMAN PRICE: Okay. Gotcha. Okay. All
19 right. Okay.

20 MR. FRISCH: The last will be for sign 1645
21 for UR medicine at 2400 South Clinton Avenue. It was
22 approved by the Architectural Review Board along with
23 the canopy. It was part of the ARB approval.

24 CHAIRMAN PRICE: Okay.

25 MR. GORDON: I -- you know, I just got a

1 message from my guardian angel that actually the
2 Fidelity sign was approved by the ZBA. My bad memory.

3 So perhaps we can pull off the table and
4 take action on that. My apologies.

5 CHAIRMAN PRICE: Okay. All right. Let's
6 wrap this up. We'll go back to that.

7 MR. GORDON: Sorry about that.

8 CHAIRMAN PRICE: So I would move we approve
9 this application as presented.

10 MS. ALTMAN: I'll second.

11 MR. FRISCH: Is that Altman?

12 MS. ALTMAN: Yup.

13 CHAIRMAN PRICE: Move and second. All in
14 favor?

15 ALL MEMBERS: Aye.

16 CHAIRMAN PRICE: Opposed?

17 Jeff, let's go back to the previous
18 application for Fidelity.

19 MR. FRISCH: Okay.

20 MR. GORDON: If we could have a motion to
21 take it off the table please.

22 MR. FADER: I move we take it off the table.

23 CHAIRMAN PRICE: I'll second.

24 MR. GORDON: Vote on that.

25 CHAIRMAN PRICE: All in favor?

1 ALL MEMBERS: Aye.

2 CHAIRMAN PRICE: Okay. New motion to
3 approve as presented and approved by the ARB and the
4 Zoning Board of Appeals.

5 MR. FADER: I'll second that.

6 CHAIRMAN PRICE: Okay. All in favor?

7 ALL MEMBERS: Aye.

8 CHAIRMAN PRICE: What color is the -- do the
9 letters -- are they always white or do they light up
10 when the light goes on and they turn green?

11 MR. FRISCH: They're always white.

12 CHAIRMAN PRICE: Always white. Interesting.
13 Okay. Okay. All right. Is that it?

14 MS. FORD: It's too early to stop.

15 MR. GORDON: Too early in the morning on
16 Thursday is that what you mean by that?

17 CHAIRMAN PRICE: 12:06. We haven't had one
18 of those in awhile.

19 MR. FRISCH: Been a long time.

20 CHAIRMAN PRICE: Yeah. It's been awhile
21 since we had one this long. Thank you everybody.

22 (Proceedings concluded at 12:06 a.m.)

23

24

25

REPORTER CERTIFICATE

3 I, Holly E. Castleman, do hereby certify
4 that I did report the foregoing proceeding, which was
5 taken down by me in a verbatim manner by means of
6 machine shorthand.

7 Further, that the foregoing transcript is a
8 true and accurate transcription of my said
9 stenographic notes taken at the time and place
10 hereinbefore set forth.

12 Dated this 18th day of May, 2022
13 at Rochester, New York.

Holly E Castleman

HOLLY E. CASTLEMAN,
Notary Public.