

PLANNING BOARD
TOWN OF BRIGHTON
MEETING OF JULY 20, 2022
Brighton Town Hall
2300 Elmwood Avenue

PLEASE TAKE NOTICE that a public hearing will be held by the PLANNING BOARD of the TOWN OF BRIGHTON, Monroe County, at a meeting to be held remotely via a video conferencing platform on Wednesday July 20, 2022 at 7:00 P.M. (E.D.S.T.). Pursuant to the adoption of Chapter 1 of the Laws of 2022 amending Chapter 417 of the Laws of 2021 which permitted remote public meetings and the issuance of the Governor's Executive Order 11 and the suspension of in-person meeting requirements under the Open Meetings Law and the extensions thereof, this meeting will be conducted remotely beginning at 7:00 pm or as soon thereafter as possible. Members of the public will be able to view and participate in the meeting via Zoom. Please go to the Town website (<https://www.townofbrighton.org>) for a link to the Zoom meeting. Should the suspension of in-person meeting requirements expire before the time and date of the above referenced meeting, said meeting will be conducted in-person at the Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton and will commence at 7:00 pm.

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

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

AGENDA

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

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approval of the May 18, 2022 meeting minutes.
Approval of the June 15, 2022 meeting minutes.

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of July 14, 2022 will now be held.

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

[6P-03-22](#) Application of Birnbaum Companies, owner, for Preliminary/Final Site Plan Approval and Conditional Use Permit Approval to construct a 3,050 +/- sf building addition for warehouse and

office use on property located at 150 Metro Park. All as described on application and plans on file. **TABLED AT THE JUNE 15, 2022 MEETING - PUBLIC HEARING REMAINS OPEN – ADJOURNED TO AUGUST AT APPLICANT'S REQUEST**

[7P-01-22](#) Application of Norland Associates, LLC, owner, and Evolve Additive Solutions, Inc. lessee, for Conditional Use Permit Approval to allow for a Research and Development facility with warehousing for the plastic components manufacturing industry on property located at 3 Townline Circle. All as described on application and plans on file.

[7P-02-22](#) Application of Winton Acquisitions, LLC, owner, and Jason Rheinwald, Fox's Deli, lessee, for Conditional Use Permit Approval to allow for outdoor dining in association with an existing restaurant on property located at 3450 Winton Place. All as described in application and plans on file.

[7P-03-22](#) Application of Chris Sardone, owner, and Generator Supercenter of Upstate NY, agent, for Site Plan Modification to install a 27kw standby emergency generator in a side yard on property located at 115 Metro Park. All as described on application and plans on file.

[7P-04-22](#) Application of Mt. Read Emerson Street Properties, LLC, owner, and Herc Rentals, lessee, for Conditional Use Permit Approval to allow for a construction equipment rental facility on property located at 1220 Brighton Henrietta Town Line Road. All as described on application and plans on file.

NEW BUSINESS:

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

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

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

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS: (cont.)

7P-NB1-22 Application of Kim Bailey, Stahl Properties, owner, for Concept Review to raze and existing single-family dwelling and construct a new 4,435 +/- sf single family dwelling with a 900 sf attached garage on property located at 12 Elmwood Hill Lane. All as described on application and plans on file.

Establishment of Lead Agency in regards to the Jewish Senior Life Expansion - The Summit, 2000 Summit Circle Drive (see letter from Rick DiStefano, Environmental Liaison Officer, dated June 29, 2022).

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Kerry Bauer, Glenhill Drive, dated June 14, 2022, regarding closing off the entrance to Brookside School from Idlewood Road.

Letter from Lucas and Michelle Gosodonia-Maiola, dated June 14, 2022, with comments and concerns regarding application 5P-NB1-22.

Letter from Vince and Mary Hope, 30 Poplar Way, dated June 14, 2022, regarding closing off the entrance to Brookside School from Idlewood Road.

Letter from Sharon Dickman, 2 Birmingham Drive, dated June 15, 2022, with comments and concerns regarding application 5P-NB1-22.

Letter from Betsy Bringewatt, Interim CEO/President, Jewish Family Services, dated June 23, 2022, stating that the Brighton Food Cupboard is comfortable with relocating their facility entrance and parking to the Winton Road South frontage on property at 220 Idelwood Lane.

Letter, with attachment, from Rick DiStefano, Environmental Liaison Officer, dated June 29, 2022 regarding SEQRA Lead Agency establishment for the Jewish Senior Life - The Summit expansion project.

Letter from Jake Calabrese, MRB Group, dated July 7, 2022, requesting adjournment of application 6P-03-22, 150 Metro Park.

Letter from Vicki Reina, dated July 13, 2022, with comments and concerns regarding applications 5P-02-22 and 5P-NB1-22.

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

Letter from Jerry Goldman, Woods Oviatt Gilman, dated July 13, 2022, requesting adjournment of application 10P-NB1-21.

Letter from Nathan Schroeder, dated July 13, 2022, with comments and concerns regarding applications 5P-02-22 and 5P-NB1-22 along with submission of a “Brookside Sale Fact Sheet”.

Letter from Ronald Amelotte, dated July 15, 2022, with comments and concerns regarding applications 5P-02-22 and 5P-NB1-22.

Letter from Peg Warrick, dated July 15, 2022, with comments and concerns regarding applications 5P-02-22 and 5P-NB1-22.

Letter from a group of residents within Evans Farm, dated July 15, 2022 with comments and concerns for applications 5P-02-22 and 5P-NB1-22.

Letter from Charles Ruff, dated July 16, 2022 in support of application 5P-NB2-22.

Letter from Judy Massare and Jeffrey Gray, dated July 17, 2022, with comments and concerns regarding application 5P-NB1-22.

Letter from Robert Castle, dated July 17, 2022, with comments and concerns regarding application 5P-NB1-22 and 5P-02-22.

Letter from Audrey Schroeder, dated July 17, 2022, with comments and concerns regarding applications 5P-02-22 and 5P-NB1-22.

Letter from Ron Amelotte, dated July 18, 2022, with comments and concerns regarding application 5P-NB1-22 and 5P-02-22.

Letter from Shannon Sadik, dated July 18, 2022, with comments and concerns regarding application 5P-NB1-22 and 5P-02-22.

Letter from Michael E. Gage and Sandra Cherin, dated July 18, 2022, with comments and concerns regarding application 5P-NB1-22 and 5P-02-22.

Letter from Lawrence A. Ray, dated July 18, 2022 in opposition to application 5P-NB2-22.

Letter from Miranda Harris-Glocker, dated July 18, 2022, with comments and concerns regarding applications 5P-NB2-22.

PETITIONS:

NONE

SIGNS:

APP #	NAME & LOCATION	TYPE OF SIG	ARB REVIEW
			PB DECISION
ARB & PB RECOMMENDATIONS AND/OR CONDITIONS			
<u>1648</u> <u>revised</u>	BU Salon & Space 2119 South Clinton Avenue	Bldg Face	5/24/22 & 7/5/22
ARB - Approved as revised.			
<u>1650</u>	Rochester Regional Health 2250 Brighton Henrietta TL Rd	Bldg Face	7/5/22
ARB - Approved as presented.			
<u>1651</u>	ESL 100 Canal View Blvd.	Bldg Face	7/5/22
ARB - Approved as presented			
<u>1652</u>	Whole Foods 2740 Monroe Avenue	Bldg Face & Canopy	7/5/22
ARB - Approved as presented.			
<u>1653</u>	Zoom Tan Zoom Fit 2750 Monroe Avenue	Bldg Face	7/5/22
ARB - Approved with conditions. 1. Consistent spacing between the words 'zoom' and 'tan' and 'zoom' and 'fit'.			
<u>1654</u>	Faraci Lange 1890 Winton Road South	Bldg Face	7/5/22
ARB - Approved as presented.			

TIUNY/Evans Farm

Kerry Bauer <kerryabauer@gmail.com>
To: jeff.frisch@townofbrighton.org

Tue, Jun 14, 2022 at 3:03 PM

Hello Mr. Frisch,

I am a resident of Evans Farm neighborhood and have lived here for almost eight years now. When our first child was born, we began looking at houses and districts, and we fell in love with something unexpected, not a district or a town, but more specifically, with Evans Farm Neighborhood. We no longer considered other towns or even other areas in Brighton, we waited patiently for just the perfect house to pop up in Evans Farm. Five months later, "our home" finally appeared and we were the first to see it and we put in an offer that day. Above asking to make sure we didn't lose it! It was worth the wait. We have thoroughly enjoyed the family-friendly aspects of living in Evans Farm and raising our two young children (ages 8 and 4) here has been such a positive experience.

One of the only drawbacks to our neighborhood has been the traffic coming out of Brookside. When I learned of the sale of the property and that the tentative new owners would be bringing in new residents on the property as well as continuing to rent to various other businesses, I became increasingly concerned about the traffic and the fact that Evans Farm continues to be disrupted by outside organizations and their traffic. As Brookside is no longer technically going to be owned by the town of Brighton, I would greatly appreciate if there was a distinct separation of the physical grounds to reflect that. Closing off the entrance from our neighborhood off Idlewood and preferably planting grass and trees, and even ideally a small playground for our neighborhood children, would go a long way. This request is urgent as once the sale is final, it will be too late to make this request a reality and the consequences will be felt in Evans Farm for generations to come.

This closure of traffic would not only continue to preserve the spirit and quaintness of the neighborhood, but would also increase home values, rather than decrease them. If the neighborhood becomes further disrupted as an inlet for traffic from additional residents/students/staff as well as existing staff and students from the Montessori school, etc, I will unfortunately have to seriously considering changing residences.

We absolutely love Evans Farm and all of the special things that make it such a great neighborhood, especially to raise children, but I already have concerns about letting my children ride their bikes, take walks with friends and venture to certain high traffic streets and sections of the neighborhood. This would increase those concerns and make it hard to justify continuing to stay here, as the sole purpose of our home purchase eight years ago was to safely and happily raise our children here. We compromised having sidewalks to live here because we loved the area that much, but have to question how much sense it makes to stay in an area that is not preserved well by its town and not considered for its particular needs. This is a need for our neighbors here in Evans Farm. We need people to listen to them and consider how much they impact our daily lives, quality of life here, and motivation to be enthusiastic about our beloved neighborhood and town.

Please, please consider this request from a very dedicated and concerned mom of two kids (and a big, fluffy standard poodle who loves walks around our gorgeous streets).

Sincerely,

Kerry Bauer
Glenhill Drive



TIUNY application.

L&M Grosodonia-Maiola <lucas.michelle104@gmail.com>
To: jeff.frisch@townofbrighton.org

Tue, Jun 14, 2022 at 7:34 PM

Good evening,

We are writing this email with concerns about traffic flow and ask that an access road be linked to the Winton road parking lot.

I also have to express my deep sadness that brighton will be loosing that green space as an open for public use space. We played soccer there growing up and looked forward to our kids being able to play on the playground and also enjoy all the green space right in our backyard. That was a huge factor in us purchasing in Evans Farm. Sad to see this be taken away.

Best,

-Michelle and Lucas
Grosodonia-Maiola
(she/her) (he/him)

We're looking to Adopt

<https://youtu.be/9ByDhMVvVQ8>



TIUNY permit

V W Hope <vwhope5@gmail.com>

Tue, Jun 14, 2022 at 8:03 PM

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

Jeff

We're very interested in an internal road on the north side of Brookside buildings as a solution that allows for the closing of the Idlewood entrance to cars. Keeping a walking bike pathway seems logical.

Since there is already paved walkway along that north side, expansion to accommodate vehicles will have less paved surface impact on the property than a southern solution (where intrusion into existing play areas also becomes an issue).

Thank you for the boards's diligent attention to the range of community and applicant concerns at this critical juncture in the Brookside property ownership.

Vince and Mary Hope
30 Poplar Way
From my cell



Comment for Brighton Planning Board on Brookside

1 message

Sharon Dickman <sdickman2012@gmail.com>

To: jeff.frisch@townofbrighton.org

Wed, Jun 15, 2022 at 3:08 PM

Hi Mr. Frisch,

Please add my message below to the materials for review by the Brighton Planning Board on the topic of the TIUNY development on the current Brookside property. That continues to be an important issue for many people who live in Evans Farm. Like any community, Evans Farm has changed over the years, but I've always thought of it as a place where people try to support each other and pitch in for the common good.

Take care,
Sharon

It struck me last night that this is about the same time last year when a few Evans Farm residents, myself included, rushed to gather signatures on a petition as the school year was ending and vacation season was beginning. Evans Farm residents were left out of the process on the sale of the Brookside property until the very end after the school superintendent and the school board made their decisions. We didn't collect enough of the required signatures, but many residents I spoke to felt ignored by the process.

Now a year later, residents are making their case to the Brighton Planning Board and asking that the old Brookside building, new construction and all of the other changes to that 20-plus acre property will keep the interests of the residents foremost as the final decisions are made. Many residents hope the Brighton Planning Board will be fair and sensitive to their desires.

I support two conditions that have been proposed by other Evans Farm neighbors and have been submitted to the Brighton Planning Board. The new property owner should permanently close the Idlewood Road vehicle entrance to [1666 S. Winton Road](#) and for the Town of Brighton to permanently close its portion of the vehicle entrance so that tenant traffic is not directed through Evans Farm. Also, giving residents and the Town of Brighton an easement, right of way, land lease, or equivalent to a portion of the property grounds for open space would be beneficial. A pedestrian pathway connecting Idlewood Road to South Winton Road and the planned expansion of Buckland Park is important for the Evans Farm community.

Thank you in advance for adding this to the board's materials for any upcoming meetings when the Brookside issue will be discussed again.

Sincerely,
Sharon Dickman
2 Birmingham Dr.
Brighton





RECEIVED
JUN 23 2022

TOWN OF BRIGHTON
BUILDING & PLANNING

June 23, 2022

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

Dear Planning Board Members:

I am forwarding this letter to follow up on my letter of June 7, 2022. As you know, Jewish Family Services' Brighton Food Cupboard (BFC) operates at 220 Idlewood Road. After having an opportunity to review the Talmudical Institute's project more carefully, Jewish Family Services is comfortable with the proposal to relocate our building entrance and parking as planned and proposed by the Talmudical Institute.

The Talmudical Institute's proposal is for the BFC to use a shared building entrance on the north side of the building, with parking and driveway entrance located on the Winton Road side of the building. While we have enjoyed use of the Idlewood Road entrance without incident for the past 10 years, we have no objection to relocating our entrance and orienting to South Winton Road, as has been apparently demanded by the Evans Farms neighbors. We are satisfied that the plans provide suitable access for the BFC.

We look forward to continuing to serve the community from our current location and request your approval of the Talmudical Institute's project.

Thank you.

Sincerely,

Betsy Bringewatt

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

July 7, 2022

Mr. Rick Distefano
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

**RE: Adjournment of Preliminary and Final Site Plan Application for
150 Metro Park Warehouse Building – July 20, 2022 Meeting
MRB Group Project No. 2889.17001**

Dear Mr. Distefano:

150 Metro Park, LLC would like to table the proposed Planning Board Application 6P-03-22 discussions and adjourn them for the July 20, 2022 meeting. This will allow time to advance the architectural plans to be in a better position to update the board and address their comments.

We would like to thank you and the board for your assistance with this project. If you have any questions or need additional information, please contact our office.

Respectfully Submitted,

Jake Calabrese
MRB Group

N:\2889.17001.000\CORRES\Brighton (Table Application).doc



Town of
Brighton

Building and Planning Department

Commissioner of Public Works – Michael Guyon, P.E.

Rick DiStefano
Senior Planner

RECEIVED
JUN 29 2022
TOWN OF BRIGHTON
BUILDING & PLANNING

Monroe County Health Department
Attn: Wade Silkworth
Manager of Environmental Health
111 Westfall Road, Room 914
Rochester, NY 14620

Monroe County Water Authority
Attn: Nicholas A. Noce, Executive Director
475 Norris Drive
Rochester, NY 14610

Monroe County Pure Waters
c/o Michael J. Garland, P.E.
Director, Dept. of Environmental Services
7100 City Place, 50 West Main Street
Rochester, NY 14614

NYS Department of Health
Center for Health Care Facility Planning, Licensure, and
Finance
Attn: Michael Heeran, CCRC Program Director
Room 1805 Corning Tower, Empire State Plaza
Albany, NY 12237

Monroe County Dept. of Transportation
Attn: Thomas Frys, PE
6100 City Place
50 West Main Street
Rochester, NY 14614

NYSDEC (Region 8)
Attn: Thomas Haley, Regional Permit Administrator
6274 East Avon-Lima Road
Avon, NY 14414

NYS Department of Financial Services
Attn: Alice McKinney
1 State Street
New York, NY 10004

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

June 27, 2022

Re: Establishment of Lead Agency
Jewish Senior Life Expansion - The Summit
Town of Brighton Project #ER-7-22

Dear Involved and Interested Agencies:

The Town Board of the Town of Brighton has received application for Site Plan Approval and amendment of existing Incentive Zoning requirements for a $24.45 \pm$ acre parcel of land at 2000 Summit Circle Drive (Tax ID #149.12-1-33) in the Town of Brighton, Monroe County.

The project involves amendment of the existing Incentive Zoning Approval requirements for the parcel, and Site Plan Approval for 1) construction of two four-story buildings, each containing 35 Independent Living dwelling units with covered parking, (2) a 5,500 sf Multi-Purpose Room/Theatre addition, (3) a 2,000 sf fitness addition and (4) two 1,400 sf maintenance and storage buildings, as well as ancillary site improvements. Also to include, as part of the Incentive Zoning amendments, construction of 1,100 linear feet of public sidewalk along the west side of South Winton Road south of Westfall Road and 850 linear feet of public sidewalk along the

south side of Westfall Road west of South Winton Road, all of which will be in county right-of-way or town property.

The Brighton Town Board has declared this a Type I action pursuant to 6 NYCRR Part 617 and is seeking Lead Agency status for the purpose of State Environmental Quality Review Act (SEQRA) compliance.

I have enclosed Part I of the Full Environmental Assessment Form and supplemental information for your consideration.

I have also enclosed a lead agency selection agreement designating the Town of Brighton Town Board as lead agency. To streamline the lead agency designation process, I respectfully request that you promptly review the application documents which have been provided and, if you concur with the designation of the Town of Brighton Town Board as lead agency, sign and return the agreement to my attention to be received no later than July 27, 2022.

If there are any questions regarding this matter, please feel free to call me at (585) 784-5228.

Sincerely yours,



Rick DiStefano
Environmental Review Liaison Officer

Enc.

AGREEMENT ON LEAD AGENCY SELECTION

FOR THE

JSL – 2000 Summit Circle Drive
TOWN OF BRIGHTON PROJECT #ER-7-22

I accept the selection of the Town of Brighton Planning Board as Lead Agency for the environmental review of this application.

Signature:

Date:

Title:

Phone:

Agency:

Please return to be received by July 27, 2022

Rick DiStefano
Environmental Review Liaison Officer
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

July 13, 2022

RECEIVED
JUL 14 2022
TOWN OF BRIGHTON

Brighton Planning Board, et al.:

This letter is in response to the Montessori School previously submitted information, as well as information from TIUNY:

- The “traffic studies” completed by members of the Evan’s Farm (EF) neighborhood were completed specific to Brookside entrance, with a direct view of their driveway/circular loop and entrance; this view allowed for the assertion that the traffic was related to the school.
 - We do not have 375 homes within Evan’s Farm. Of the 330 homes, were we to assume everyone has one vehicle and comes/goes = 660 trips per day, across seven entrances. Based on our observations/estimate approximately **one-quarter of daily traffic** is Montessori/tenant traffic to Brookside.
- Montessori parents do cut through streets, in particular Poplar, so it cannot be assuredly stated that only the Idlewood entrance/street is used.
- The petition by the Montessori School misrepresents the requests of the neighborhood and as such those who signed do not seem to be aware of the request: the request is for there to be an alternate route from Winton Rd to the circular loop/MS entrance, NOT to walk around the expanse of the building to the entrance from the Winton-side parking lots, as suggested. Therefore, there is no new burden on drop off/pick up.
 - However, were the sale to fail to materialize, we would still want the entrance closed, and/or parents directed to use an alternate entrance and walk through the school to drop off their children. I have used day care facilities in the past and have had a similar walk through buildings, it should not be a burden.
- Montessori notes our ability to continue to use their playground; it should be noted that we have learned that the large playground is owned, operated and maintained by Brighton Parks. They stated they are unaware of the future of who will be responsible for this, is it TIUNY, Montessori? I do not want to assume that our tax dollars will not continue to go to any playground on private land.
- The presumption that Montessori will be the “forever” tenant raises concerns; future tenants and/or future plans to expand TIUNY, could provide more issues with through traffic. Now is the time to address this.

I understand the Montessori School requires a conditional permit in order to continue their business operations when the sale of the school is finalized. If the sale does not go through, Montessori school will continue to operate as usual. Even under those conditions, the neighborhood (270 signatures) expressed their dissatisfaction regarding the traffic from tenants of Brookside.

TIUNY suggests there is an undue financial burden associated with re-configuring and adding alternate entrances and closing the Idlewood entrance; as an example, if this is an approximately \$5 million-dollar renovation, adding an approximate \$200,000 cost adds **0.04%** increase to the total budget. It would be valuable to see an itemized cost estimate and see how these additional costs impact the total project. Further, while they state it is not feasible “due to environmental impacts and cost”, it is not stated that the environmental impacts would prohibit the northern driveway. In addition, relative to the southern driveway, if the design already includes a tree line or other obstructions, it could be assumed that these would provide privacy to the homes mentioned on Hunter’s Lane. It is not clear how the driveway

extensions on either side (northern, southern) would be a safety concern. It seems to be suggested that while the tenant property creates a traffic nuisance, the inconvenience of this traffic should be managed by the Evans Farm neighborhood instead of being managed by the property owner. I can't assume the impact that <1% increase would have on their budget, but suggest that if neighborhood safety and relations were important, it is a small price to adjust.

Rabbi Noble stated he would not agree to an easement while simultaneously welcoming neighbors from Evan's Farm to use the space, grounds, etc.; I do not understand how an easement is unsafe or creates greater safety concerns than public use of the surrounding land(s). It also seems like an agreement (legal, in writing) could be developed with the town who would assume liability and responsibility.

The traffic study submitted states: *Urban Local Street (Class 19) The local street system includes all facilities not in one of the higher systems. It primarily permits direct access to abutting lands and connections to the higher order systems and are not intended for use in long distance travel. It usually contains no bus routes. As public roads, they should be accessible for public use throughout the year.*

As stated previously, Idlewood Road is a 19 feet wide asphalt road with 30" wide concrete gutters on part of the road, no sidewalks, no markings, no shoulder, and no streetlights. The majority of the roads in the Evans Farm neighborhood have this same configuration. These types of roads closely match a 'Yield Roadway' typology per the US DOT Federal Highway Administration's (FHA) 2016 "Small Town and Rural Multimodal Networks" publication. The FHA document indicates that yield roadways are 20ft or less wide, have no sidewalk or shoulder, and no markings. The report indicates that yield roadways are "designed to serve pedestrians, bicyclists, and motor vehicle traffic in the same slow speed travel area" with "very low volumes and low speed." It also described Yield Roadways as local residential roads that are not for through motor vehicle traffic. The FHA report also describes yield roadways to exist "within built-up areas, particularly near residential land uses where most traffic is familiar with prevailing road conditions." See Figure 1.3 for a diagram of a yield roadway from the FHA Report. Furthermore, the New York State Department of Transportation classifies all of the roads in Evans Farm as Local Roadways. **The Federal Highway Authority indicates that 'Local Roads' should be "designed to discourage through traffic".**

The members of Evan's Farm neighborhood pay considerable taxes towards the town and all its operations, the new tenant will not as they are a tax-free entity. I cannot stress enough the importance of valuing the needs of the tax-paying current residents versus a potential future tax-free organization. Ultimately, we could just keep going back and forth- he said, they said, we said....myself, or collectively representing the neighborhood, could continue to refute, provide alternate information, etc. but the bottom line is this: a majority of this neighborhood wants the Idlewood entrance closed. Period.

Vicki Reina
62 Poplar Way

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

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

Wed, Jul 13, 2022 at 2:44 PM

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

Cc: "Brugg, Betsy D." <bbrugg@woodsoviatt.com>, "Volpe, Courtney J." <cvolpe@woodsoviatt.com>

R E C E I V E D
JUL 14 2022

Jeff-

On behalf of the applicant, we hereby request that the above referenced application be adjourned from the Planning Board's meeting of July 20 to allow the applicant's representatives to further discuss the proposal with neighbors and process its use and area variance applications to the Zoning Board of Appeals. We hope to be ready to proceed with the Planning Board at its August 17 meeting.

As always, thank you very much for your courtesy.

Thanks and stay safe,

Jerry

Jerry A. Goldman, Esq.

Partner

Direct Dial: 585-987-2901

Direct Fax: 585-362-4602

jgoldman@woodsoviatt.com



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Quickle's/1950-1966 Monroe Avenue - Planning Board Application 10P-NB1-21

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

Wed, Jul 13, 2022 at 2:47 PM

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

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

R E C E I V E D
JUL 14 2022

Jeff-

**TOWN OF BRIGHTON
DEPT. OF PUBLIC WORKS**

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

As always, thank you very much for your courtesy.

Best and stay safe,

Jerry

Jerry A. Goldman, Esq.

Partner

Direct Dial: 585-987-2901

Direct Fax: 585-362-4602

jgoldman@woodsoviatt.com



Firm Phone: 585-987-2800

Firm Fax: 585-454-3968

woodsoviatt.com

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Agenda Item 5P-02-22

3 messages

Nathan Schroeder <npschroeder@gmail.com>
To: jeff.frisch@townofbrighton.org**R E C E I V E D**
Wed, Jul 13, 2022 at 2:10 PM
JUL 14 2022**TOWN OF BRIGHTON
DEPT. OF PUBLIC WORKS**

Hello Mr. Frisch and Planning Board Members,

I believe the Idlewood entrance to the Brookside property should be closed to vehicular traffic.

Private Ownership: Simply, the property is shifting from the public domain to private hands. If this were a new development, no access to the property would be provided through the neighborhood. For example, just to the south of the Brookside property is Cambridge Place. All vehicular traffic enters Cambridge Place from Winton Road. This should be mirrored by TIUNY as it plans to Redevelop the Brookside property.**Increased Traffic:** There is no question that the Montessori School (and other tenants, current and potential) add to the vehicular traffic on Idlewood Road. This is most noticeable during peak drop off and pick up times. The neighborhood, TIUNY, and the Montessori School will argue what constitutes "too much additional" traffic. But the point remains that Idlewood Rd is a neighborhood street that is used by many for walking and cycling.**TIUNY Purchase Price & Intentions via BCSD:** According to the Brighton School District's fact sheet (available on the BCSD.org website and attached to this email), TIUNY is purchasing the property for \$4.2 million. BCSD notes that the buildings need significant repairs. BCSD notes that, in the last bullet on the first page, that the "**purchaser intends to shift as much traffic to the Winton Road entrance as a possible. This may result in LESS traffic through the neighborhood.**" TIUNY sold this idea, among others, to the BCSD board.**TIUNY Costs for Roadway:** I'm do not know how much TIUNY is planning to invest in the Brookside property. We know that TIUNY plans to build a dormitory and make other investments in the Brookside property, while Refusing to grant an Easement to the town/neighborhood. Let's assume, for simplicity and erring on the conservative side, that TIUNY's near-term spending on Brookside will be \$5.0 million (again, the property sale is expected to \$4.2 million, TIUNY will likely invest more than \$5.0 million). According to the recent studies engaged by TIUNY, constructing a roadway linking the Winton Road entrance to the Montessori School parking lot would be either \$180,000 or \$200,000. Based on these conservative estimates, **this represents a 4.0% increase in total costs to TIUNY.****Sidewalks & Taxpayers:** Finally, I have issue with TIUNY's proposal that the Neighborhood build sidewalks if it is concerned about pedestrian safety. Idlewood Rd is shared roadway. As a layperson, I have no idea how much TIUNY will be contributing to the Town's property tax revenue. I don't know if TIUNY will have a full exemption or partial exemption on its property taxes. However, I am a property taxpayer in Brighton and it seems unfair to shift the burden of safety to the taxpayers when a private, non-tax paying owner (TIUNY) is benefiting from the public access and contributing to the burden (i.e., increased traffic) while contributing little- to-no revenue to the Town.Again, the Brookside property is shifting from the public domain to private ownership. The Town-wide consensus (Envision Brighton) is that Brighton should be striving to be as pedestrian friendly as possible. To follow this consensus, we should require that the new property owners (TIUNY) shift all vehicular traffic to Winton Road as it redevelops the Brookside property. Would TIUNY walk away from the Brookside purchase if required to close Idlewood? I don't believe so, as TIUNY's increased burden would be very small relative to its overall budget.Thanks for your time,
Nathan Schroeder
190 Idlewood Rd brookside fact sheet final 7121.pdf
154K**Nathan Schroeder** <npschroeder@gmail.com>
To: jeff.frisch@townofbrighton.org

Wed, Jul 13, 2022 at 4:15 PM

Hi Jeff,
Apologies, but this prior email should be directed to Agenda Item 5P-NB1-22 (as a response to TIUNY application, and less the Montessori School use).
Thanks,
Nathan
[Quoted text hidden]--
Thanks and best,
Nathan



- Following an extensive review and planning process, District voters approved a capital project in 2017 to invest in the development of Council Rock Primary School.
- Brookside became a surplus property for the District at that time. The space will not be needed. Other contingency plans would be used if enrollment unexpectedly increased.
- The building needs significant repairs that are not aided by the state. They would have to be paid for entirely from the District budget which could impact our ability to support programs for students. This makes the Brookside building a significant liability for the District.
- The building houses tenants. The leases, when offset by costs, net only \$40,000 a year in revenue.
- The purchaser, the Talmudic Institute of Upstate New York (TIUNY), has offered \$4.2 million. It would take more than 100 years at current rates for the District to receive that in lease payments.
- This is a significant positive financial opportunity for the District. We would convert a liability into an asset that would allow the District to make other capital improvements at no cost to the community.
- TIUNY intends to use the property as a school.
- TIUNY does not foresee significant changes to how the community currently can use the space.
- TIUNY intends to use the property and not develop it while making improvements to the building.
- The purchaser intends to shift as much traffic to the Winton Road entrance as possible. This may result in LESS traffic through the neighborhood.



- **Brookside was not on the market. We were approached by the Talmudic Institute of Upstate New York and eventually an offer to purchase was made. Current tenants including the Town of Brighton and The Montessori School of Rochester were given significant notice of a possible sale and the need to find alternative space. TIUNY is currently planning on the tenants staying in their current spaces.**
- **Initial discussions were not public because they were not yet formal and only exploratory. The Board of Education took actions in public session as soon as legally possible to do so.**
- **The Board is authorized by law to sell property as long as the sale price is at or above market value. Market value takes into account what the property could be purchased for if on the market.**
- **This sale is a win in many ways:**
 1. **The neighborhood use is likely to remain similar if not the same.**
 2. **Traffic is not likely to increase and may be reduced.**
 3. **The District and all taxpayers will benefit significantly from the revenue.**
 4. **What could be a long-term expense impacting program and District operations could be turned into an opportunity for the District to make other needed improvements to facilities, grounds, and program without a cost to taxpayers.**
 5. **The TIUNY is excited about the opportunity to join the neighborhood and develop a collaborative and positive relationship with the Evans Farm neighborhood.**

Fwd: Planning Board Meeting on TIUNY Development

Mike Guyon <mike.guyon@townofbrighton.org>
To: Jeff Frisch <jeff.frisch@townofbrighton.org>
Cc: Rick DiStefano <rick.distefano@townofbrighton.org>

Fri, Jul 15, 2022 at 9:01 AM

Jeff,

This below email is in response to the Talmudical Institute project. It should be entered into the project record.

thanks

Mike

----- Forwarded message -----

From: Ronald Amelotte <ramelotte@icloud.com>
Date: Fri, Jul 15, 2022 at 7:46 AM
Subject: Planning Board Meeting on TIUNY Development
To: <mike.guyon@townofbrighton.org>

The Evans Farm neighborhood has recently received two documents relative to the TIUNY purchase and development of the old Brookside school land.

Mark T. Henderson, Director of Jewish Community Security wrote a letter stating his concern about safety concerns for the new school and reasons for not accepting a request from The Evans Farm neighborhood to allow an easement to the property for Evans Farm to Winston Rd. As a former Police Officer of Brighton I'm sure that Mr Henderson is aware that Brighton has a very low crime rate and much lower than Rochester where this school is currently located, and is even lower than the Town of Brighton in total. In addition unless the entrance from Idlewood Rd is Gated any vehicle from any where can enter that property at any time day or night. Which begs the question would a further review of safety concerns cause Mr. Henderson to determine that the Entrance from Idlewood require a Security Gate with armed Security to open and close the gate for Montessori users with a Pass?. In addition in at least one meeting with TIUNY representatives there was some discussion of additional commercial tenants to the existing school building. This would completely make Mr. Henderson position on Safety requirements incoherent.

In Addition Mr. Matt Tomlinson also provided a document defending TIUNY'S refusal to consider closing the Idlewood entrance on the basis of cost to the project for TIUNY. In Mr. Tomlinson's letter he states that 17% of the the traffic entering the Brookside area is caused by the use of the Montessori School. I have several questions about that.

1. I would like to see documented evidence supporting the number (17%).
2. At some point in discussions I remember TIUNY suggesting the possibility using the rest of the existing school for any type of commercial rental space as they might investigate for the future. I'd like to more about that.
3. That entrance is a public road owned and maintained by the Town of Brighton any vehicle can turn onto that street and enter the property with any size vehicle. So what controls, if any, would TIUNY place on that thruway.

In addition Mr. Tomlinson states if the 22 homes on Idlewood affected by TIUNY traffic they should petition the town to install side walks, to which I offer the following.

1. The Evans Farm development was built in the 1950's with narrow roads, some streets do not even have gutters, and the storm water runoff is at best poor. The development requirements for this property today would not be acceptable but it is what it is. The roads in the neighborhood require significant repair and in many streets complete repaving and the addition of gutters. Sidewalks? That's not a reasonable request. Mr. Henderson sites a cost of \$200,000 dollars for a driveway. That's not the same as a Town Street, it's a driveway.
2. The Evans Lane entrance to Evans Farm does not only service the homes on Idlewood, it is one of the most heavily used entrances to all homes in Evans Farms. Everyone is affected.

I would humbly request that the Town of Brighton and TIUNY strongly consider the Evans Farm request for the closure of the Idlewood entrance to the Brookside property except for Emergency usage.

Thank you for your consideration

Ron Amelotte
225 Glenhill Dr
Rochester, NY

Sent from my iPad

--
Michael E. Guyon
Town of Brighton
Department of Public Works
2300 Elmwood Avenue
Rochester, NY 14618
(585) 784-5225

RECEIVED
JUL 18 2022

Jeff Frisch <jeff.frisch@townofbrighton.org>

Conditional Use Permits in Applications 5-02-22 and 5P-NB1-22

1 message

Peg Warrick <warrickpeg@gmail.com>
To: jeff.frisch@townofbrighton.org

Fri, Jul 15, 2022 at 3:10 PM

Jeff Frisch and the Brighton Town Planning Board,

REGARDING LETTERS SENT TO THE PLANNING BOARD AFTER THE MAY REVIEW

Drivers accessing the Idlewood Road entrances:.

A letter from Cindi Gowan in June indicates that the majority of Montessori parents are going on to the U/R and Strong after dropping off their children. For those parents, driving around the school, turning right on Winton, and then left onto the light at Winton will be easier and safer than making the left from Evans Lane onto Westfall where there is a crosswalk and no traffic light.

A service road is already planned half way along the South side. Extending that to the bus loop is one possibility. As for children crossing that road while traffic is going through, I walk my dog in the north field almost every morning and do not recall ever seeing children on the playground during drop off and pick up times. I assume the staff is inside welcoming the children and getting them situated.

Regarding "no negative impact" to traffic

The current level of traffic is greater than would be allowed on a narrow residential pedestrian-friendly street such as Idlewood Road if a new facility was being discussed. We have had no luck in changing this in the last 20 years because the property was public and did not change hands.

We should revert to what was intended, and what should be the situation, for Idlewood Road.

Furthermore, I am concerned that future tenants could have even more traffic. If the Food Cupboard ever moves, a new tenant using those multiple rooms will likely have a much larger impact than the current small traffic they to the Food Cupboard.

Intention for Brookside traffic

The original intention for students arriving at Brookside School was not at this level of traffic. In the 50s - 70s, most children in Evans Farm walked, and most children outside Evans Farm came in by bus. There was nowhere near the car traffic there is today.

Overall neighborhood traffic

Cindi Gowan's Montessori School note mentioned the overall level of traffic in Evans Farm based on the number of homes in Evans Farm. Those cars do not all drive down Idlewood. There are seven entrances to Evans Farm. As you can see from our traffic study, Idlewood does not get near the neighborhood traffic mentioned in the Ms. Gowan's letter. Also, we have many homes where one or no cars regularly leave at that hour.

Plus, anyone using the Westfall entrance **IS** cutting through the neighborhood - specifically Idlewood Road.

While the Montessori traffic is only adding 10-15% to the neighborhood traffic, that increase is concentrated on Idlewood and provides 2/3 of the traffic on Idlewood during the drop off period, mostly during the 8:30 - 8:45 window when children are walking to bus stops.

REGARDING THE MAY PROPOSAL BY TIUNY FOR BOTH PERMITS

Adding sidewalks to Idlewood Road:

First, as part of TIUNY's "Loop Road Extension/ Idlewood Entrance Abandonment Memorandum", it is written that putting a driveway on the northern section "would . . . require additional tree removal and trigger additional levels of environmental impact, mitigation and review."

Similarly, adding sidewalks to the section of Idlewood Road between Evans Lane and the entrance to the 1666 Winton Road property, would require the removal of approximately ten mature trees, some shrubs, and three sizeable gardens in order to install the sidewalk of the required width and setback from the pavement, triggering additional environmental impact to our neighborhood.

If, for continuity of pedestrian access, the sidewalks were extended the full length of Idlewood to the intersection at Evandale, the impact is double what is noted above.

Second, per Brighton town code, bicycles shall proceed in the extreme right lane at all times. Therefore, adding sidewalks does not remove bicycles from our narrow road and does not safeguard them against a level of traffic beyond what the street was designed for.

Traffic levels on Idlewood:

I disagree that the traffic generated by the school is “insignificant”. Other notes have explained that a traffic study done by a group of us on Idlewood shows that the school traffic currently has a significant impact. Furthermore that traffic could increase if more of the rooms become school classrooms, or if a different school with a higher number of students per room uses the property.

Also, per the Brighton Central Schools Fact Sheet that was emailed when we first were notified of the potential sale, “The purchaser intends to shift as much traffic to the Winton Road entrance as possible. This may result in LESS traffic through the neighborhood.” I do not see in the proposal where ANY traffic is being SHIFTED to Winton Road. New traffic TIUNY traffic yes, but not any of the current traffic.

Driveway feasibility:

As for the southern driveway, it was mentioned that “the driveway would add additional impervious area to the project and impact greenspace and stormwater management unnecessarily.” Could a pervious material be used? Per an this [EPA Website](#) “In addition to reducing the runoff from the rain that falls on them, permeable pavements can help filter out pollutants that contribute to water pollution. Permeable pavements can also reduce the need for road salt and reduce construction costs for residential and commercial development by reducing the need for some conventional drainage features.”

Thank you for your consideration. I look forward to the July 20th planning board meeting and truly appreciate all the planning board members do for Brighton.

Peg Warrick
[215 Idlewood Road](#)

Letter to the Town of Brighton Planning Board

RE: Additional Information provided to the board for 5P-02-22 and 5P-NB1-22

July 15, 2022

Authors (in alphabetical order):

Tim Beach - 200 Idlewood Road; tcbeach@gmail.com
Seth Holmes - 182 Idlewood Road; setholmes@gmail.com
Judy Massare - 126 Idlewood Road; jmassare@aol.com
Vicki Reina - 62 Poplar Way; phriendly2001@hotmail.com
Casey Sacco - 20 Dartford Road; casey.sacco@gmail.com
Audrey Schroeder - 190 Idlewood Road; nathanaudreys@gmail.com
Peg Warrick - 215 Idlewood Road; warrickpeq@gmail.com
Ray Warrick - 215 Idlewood Road; rwarrick215@gmail.com



We are writing to you ahead of the 7/20/2022 meeting to comment on the additional information provided to the board by TIUNY and Marathon Engineers for both the 5P-02-22 (Montessori) and 5P-NB1-22 (TIUNY) applications. We accessed these documents from the Planning Board's draft agenda.

The 5P-02-22 Montessori Additional Information document dated 7/1/22.

This document addresses the Idlewood entrance with 1) a cover letter, 2) an 11-page Traffic Study by SRF Associates, and 3) a 2-page driveway design analysis by Marathon Engineering. Please note that the SRF traffic report and the 2-page driveway design analysis are also presented in the 5P-NB1-22 TIUNY additional information document; therefore our comments below also apply to that document.

1. **The Cover letter** by Marathon engineering responds to 12 comments issued by the Planning Board following the May Planning Board Meeting. Comment 12 directly addresses the use of the Idlewood Road entrance and Evans Farm streets by asking the applicant to address Section 217-5 of the Town Code which in summary requires that the development will not be "...hazardous or inconvenient to or incongruous with the neighborhood..." The response by Marathon to this comment cites the SRF traffic study which concludes that *"Idlewood road functionally operates between a local street and a minor residential collector"* and Marathon therefore concludes that there is "no evidence that the operation of the school are in conflict with the normal traffic of the neighborhood". We disagree with Marathon Engineering's interpretation of the SRF conclusions and what constitutes 'normal traffic' as well as the classification of Idlewood Road as a minor collector. To this point, the SRF study needs to be further scrutinized.
2. **The SRF traffic study report** (dated 7/1/2022) evaluates traffic based on raw data collection and projected data. It does include an analysis illustrating future traffic out to Winton and Idlewood for both the current design (maintaining Idlewood) and an alternative design that would close the Idlewood entrance and direct Montessori (MSR) traffic to Winton. It also includes a traffic light analysis for Winton Road for both the current design

and the alternate design; the report indicates that neither design option warrants the inclusion of a traffic light. There are a series of conclusions, but there are significant details and analysis that are exaggerated or overlooked by the report, such as:

- a. **Idlewood Road width:** Page 7 of the SRF report identifies that the travel lane as ranging from 21 feet to 24 feet wide by including the 30" wide concrete gutters. The report does not mention that the asphalt paved surface is only 19 feet wide (2×9.5 feet travel lanes) without the gutters. The gutters are bi-directional sloped concrete that typically run on either side of the road. Due to uneven subsidence between gutters and roadway, the gutters are often not coplanar to the roadway. Motor vehicles typically do not drive on these surfaces as their high contrast (concrete vs asphalt) visually appear to be the 'edge' of the roadway (see Image 1). Pedestrians tend not to walk on the gutters as they are steeper in pitch compared to the roadway and are awkward to walk on due to their 'v' shaped cross section. The report also does not mention how narrow the road is in winter with snow banks, which typically cover the gutters (See Image 2). Given these conditions, we feel that including the gutters in their calculation is a gross exaggeration of the lane widths and total width of the roadway. Further down on page 7 of the report, SRF indicates that Local Streets should have 8-10 foot wide travel lanes, and Minor Collectors should have 10-11 foot wide travel lanes. When not including the gutters, Idlewood Road's asphalt surface provides two 9.5 foot wide travel lanes, which by SRF's own definition, would qualify Idlewood Road as a Local Street.



Image 1: Idlewood Road's 19ft wide asphalt roadway with concrete 'v' shaped gutters on either side. Would you drive down this road with two wheels in the gutter?



Image 2: Idlewood Road with gutters covered in snow banks.

- b. **Pedestrian use of Idlewood Road:** The paragraph at the top of page 7 of the SRF report describes thoughtfully how resident's concerns for traffic are wide ranging. The report does describe the Idlewood roadway between the MSR entrance and Evans Lane; however, the report fails to mention the fact that Idlewood Road has no sidewalks and is currently used as a pedestrian way. The report also omits the fact that, other than MSR, there are no destinations in the neighborhood that would require Idlewood Road to be a through-street or collector; there are only single-family homes in Evans Farm. Due to the lack of sidewalks, pedestrian use of the roadway, and lack of non-residential destinations, Idlewood Road should again be qualified as a Local Street and not a Minor Collector.
- c. **Peak Traffic Volume:** Table 5 in the report calculates the Idlewood Road (at the MSR entrance) peak volume at 149 vehicles. Figure 5 from the SRF report indicates the Peak Volume (7:45-845am) consists of 65 vehicles entering MSR, 48 leaving MSR, and 45 vehicles passing by the MSR entrance (please note that these values combined is actually 158, not 149). These values indicate 110 MSR related trips compared to 45 neighborhood resident trips; meaning there are more than 2x as many MSR trips than local trips during the peak volume hour - this is a major safety concern and inconvenience for local pedestrians and drivers.
- d. **Daily Traffic Volume:** It is not clear how VSR calculated daily volume, however we assume that MSR peak volume was included in the estimation. Using peak volume, we interpret that at least 48 parents enter for drop off then leave MSR (based on traffic leaving during the peak hour). We can safely assume these parents return in the afternoon creating 2 more trips each; the result of all of this is 48 parents x 4 trips = 196 total parent vehicle trips. This total value of parent-related trips could be even higher given the MSR student capacity of ~90 students and the fact that some parents arrive outside of the peak hour. Staff entering constitute another ~15 x 2 = 30

trips. The result of this is at least 230 vehicle trips through the neighborhood related to MSR, with the potential for an even higher value given MSR capacity. The report estimates Idlewood Road's daily volume of 1,146 vpd (Vehicles per Day) and notes that NYSDOT indicates the daily volume for Idlewood as 1,531 vpd. The report also notes that Local Streets have a range of 80-700 vpd, while Minor and Major Collectors have an operational volume of 1,100-6,300 vpd.

- e. **SRF and Marathon's Assessment:** Using the daily estimated vpd and the ranges for Local Streets and Minor Collectors, the report concludes that "Idlewood road *functionally operates* between a local street and a minor residential collector," which is the statement that Marathon Engineering references in their Cover Letter response to comment 12. However, that statement by SRF is just indicating how it *currently operates* (a combination of residential and MSR vehicle trips), but does not describe how Idlewood Road *should operate* based on its existing infrastructure, configuration, and context (narrow paved surface, no sidewalks, pedestrians in the road, no other through-street destinations). If Idlewood Road qualifies as a Local Street based on its existing size, context, and use characteristics as we have described above, it should have a maximum vpd of 700. However, due in part to the inclusion of at least ~230 vpd MSR traffic, this maximum capacity is significantly higher than 700 vpd.
- f. **An alternate assessment:** Using the street and volume descriptions identified in the report in relation to the infrastructure, configuration, and context of the existing in the neighborhood as we have detailed above, we believe that 1) Idlewood is sized as a Local Street with a 19-foot wide asphalt roadway (two 9.5-foot lanes), 2) the roadway also serves as a pedestrian pathway (no sidewalks), and 3) Idlewood currently has vehicular traffic (1,146 vpd) that exceeds the maximum threshold (700vpd) for a Local Street (mainly due to the influx of vehicles entering and exiting the neighborhood daily for MSR). The SRF report is using exaggerated data interpretation to make the case that Idlewood Road is a Minor Collector, while also ignoring the pedestrian nature of the existing roadway, infrastructure, and character of the neighborhood - which is that of a Local Street.
- g. **Section 217-5 of the Conditional Use Code:** We believe that the MSR traffic does indeed affect the neighborhood and is **hazardous** (excessive vpd for roadway pedestrians), **inconvenient** (excessive vpd for neighborhood residents who drive), and **incongruous** (excessive vpd for a Local Street $1,146 > 900$ vpd) with the Evans Farm neighborhood. Given this more comprehensive view of the context of Idlewood Road, we disagree with Marathon engineer's assessment of the SRF report and using the SRF conclusions to justify that the MSR traffic has no impact on the neighborhood. We request that the Planning Board reject Marathon Engineers response to your Comment 12.

3. **Connecting Driveway Design Analysis:** The 2-page connecting driveway design analysis by Marathon Engineering evaluates a north driveway option and a south driveway option similar to the proposal we included in our 4/4/2022 supporting information document. Both

design options include a proposed cost and brief description. We have concerns over these analyses.

a. **Cost Analysis:** Though both options include an estimated cost (\$200,000 for north, \$180,000 for south), neither of these costs are supported by an itemized cost estimate. We are concerned that these estimates do not include an itemized description of costs by divisions, materials, labor, etc. We had a construction estimator estimate a 400-ft of driveway at a conservative \$50,000, as illustrated in Table 1 below. We recognize that the Marathon proposed driveway may be a bit longer and have some service components not covered in our estimates, but are not clear why such a driveway would be 4x more expensive than our professional estimate. We would like to see a more detailed estimate of these costs, particularly given that Marathon indicates these options as unfeasible mostly due to cost. Furthermore, given the fact that the current landlord (BCSD) has made efforts to direct some of the traffic to Winton Road, and TIUNY has indicated plans to move some tenant traffic to Winton Road, they clearly recognize that the Idlewood entrance is controversial in the neighborhood. To that end, TIUNY should have considered the potential expense of closing the Idlewood entrance when agreeing to purchase this property.

Table 1: Cost Estimate - Driveway extension for Brookside School property

Work Description & Estimate notes:

400' Long x 20' Wide paved area (new construction)

RSMeans 2022 Unit Cost data used for estimated cost

Unit costs include an installing contractor's Overhead & 10% Profit

Line Item	RSM #	Work Item Description	Qty	UM	Unit Cost	Total Cost	Note
1	312316130060	Excavation, Common earth, 1' deep, 1/2 CY excavator	325.9	CY	\$ 8.50	\$ 2,770.37	Includes 1' over-excavation on each side of pavement
2	312323209056	Haul excavated material, 18 CY truck, 15 min wait/ld/unld, 30 MPH avg, Cycle 10 miles	326	CY	\$ 6.30	\$ 2,053.80	
3	321216140045	Asphaltic Concrete Paving-6" Stone base, 3" Binder course, 3" Surface course	8,000	SF	\$ 4.40	\$ 35,200.00	
4	312323209056	Haul Agg Base & HMA, 18 CY truck, 15 min wait/ld/unld, 30 MPH avg, Cycle 10 miles	580.8	CY	\$ 6.30	\$ 3,659.04	6.05 CY per inch per 1000 SF
5	329119130800	Topsoil placement & grading, furnish & place, truck dumped, screened, 1' deep	89	SY	\$ 15.60	\$ 1,386.67	Topsoil along sides of pavement
6	329219130101	Seeding, 44 lb/MSY	1000	SF	\$ 0.07	\$ 70.00	For topsoil
Direct Cost Subtotal						\$ 45,139.88	
Engineering Contingency		Engineering/Layout/Permit (2% of direct cost)	0.02	PC	\$ 45,139.88	\$ 902.80	
		Contingency (10% of direct cost)	0.10	PC	\$ 45,139.88	\$ 4,513.99	
Indirect Cost Subtotal						\$ 5,416.79	
Grand Total						\$ 50,556.66	

b. **Overall project Budget:** Similarly, Marathon's analysis does not include an overall project budget for the TIUNY redevelopment project and MSR conditional use project. We would like to see how the expense of a connector driveway would affect the overall project budget. We would like to know what percentage of the project cost

would go toward this driveway extension. The property has a reported purchase price of \$4.2 million by TIUNY. We do not know the construction budget, but for this exercise we assume \$350/sf cost for a 23,100sf addition and 150/sf for 12,890sf of renovated space for a total of approximately \$10 million to build the TIUNY addition (not including landscape work). Construction project budgets typically contain an 8-10% contingency allowance; this driveway would likely constitute a small portion of that contingency amount. We hope the board will evaluate the cost of this driveway relative to the project as a whole.

- c. **Northern Driveway, Environmental Review:** The Marathon driveway analysis indicates that the northern driveway will create more of an environmental impact and review. Though we recognize that increased review is inconvenient and adds cost and time, the analysis does not indicate that this increased environmental review would prohibit the northern driveway. The analysis concludes that the northern driveway "is not feasible due to environmental impacts and cost." We feel that this statement is not entirely accurate as the environmental impact will add cost, but does not prohibit the construction of the driveway.
- d. **Southern Driveway, Safety and Negative impacts:** The Marathon driveway analysis indicates that the southern driveway will also create additional costs and negatively affect the rear yards of neighboring properties, the TIUNY facilities, and the MSR facilities as well as create road safety concerns for MSR students. With regards to negatively affecting neighboring properties, the design already calls for tree buffers between these properties and the TIUNY property; therefore the trees could simply be planted east of the new southern driveway extension to block the view from neighboring properties. As for safety concerns for the MSR students, fencing or plantings, additional pathways (many already exist on the east side of the building), and crosswalks could be included on and along the driveway extension. Furthermore, peak travel (per the SRF report) happens in the morning drop off period, which we imagine is prior to MSR students being out on the grounds. With respect to TIUNY students, they have an internal courtyard for outdoor use, which we were told at the meeting would be the students primary outdoor space; therefore it is not clear how the driveway extension would be a concern to TIUNY students. Either way, the Marathon engineering assessment seems one-sided as it effectively states that the tenant property creates a traffic nuisance, therefore the southern driveway should not be built and traffic should continue to flow onto Idlewood Road. This effectively shifts the inconvenience of this traffic to the Evans Farm neighborhood instead of being managed by the property owner and MSR landlord.
- e. **Sidewalks as an alternative:** The Marathon driveway analysis concludes by saying that, if the Evans Farm neighborhood has issues with pedestrian safety, then its residents should go through the process of developing a sidewalk district. Again, this is a one-sided argument that effectively states that the neighborhood should bear the burden of the property owner's traffic issue, even though there is a clear alternative for redirecting that traffic elsewhere (Winton Road). This conclusion by Marathon means the town should bear the cost of building sidewalks and the residents should

bear the cost of increased taxes, not TIUNY - meanwhile the traffic in Evans Farm remains the same for an undersized roadway.

With regard to the 5P-02-22 additional information document, we do not agree that the SRF traffic study nor the Marathon Engineering connecting driveway analysis accurately represent the neighborhood roadways or the need to maintain the Idlewood Road entrance for the MSR. Therefore, we request that TIUNY change the design to eliminate the permanent use of the Idlewood entrance, or that the Planning Board include a condition requiring TIUNY (and their MSR tenant) to stop permanent use of the Idlewood entrance and build a connecting driveway by the time the TIUNY addition construction is complete and the building becomes occupied. Please note, we are in support of the Montessori School of Rochester having a conditional use permit; however, we simply want them to access their portion of the building from Winton Road.

The 5P-NB1-22 TIUNY additional information document.

As mentioned above, this document also includes the SRF traffic analysis and the Marathon driveway design analysis. The document answers the 30 comments issued by the board; however, there are omissions that need addressing.

- 1. Cover letter:** The May 2022 planning board comments also included a series of 27 bullet points, which included a question about closing the entrance and another about providing public access (these items were also voted on by the board at the 5/12 meeting as additional numbered comments per the meeting recording). The Marathon letter does not directly respond to these bullet points or additional comments with written response; however there are supporting documents included that address these issues in part. With regard to closing the Idlewood entrance, the only information provided by Marathon was the same as the 5P-02-22 Montessori application document - therefore our comments above address that issue directly and we therefore will not restate them here (See above).
- 2. Public Access to a portion of the grounds:** With respect to providing public access, the only information provided by TIUNY is a letter from a former police chief indicating his opinion that no easement be provided based on security concerns. Though security is a factor for all properties, private and public, school grounds are commonly used as public spaces (playgrounds, dog walking, etc) and short of putting a fence around the property, there will likely be people walking on the property. Given the historical use of the Brookside property as a public open space for Evans Farm residents, there will likely be continued requests by neighbors to utilize a portion of the grounds at Brookside. Furthermore, Rabbi Noble indicated that he was open to neighbors using the playground and a portion of the grounds, but that he simply did not want to provide an official easement. There is no other supporting evidence indicating why an easement or similar official arrangement would be prohibited by a legal rationale. We request that TIUNY and the Town investigate options such as an easement or land-lease agreement to effectively shift liability and insurance over to the town Recreation and Parks department. Given that the playground is a Recreation and Parks playground, we assume there is already a legal arrangement in place for this property. Furthermore, if the Town Recreation and Parks department plans to continue renting space in the building once TIUNY is the landlord, we wonder if access to a portion of the grounds be included in that lease.

With regard to 5P-NB1, we request that the board consider our concerns and conclusions regarding the Idlewood Road entrance, as described above for the 5P-02-22 information. We also request that the board collect and examine more information from TIUNY and the town on the issue of public open space use for a portion of the grounds.

Thank you for your time and efforts.



Jeff Frisch <jeff.frisch@townofbrighton.org>

5P-NB2-22 Application of Bristol Valley Homes, LLC, owner, and PEMM, LLC

Charles E. Ruff <charles.e.ruff@gmail.com>
To: jeff.frisch@townofbrighton.org

Sat, Jul 16, 2022 at 8:28 AM

Hi Jeff-

I hope all is well. We are on Brookside and we are excited to hear that the old gas station is going to get cleaned up.

We are in favor of a properly sized and tasteful gas station like the one in the village of Pittsford.

Thank you for your hard work on this.

Best,
Charlie Ruff
150 Brookside Drive



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Jeff Frisch <jeff.frisch@townofbrighton.org>

Application 5P-NB1-22

1 message

jmassare@aol.com <jmassare@aol.com>
Reply-To: jmassare@aol.com
To: "jeff.frisch@townofbrighton.org" <jeff.frisch@townofbrighton.org>

Sun, Jul 17, 2022 at 8:29 PM

Dear Mr. Frisch and the Planning Board,

Let's address the elephant in the room: A major change is being forced upon the Evans Farm neighborhood, and the developer suggests even MORE changes to avoid addressing the legitimate concerns of our neighborhood.

We are losing over 20 acres of public land that the neighborhood has had access to since the late 1950s. It has been an integral part of the neighborhood for more than six decades. The property was sold by the school district without ANY public discussion or community input. In fact, the ONLY public meeting on the topic was two weeks AFTER the school board accepted the letter of intent from the Talmudical Institute to purchase the property. And that public meeting was announced, via email, ONLY to parents of current students, not to the entire BCSD taxpaying community. Many Evans Farm neighborhood activities have taken place on the Brookside property, and now, no public green space will be available in the neighborhood to continue those activities. Moreover, public green space will no longer be within walking distance for a large portion of the neighborhood. Without an easement, we won't even have legal access to the Town playground on the property. Being walking distance from a public playground and green space has been a significant selling point for young couples looking to buy houses in the neighborhood. The sale of the Brookside property to a private entity immediately affects not only our quality of life, but how attractive the neighborhood is to potential buyers.

To add to that disruption, a 60 student (and eventually a 120 student) dormitory will be built adjacent to our neighborhood. That sounds like high-density housing to us, but legal parsing of the zoning regulations says that it fits the 'Low Density Residential' category just fine. The development has been compared to the dormitories at MCC—and we are sure that their nearest neighbors, residents of the Monroe County jail, have not seen any adverse effects of the dormitories. Evans Farm neighbors, on the other hand, can look forward to activity on the Brookside property 24/7, throughout the year, something that has NEVER occurred before, even when the building operated as an elementary school. How can the proposed "*nature and intensity of operations*" not be "*inconvenient to or incongruous with the neighboring residential district*" as per Section 217-5 of the Code? Should a conditional use permit even be issued?

We ask each member of the Planning Board to consider how you would feel about a 60 student dormitory in YOUR neighborhood? What about a 120 student dormitory? Would you be concerned about how it will affect your neighborhood? Do you think the neighborhood will be unchanged by it? More importantly, how would a potential buyer of your home feel about a 60-120 student dormitory in the neighborhood, perhaps within $\frac{1}{2}$ mile or $\frac{1}{4}$ mile or even within sight of your house? Seriously, how can a large dormitory in the neighborhood not depress property values? But perhaps the Town can count on revenue from the new owners to balance the loss of tax revenue from the Evans Farm neighborhood. Oh wait, that won't work; the new owners are tax-exempt.

The more than 250 residents who signed the petition in May are being quite reasonable considering what is being imposed upon the Evans Farm neighborhood. The new owners should at least take responsibility for the traffic that their current and future tenants generate. The traffic problem has even been acknowledged in the engineering report (p. 37 of the 'additional information' document), which states that "*adding traffic to this area* [referring to the south side of the building] *will negatively impact the dorm rooms...*". Evidently, shifting the negative impact to the neighborhood eliminates the problem? The bottom line is that the Idlewood Road entrance should be permanently closed to motor vehicles once the property is occupied by TIUNY. How that is accomplished does not matter, but it needs to be done as a condition for the permit. We and our neighbors should not have to deal with tenant traffic so that a tax-exempt entity can earn rental income. Specifically, we consider the "*vehicular traffic to and from the proposed use*", namely the rental portion of the property, to be "*hazardous and inconvenient*" as per Section 217-5 of the Code, regardless of what the latest traffic report concludes. It seems to us that residents should determine what is "*hazardous and inconvenient*", not developers or their lawyers.

Will the Planning Board protect the interests of taxpayers or let developers dictate their own terms for altering the neighborhood?

Judy Massare
Gautam Mitra
126 Idlewood Road

Jeffrey Gray
Julianna Gray
116 Idlewood Road

Continued Concerns regarding Applications 5P-02-22 and 5P-NB1-22

Nathan & Audrey Schroeder <nathanaudreys@gmail.com>
To: Jeff Frisch <jeff.frisch@townofbrighton.org>

Sun, Jul 17, 2022 at 10:30 AM

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

I, along with other residents in the Evans Farm neighborhood, have continued to be in communication with the Planning Board with concerns and requests regarding Applications 5P-02-22 (Montessori) and 5P-NB1-22 (TIUNY).

I have been a resident in the Evans Farm neighborhood for approximately 6 years, and am submitting this follow-up letter to voice my ongoing requests. As you know, I along with a group of Evans Farm residents previously provided you with a petition signed by over 270 Brighton residents requesting the following 2 conditions:

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

The reasons for my support of these conditions (as well as additional comments in response to concerns and information presented by Montessori school staff and parents, TIUNY, and Marathon Engineers) have been thoroughly presented in multiple documents that we have submitted to the Planning Board including: 21-page document titled "Conditions Requested for [1666 S Winton Road](#) Conditional Use Permit" dated 4/4/22 that accompanied the petition that was signed by over 270 Brighton residents; follow-up letter from me together with other neighborhood residents (received by Planning Board on 6/10/22); and 8-page follow-up letter from me together with other neighborhood residents with additional information provided to the Planning Board for 5P-02-22 and 5P-NB1-22 (dated 7/15/22).

I, together with other neighbors, have been voicing concerns for quite some time, through letters and meetings, including the 3/3/22 neighborhood meeting hosted by Woods Oviatt Gilman LLP and TIUNY, as well as Town of Brighton Planning Board meetings. I feel that our primary concerns have not been reflected in the plans, even though the impact of this significantly affects our neighborhood. I truly hope that the concerns and information that have been presented regarding the nature of our neighborhood streets and property access will lead to alternate plans that are sustainable for all of us. Idlewood Road is a 19-foot wide street without sidewalks that is used as a pedestrian path. Our neighborhood streets should not be used as through-streets when there are other viable options available (alternate entrance to the property from Winton Rd).

Thank you again for your time and consideration.

Sincerely,
Audrey Schroeder
190 Idlewood Road



Robert W. Castle
166 Glenhill Dr.
Rochester, NY 14618
H: (585) 244-3022
C: (585) 298-1030
E-mail: 166rcastle@gmail.com



July 17, 2022

To The Brighton Planning Board:

I'm writing regarding the response by TIUNY to the concerns of the Evans Farm residents: Matt Tomlinson's Loop Road Extension / Idewood Entrance Abandonment Memorandum and Mark T. Henderson letter of June 8, 2022. I found their responses to be very dismissive of the resident's concerns and not good faith efforts to address the issues.

Matt Tomlinson's Loop Road Extension / Idewood Entrance Abandonment Memorandum

Mr. Tomlinson's memorandum lacks any specific detailed analysis. Simply drawing colored lines on an existing site plan does not constitute a good faith effort to analyze the various options. No attempt was made to integrate the loop road extensions into the existing design.

The memorandum outlined several potential negative impacts of each option. Without more detailed drawings of the north and south route, it is premature to state what the impact of each option will be. Additionally, I'm certain that the \$180-200k cost estimates represent a small fraction of the overall project cost. TIUNY should be willing to spend the necessary funds and conduct the required environmental impact review necessary to properly complete the project.

I'd recommend that the Planning Board direct TIUNY to conduct a more in-depth analysis of the various options including drawings. TIUNY should be asked to integrate the various loop road options into their overall site plan for the property.

Mark T. Henderson letter of June 8, 2022

I found Mr. Henderson's letter of June 8, 2022 to be equally dismissive of the Evans Farm request for an easement to use of the property. The safety and security of any school is of upmost importance. However, as stated in the letter, TIUNY plans to maintain some or all of the existing tenants. This indicates that numerous individuals will have access to the property. Singling out neighborhood families as a particular safety and security concern is disingenuous.

I'd recommend that the Planning Board ask Mr. Henderson to provide further insights into his specific safety concerns. Why should neighborhood families be barred from the property while others are permitted free access? What is the plan to insure that neighbors are denied access to the property? Perhaps a meeting between representatives of TIUNY and the neighborhood could develop a mutually agreeable solution.

I recognize the recommendations I have outlined may cause delays in the approval process. However, had TIUNY engaged in a good faith review of neighborhoods concerns these issues might have already been resolved.

Sincerely,

Robert Castle

Robert Castle



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Jeff Frisch <jeff.frisch@townofbrighton.org>

Brookside Sale to TIUNY

1 message

Ron Amelotte <ron.amelotte@aol.com>
To: jeff.frisch@townofbrighton.org

Mon, Jul 18, 2022 at 7:24 AM

I'm sure you are aware of the discussion that has been ongoing relative to the request by the residents of Evans Farm Neighborhood to close the entrance to the property from Idelwood Rd except for the use by Emergency Vechicles. Recently I read 2 letters from representatives of TIUNY. One was from the Director of Security and the other was from the Project Engineer on this project. I would like to submit a couple of thoughts on these letters.

I agree with the concerns of the Director of Security, for the safety of the School. However it seems to me that the obvious way to secure the property is to close the Idlewood entrance. It only sounds logical that as a minimum that entrance would require a Security Gate either manned by a Security Officer, or electronically controled entry either way requiring a Pass to enter the property. That being the case why not just close the Entrance thereby only leaving one entrance from Wintorn Rd.

In the letter from the Project Engiveer he states that providing paved driveways from the Wintron Rd entry to the Montessori side of the building would add \$200,000 cost to the project. A layout of the property was provided with 2 options for the paving required. One option would require approximately 150 feet of paving, the other about 175 feet of the paving. In either option there are no obstacles to the path leading to the Montessori parking area. There are no trees, no big boulders only grass. In addition during construction the Equipment, labor, and materials to pave the driveway would be available on site. I couldn't imagine an additional cost of more \$20 to \$25 thousand dollars.

I humbly submit this to the Planning Committee as a possible resolution of the ongoing discussion between TIUNY and the Residents of Evans Farm

Ron Amelotte
225 Glenhill Dr

Sent from the all new AOL app for iOS



Jeff Frisch <jeff.frisch@townofbrighton.org>



TIUNY Application

Shannon Sadik <shannonsadik@gmail.com>
To: Jeff Frisch <jeff.frisch@townofbrighton.org>

Mon, Jul 18, 2022 at 10:41 AM

Dear Jeff,

I am writing in regards to the application sought by the TIUNY school at the Brookside property. I have read their responses and am honestly surprised at the direction this has all taken. When the TIUNY school first approached the neighborhood, they were not exactly friendly but attempted to get to know us and appeared to be open to the idea of letting the neighbors use the existing park (that we have paid for with our taxes and used for many many years, and that many specifically bought in this neighborhood for) and to cross over the property as access to other public areas. However, now this has suddenly changed and our access is a "safety concern". One cannot help but think that this is simply a "tit for tat" situation, and they are punishing us for our protest. Or perhaps they never had intention of letting this occur but didn't want to say so...

The saying still holds true: "What makes good neighbors? A good fence." :) The fact of the matter is, this property is becoming privately controlled and we're being asked not to trespass. They're asking for separation and should follow through their own logic by eliminating traffic through Idlewood. The property is irrelevant and holds no value to the neighborhood now and should be separated in its entirety.

More importantly, why should we residents have to foot the bill for installation and maintenance of sidewalks (which would raise our taxes significantly in perpetuity), so that a tax-exempt entity can collect rent and NOT have to ever pay a dime? We all know that \$200,000 in the scheme of their entire proposal is only a small percentage and the Brighton Planning Board should require them to do this. This is less than what they have spent on legal fees at this point just to fight this.

Also, to speak directly to the Response from TIUNY, whether the school's traffic is 17% (or more by our calculations), this is still significant. They are asking us to tolerate a 17% increase in *constant* traffic (and this number will only go up with any new tenants) that only benefits them and no one else, but they are not willing to tolerate a 5% *one-time* increase in cost? Further, this traffic does not just affect 22 houses. As you heard when many neighbors spoke at the last meeting, the traffic comes in from all of the various entrances to the neighborhood and affects a large percentage of the neighborhood.

None of this makes sense to anyone but TIUNY. I don't blame them for trying; however, this has wasted enough of everyone's time for such a small ask in the scheme of things. The Board needs to require TIUNY to close off the entrance and figure out a solution to make the north extension of the driveway work. This will affect the neighbors and their tenants the least and is the right thing to do.

--

Thanks,
Shannon Sadik

the threat of high vehicle traffic on Idlewood Rd. caused by facilities at TIUNY should be prevented -- there is an easy alternative.

1 message

Gage, Michael <michael.gage@rochester.edu>

Mon, Jul 18, 2022 at 11:33 AM

To: "jeff.frisch@townofbrighton.org" <jeff.frisch@townofbrighton.org>, "rick.distefano@townofbrighton.org" <rick.distefano@townofbrighton.org>

Cc: "Gage, Michael" <michael.gage@rochester.edu>, "jmassare@aol.com" <jmassare@aol.com>

To the Planning Board,

I am writing to add my support to Judy Massare, Allan Lessor, Vincent Hope, Ron Amelotte and many others in my Evans Farms neighborhood community regarding the vehicle traffic on Idlewood Rd. caused by the parental drop-off at the Montessori School housed in what is to become the TIUNY facility. There is a second entrance to the facility from Winton Rd. which is well able to handle the vehicle traffic and there is no need to clog the neighborhood roads, widely used for walking, bicycling and walking pets with additional impatient drivers. We are asking that the Idlewood entrance to the facility be closed to regular vehicular traffic. Allowing pedestrian, bicycle and emergency traffic would be fine, in fact welcome. The Evans Farm tract is a delightful place for walking and biking and we encourage the members of TIUNY to take advantage of it.

Historically the entrance on Idlewood Rd. was used mainly for school bus traffic when the site was part of the Brighton School system — this meant only a few dozen vehicles, driven by professionals concentrating on their work. With the closure of the Brighton school these busses have been replaced by over a 100 parents, in separate cars, driving their young ones to the Montessori school each weekday morning. This has been a recognized problem for some time, but the transfer of the property from Brighton Schools to TIUNY seems the appropriate time to finally address this issue. There is no reason for a newly private, high traffic facility to have an outlet onto the neighborhood roads of Evans Farm, particularly when there is an easy alternative.

Sincerely yours,

Michael E. Gage and Sandra Cherin
29 Idlewood Rd.
Rochester, NY 14618



3861 Elmwood Avenue
Rochester, NY 14610

July 18, 2022

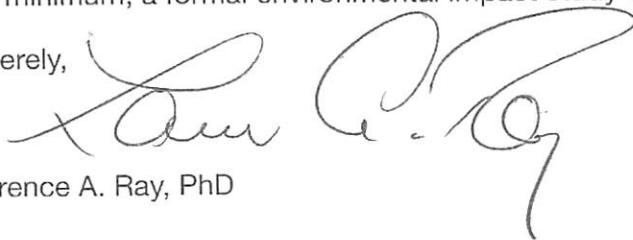
To: Brighton Planning Board
From: Lawrence A. Ray

This letter is in opposition to the proposed service station on 3108 East Avenue. I have serious environmental concerns about the impact the station will have on neighboring waterway, Allen's Creek. While historically there has been a station at that address, the establishment was made prior to a better understanding of the impact of hazardous chemicals being released into the environment. The operators of the station can not claim that they have all potential leaks, spills, or other discharges prevented, as their customers may not be as aware of the impacts of their carelessness. Downstream from the creek is Corbett's Glen, Ellison Park and wetland feeding into Irondequoit Bay. Much of this region is used by wildlife. The economic benefit for one is paid for by many.

Additionally, while there is a move to eliminate gasoline powered vehicles with electric vehicles, establishing a gasoline service station is moving in the wrong direction. We should be encouraging faster adoption of electric vehicles, not adding to the fossil fuel infrastructure. The town has been encouraging environmentally friendly actions and policies. This however seems quite counter to that direction.

There is no need for a service station to be reopened at this location, the community has done quite well without the previous station operating for years. More enlightened proposals should be made for the use of the space, and even removal of the building to something in keeping with the neighborhood and enhancing the community. The planning board should reject this proposal and work to find a better and environmentally beneficial use of the property. At the very minimum, a formal environmental impact study should be conducted.

Sincerely,



Lawrence A. Ray, PhD

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5P-NB2-22 Application of Bristol Valley Homes, LLC, owner, and PEMM, LLC

Miranda Harris-Glocker <mirandahglocker@yahoo.com>
Reply-To: mirandahglocker@yahoo.com
To: jeff.frisch@townofbrighton.org
Cc: Roan Glocker <roanglocker@gmail.com>

Mon, Jul 18, 2022 at 4:07 PM

Hello,

I am writing to re-share concerns regarding the plan for a Quiklees gas station to come into our neighborhood at 3108 East Ave. I have written a letter in the past as well, prior to a previous town board meeting.

We want to strongly request that this NOT BE ALLOWED in this residential area. We have 3 young children who attend Allen Creek school and who often walk or bike in the more temperate weather, to and from school. We have already had several situations where cars are not entering this particular thru-way safely and have nearly hit walking children and their families on the way to school.

I have also-- as a runner in this area-- nearly been hit by cars on several occasions and I do not think adding in an additional business needing to enter and exit this location on an already very busy and congested street is safe or advisable for my, or any other children or pedestrians, in our neighborhood.

It is my understanding that this particular site was switched from a gas station zoning to a office/business type of zoning and this would be much preferable in this small, residential community. We would have no problem with a small business, perhaps a cafe or sandwich shop, something akin to the Tree Town Cafe in Penfield however a gas station seems completely wrong for the neighborhood given how many young families have now moved in, how busy a road East Ave already is (with significant and often UNSAFE congestion during peak school drop off and pick up times) and adding any more potential high frequency traffic into and out of this area seems to only heighten this concern.

There are many gas stations within just a few miles of this area, so why choose this one?

Here are several points to consider:

In general, cars entering and exiting gas stations often times make quick entrances and exits to get across a roadway before another car passes them by.

There will be the potential to park 14 cars on the at the proposed gas/convenience store (see concept PDF document).

There will be large gas tankers delivering gasoline at any time of the day.

There will be trucks delivering products sold in the convenience store on a weekly basis.

There will be an increase in cars entering and exiting this type of business

Because children are not full grown adults, there is a significant risk that a car driver will not notice them on the sidewalk or walking in front of the entrance and exit of the proposed gas/convenience store will be exponentially a threat.

*****There is no Crossing Guard provided by the Pittsford School District at Allens Creek/East Avenue intersection

We also do not need any additional light or sound pollution in this area which a gas station open late into the night (or 24 hours as I have heard in some reports) would certainly give off.

We beg of you to consider the concerns of the citizens living in the neighborhood most affected by your decisions. Our children are likely to be the ones most directly affected.

Thank you for your consideration,
Drs. Roan and Miranda Glocker.

Miranda Harris-Glocker, MD, FACOG
Managing Partner
Women, Gynecology & Childbirth Associates, P.C.
777 Canal View Blvd Suite 400
Rochester, NY 14623



PLANNING BOARD REPORT

HEARING DATE: 7/20/2022

APPLICATION NO: 5P-02-22

APPLICATION SUMMARY: Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Conditional Use Permit Approval to allow for The Montessori School of Rochester to be located at 220 Idlewood Road.

COMMENTS:

- The subject property is presently zoned RLB.
- The total square footage of the subject building is 56,000 square feet.
- The total square footage of the proposed use would be approximately 15,050 square feet.
- The proposed use has existed in this location for 20+ years but the sale of the building to a private entity requires a conditional use permit as part of the continuation of its use.
- The use is for a school early childhood education for infants through age 6. Arrivals are staggered to help reduce the amount of traffic at one time.
- New traffic report notes the following
 - Traffic is proposed to remain at current levels and the entrance off Idlewood will continue to be used.
 - No crashes were reported on Idlewood Road between 220 Idlewood Rd and Evans Lane from 2017 to 2022.
 - School contributes 17% of the daily traffic to Idlewood Rd
 - Current and future level of service for Idlewood Rd has an 'B' grade or above during peak hours.
 - Road widths used included gutters
- A parking analysis was provided showing more than adequate parking for the use.
- Montessori has about 92 students from around 74 families and are at full capacity with no room or intentions of increasing their capacity.
- There are an additional 20-22 employees.
- An "Idlewood Road Abandonment Memorandum" was submitted by the project engineer that concluded the closure of the Idlewood Rd entrance and rerouting of the driveway would not be feasible for the developer.

CONSERVATION BOARD: No Comment

TOWN ENGINEER: No Comment

QUESTIONS:

- What has changed since the May meeting?
- How many students and teachers attend the school on an average day?
- Are there any plans to expand the use of the Montessori School? Anything that would increase current traffic to the Idlewood Rd entrance?
- Will any other organizations be using the Idlewood Road entrance?
- Can you explain how you came up with Montessori contributing 17% of the traffic to Idlewood Road?
- Can you explain and expand upon the “Idlewood Road Abandonment Memorandum”?
- Please explain the conclusion of the traffic study that “no significant adverse impacts were determined from the existing use of the 220 Idlewood Road.”

SEQRA:

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

APPLICATION:

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

If the Board entertains tabling the application, I would suggest including, among others suggested by the Board, the following items be addressed:

1. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).

2. The entire building/store shall comply with the most current Building & Fire Codes of New York State.
3. Meet all requirements of the Town of Brighton's Department of Public Works.
4. All Town codes shall be met that relate directly or indirectly to the applicant's request.
5. If any site lighting is proposed as part of this project, a lighting plan which shows the type, location and lighting contours shall be submitted. The proposed lights shall be designed to reduce impacts to the surrounding properties
6. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
7. The project engineer shall confirm if additional accessible parking spaces are required to be installed as part of this project. All new accessible parking space signage to be installed or replaced shall have the logo depicting a dynamic character leaning forward with a sense of movement as required by Secretary of State pursuant to section one hundred one of the Executive Law.
8. It appears that the AM Peak Hour Volume provided in Table 5 is actually the sum of both AM and PM Peak Hour Volumes. Review and clarify.
9. Road widths in the report included the width of the gutters in their road classifications. Verify if those should be included and clarify in the traffic report.
10. The requested information is required to be submitted no later than two weeks prior to the next Planning Board meeting.

PLANNING BOARD REPORT

HEARING DATE: July 20, 2022

APPLICATION NO: 7P-01-22

APPLICATION SUMMARY: Application of Norland Associates, LLC, owner, and Evolve Additive Solutions, Inc. lessee, for Conditional Use Permit Approval to allow for a Research and Development facility with warehousing for the plastic components manufacturing industry on property located at 3 Townline Circle.

COMMENTS:

- The subject property is presently zoned IG-Light Industrial District
- The total square footage of the subject building is 28,800 square feet. Roughly 6,000sf will be utilized by Evolve Additive Solutions.
- The company has another site located in Rochester focused on material development and technology used in their proprietary thermoplastics process. This site will focus on research and development for materials physics and chemistry.
- The parking lot appears to be shared with the adjacent building at 2 Townline Circle. Adequate parking appears to exist for this use based on submitted parking analysis.
- Site will not be altered and the internal components will be renovated to meet the needs of the new tenant.

CONSERVATION BOARD: No Comments

TOWN ENGINEER: No Comments

QUESTIONS:

- Please describe the operations of the proposed use?
- What was the previous use of this area?
- How many employees will be on site at the most active time?
- How many customers or visitors will be on the premises during maximum activity hours?
- What are the days and hours of operation?
- How will deliveries of merchandise and other supplies be made to your operation

and what hours and to what entrance?

- What is the nature of trash generated by your operation and how will it be disposed of?
- Is there any unusual solid or liquid waste such as chemicals dumped into the sanitary sewer?
- Do you plan any special events, promotions or other displays that would have aspects visible outside your building, cause extra traffic, noise or other increase in activity?
- Are you proposing any production or manufacturing on-site?
- What type of hazardous materials will be stored on the property? How will the hazardous materials be stored?
- Will there be any changes on the exterior of the building(s) that would need to be reviewed and approved by the Town of Brighton Architectural Review Board?
- What type of materials will be stored in the building?
- Will anything be stored outside?
- Is there a fire sprinkler system? Is it up to date?
- The date on the siteplan/parking analysis is 2007. Are the provided parking calculations up to date?

SEQRA:

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

CONDITIONAL USE PERMIT FINDINGS:

The following findings are recommended for the Planning Board's consideration and adoption.

1. The Planning Board finds that the proposed use, research and development, complies with the standards of the Light Industrial (IG) District.
2. The Planning Board finds that the proposed use, research and development, is in harmony with the purpose and intent of [Code Sections 217-3 through 217-7.2](#) (Conditional Uses). The location and size of the use, the intensity (hours of operation), size of the site and access have all been considered in the Board's review.

3. The Planning Board finds that the establishment of research and development in this location, on a property currently being used for commercial and light industrial uses, in a Light Industrial District will not be detrimental to persons, detrimental or injurious to the property and improvements in the neighborhood, or to the general welfare of the Town.
4. The proposed business will be in an existing building and not result in the destruction, loss or damage of any natural, scenic or significant historical resource.
5. The Planning Board finds that the establishment of a research and development business in an existing building on a site designed for such uses will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.
6. The Planning Board finds that the proposed research and development facility on a site designed and built for such uses will be adequately served by essential public facilities.
7. The Planning Board finds that the proposed research and development facility at an existing building on a site designed and built for such uses will not result in the loss or damage to trees.
8. The proposed research and development facility conforms to the Town Master Plan: Envision Brighton 2028. Specifically, the Economic Vitality Policy Statement and Objectives:
 - Objective A: Attract and promote the sustainable development of quality office, retail, commercial, medical, light industrial, and residential uses in areas with existing critical infrastructure, in an effort to expand the Town's local tax base while providing needed and desired goods and services, and without compromising other community goals.
 - Objective E: Provide support for local businesses, entrepreneurs, institutions, and enterprises to attract and retain local talent and increase access to local goods.
9. The location and size of the proposed research and development facility, the nature and intensity of the operations involved, its site layout and relation to existing pedestrian and vehicular circulation are such that the proposed use will not be hazardous or inconvenient to or incongruous with the surrounding uses on this large commercial site. Nor the neighboring commercial uses across Townline Circle and across the town line in the Town of Henrietta. The proposed research and development facility will not be in conflict with the normal traffic of the neighborhood.
10. The location, height, and orientation of the existing building in which the proposed research and development facility will operate and the nature and extent of the existing landscaping on the site are such that the proposed conditional use will not hinder or discourage the appropriate development and use of adjacent tenant spaces within the site and adjacent land and buildings.

APPLICATION:

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

1. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).
2. The entire building shall comply with the most current Building & Fire Codes of New York State.
3. The entire building shall meet or exceed performance standards for the intended use.
4. Prior to issuance of any building permits, plans for discharge into the sanitary sewers must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities. Only domestic waste shall be discharged into the sanitary sewer system. Plans for waste discharge shall be reviewed and approved by Monroe County Pure Waters.
5. Sewer discharges shall meet Town and County sanitary sewer use requirements.
6. No hazardous, unusual, or flammable liquid or solid waste shall be sent to the sanitary sewer system as a result of this use.
7. If utilized, the dumpster shall be enclosed with building materials that are compatible with the existing building and located in the rear yard. The enclosure shall equal the height of the dumpster and shall not be higher than (6) feet.
8. Meet all requirements of the Town of Brighton's Department of Public Works.
9. All Town codes shall be met that relate directly or indirectly to the applicant's request.
10. Outside storage shall be prohibited.
11. The proposed building shall be sprinklered in accordance with Town requirements.
12. There shall be no bulk storage of hazardous or flammable materials.
13. The proposed use shall meet all Performance Standards of the Comprehensive Development Regulations.
14. All hazardous or flammable waste shall be stored in fire proof containers and shall be

collected by authorized waste haulers and sent to approved landfills or other waste collectors capable of receiving and properly processing such waste.

15. All outstanding comments and concerns of the Fire Marshal shall be addressed.
16. All quantities of chemicals to be used at this site shall be small and shall be stored inside the building in accordance with all federal, state and local requirements. All quantities of chemicals shall be stored as required by the fire marshal, and in particular there shall be no outside storage of fuels.
17. Only business identification signage as allowed per the Comprehensive Development Regulations is permitted. This signage must be reviewed and receive all necessary town approvals prior to installation.
18. A letter or memo in response to all Planning Board comments and conditions shall be submitted.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 7P-01-22

Date: 7/20/2022

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

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

Name of Action: 3 Townline Circle

SEQR Status: Type 2

Conditioned Negative Declaration: No

Description of Action: Application of Norland Associates, LLC, owner, and Evolve Additive Solutions, Inc. lessee, for Conditional Use Permit Approval to allow for a Research and Development facility with warehousing for the plastic components manufacturing industry on property located at 3 Townline Circle.

Location: 3 Townline Circle

Reasons Supporting This Determination:

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

1. No threatened or endangered species of plants or animals will be affected by this project.
2. The requirements of the State Environmental Quality Review Law have been complied with.
3. There will be no resources of value irreversibly lost.
4. The Planning Board finds traffic will result in an acceptable level of service.
5. No hazardous, unusual, or flammable liquid or solid waste will be sent to the sanitary sewer system as a result of this use.
6. All hazardous or flammable waste will be stored in fire proof containers and will be

collected by authorized waste haulers and sent to approved landfills or other waste collectors capable of receiving and properly processing such waste.

For further information:

Contact Person: Rick DiStefano, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Email: rick.distefano@townofbrighton.org

Telephone: 585-784-5228

PLANNING BOARD REPORT

HEARING DATE: July 20, 2022

APPLICATION NO: 7P-02-22

APPLICATION SUMMARY: Application of Jason Rheinwald, lessee, for Conditional Use Permit Approval to allow for outdoor dining in conjunction with an existing restaurant on property located at 3450 Winton Place, Suite 15, Rochester NY 14623.

COMMENTS:

1. 3 tables with 2 seats each will be placed on an existing sidewalk arcade outside a restaurant.
2. Dining will only operate during business hours, 10 AM to 3 PM
3. The area of the outdoor dining area is less than 750 square feet (250 square feet proposed).
4. Staff will regularly patrol the area and pick up any trash or litter that might be generated.
5. There is outdoor garbage receptacle near the dining areas and there are also garbage cans available in the restaurant.
6. No alcohol will be served and there will be no music playing outdoors.
7. The outdoor seating area is separated from the parking lot circulatory road by a concrete planting bed.

QUESTIONS:

1. Will the dining be brought inside when the business closes?
2. Will there be table service for this dining?

SEQRA:

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

CONDITIONAL USE PERMIT FINDINGS:

The following findings are recommended for the Planning Board's consideration and adoption.

1. The Planning Board finds that the proposed use, outdoor dining at a restaurant, complies with the standards of the General Commercial (BF-2) District.
2. The Planning Board finds that the proposed use, outdoor dining at a restaurant, is in harmony

with the purpose and intent of [Code Sections 217-3 through 217-7.2](#) (Conditional Uses). The location and size of the restaurant, the intensity (hours of operation), size of the site and access have all been considered in the Board's review.

3. The Planning Board finds that the establishment of outdoor dining at a restaurant in this location, on a property currently being used for commercial uses, in a General Commercial will not be detrimental to persons, detrimental or injurious to the property and improvements in the neighborhood, or to the general welfare of the Town.
4. The proposed outdoor dining will be in an existing building and not result in the destruction, loss or damage of any natural, scenic or significant historical resource.
5. The Planning Board finds that the establishment of outdoor dining at an existing restaurant in an existing building on a site designed for such commercial uses will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.
6. The Planning Board finds that the proposed dining at an existing building on a site designed and built for such commercial uses will be adequately served by essential public facilities.
7. The Planning Board finds that the proposed outdoor restaurant dining at an existing building on a site designed and built for such commercial uses will not result in the loss or damage to trees.
8. The proposed outdoor dining essentially conforms to the Town Master Plan: Envision Brighton 2028. Specifically, the Economic Vitality Policy Statement and Objectives:
 - Objective B: Foster a mix of residential and *commercial investment that promotes the vitality*, density, and walkability of *local activity centers* [emphasis added].
 - Note: Winton Place is a recognized activity center within the town and this commercial investment in outdoor dining promotes the vitality of what has been, to date, largely a mid-20th century vehicle oriented development.
 - Objective G: *Enhance the village feel* of the Twelve Corners area *and extend that concept to other commercial areas of the town* wherever practicable [emphasis added].
 - Note: Allowing and encouraging outdoor dining can enhance the village feel of any commercial or mixed use area. Sidewalk café seating is a valued element of many village main streets. Even though Winton Place was designed and built as a vehicle oriented development, simple and relatively small changes such as outdoor dining can start to change that environment to feel more village-like.
9. The location and size of the proposed outdoor dining conditional use, the nature and intensity of the operations involved, its site layout and relation to existing pedestrian and vehicular circulation are such that the proposed outdoor dining will not be hazardous or inconvenient to or incongruous with the surrounding uses on this large commercial site. Nor the neighboring commercial uses across South Winton Road and across the town line in the Town of Henrietta. The proposed outdoor dining use will not be in conflict with the normal traffic of the neighborhood.

10. The location, height, and south-facing orientation of the existing buildings in which the proposed outdoor dining conditional use will operate and the nature and extent of the existing landscaping on the site are such that the proposed outdoor dining conditional use will not hinder or discourage the appropriate development and use of adjacent tenant spaces within the site and adjacent land and buildings.

APPLICATION:

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

1. Meet all requirements of the Town of Brighton's Department of Public Works.
2. The project shall comply with the most current Building & Fire Codes of New York State.
3. The total number of seats in the outdoor dining area shall not exceed 6 seats.
4. All requirements of Section [203-84\(B\)\(4\) - Outdoor Dining Facilities](#) - of the Comprehensive Development Regulations shall be met.
5. The outdoor dining area shall be used only for dining by seated patrons. No live or broadcast music or other entertainment, no outdoor food preparation, and no bars for service of alcohol shall be allowed in conjunction with the outdoor dining facility.
6. During each day of operation of the outdoor dining area, a restaurant employee shall regularly patrol the area within 300 feet of the outdoor dining area to collect any trash or litter which may have been generated by the restaurant operations or customers, to the extent that such a patrol can be done safely and that permission is obtained from neighboring property owners, where necessary.
7. The outdoor dining area shall only be operated during the hours of operation of the associated restaurants.
8. There shall be no exterior lighting installed in conjunction with the outdoor dining use without further approval by the Planning Board.
9. All Town codes shall be met that relate directly or indirectly to the applicant's request.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 7P-02-22

Date: July 19, 2022

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

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

Name of Action: 7P-02-22

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Jason Rheinwald, lessee, for Conditional Use Permit Approval to allow for outdoor dining in conjunction with an existing restaurant on property located at 3450 Winton Place, Suite 15, Rochester NY 14623.

Location: 3450 Winton Place, Suite 15, Rochester, NY 14623

Reasons Supporting This Determination:

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

1. The requirements of the State Environmental Review Act have been met.
2. There will be no resources of value irreversibly lost.
3. No threatened or endangered species of plants or animals will be affected by this project.
4. The proposed use, considering its intensity (nature of operation, number of employees, hours of operation, etc.) will not have a negative impact on the environment.

For further information:

Contact Person: Rick DiStefano, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Email: rick.distefano@townofbrighton.org

Telephone: 585-784-5228

PLANNING BOARD REPORT

HEARING DATE: July 20, 2022

APPLICATION NO: 7P-03-22

APPLICATION SUMMARY: Application of Generator Supercenter of Upstate NY, applicant, for Site Plan Modification to install a standby emergency generator in a side yard on property located at 115 Metro Park.

COMMENTS:

1. The subject property is presently zoned IG Light Industrial District.
2. Emergency standby generators not in compliance with the requirements of Section 207-14.4 of the Town Code require Planning Board approval prior to application for a building permit.
3. Section 207-14.4 requires:
 - (1) The generator shall be located in a rear yard behind the principal building, not extending past the side of the building;
 - (2) The generator shall not be located closer than 10 feet to any lot line;
 - (3) The placement of the generator shall not interfere with the safe passage of pedestrians or vehicles;
 - (4) The generator shall be used only during electrical power outages and as required by the manufacturer for maintenance purposes;
 - (5) Maintenance operation of the generator shall take place only during daylight hours;
 - (6) The generator shall only operate on LP or natural gas; and
 - (7) Documentation of the noise level of the generator per manufacturer's specifications at seven meters (23 feet) from the unit shall be presented with the application for a building permit and shall not exceed 72 decibels.
4. Due to constraints of existing site, the applicant is seeking approval to install an emergency standby generator in the side yard of the property, approximately 18' from the west property line. It appears all other requirements of Section 207-14.4 are met.
5. No landscaping is proposed.
6. All five surrounding properties are also zoned IG Light Industrial District.

CONSERVATION BOARD:

- Consider landscaping to screen the generator

TOWN ENGINEER: See memo from Assistant Engineer, Brendan Ryan, dated July 14, 2022.

QUESTIONS:

1. Can you explain your project?
2. Why can't the generator be located in a rear yard behind the building?
3. Will the placement of the generator interfere with the safe passage of pedestrians or vehicles?
4. Will the generator be used only during electrical power outages and as required by the manufacturer for maintenance purposes?
5. When will maintenance operation of the generator take place?
6. Will the generator operate on natural gas?
7. What is the noise level of the generator per manufacturer's specifications?
8. Will any site work be required for this generator outside of the concrete pad or other similar mounting?
9. Will there be any conflict with the existing utility appurtenances located near the proposed installation location?

SEQRA:

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

APPLICATION:

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

1. The generator shall comply with the most current Building & Fire Codes of New York State.
2. The generator is approved to be installed in the side yard with a minimum side setback of 10 ft.
3. The placement of the generator shall not interfere with the safe passage of pedestrians or vehicles;

4. The generator shall be used only during electrical power outages and as required by the manufacturer for maintenance purposes;
5. Maintenance operation of the generator shall take place only during daylight hours;
6. The generator shall only operate on LP or natural gas.
7. Documentation of the noise level of the generator per manufacturer's specifications at seven meters (23 feet) from the unit shall be presented with the application for a building permit and shall not exceed the decibels documented in the submitted application.
8. Meet all requirements of the Town of Brighton's Department of Public Works.
9. All Town codes shall be met that relate directly or indirectly to the applicant's request.
10. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
11. All County Development Review Comments shall be addressed.
12. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
13. A letter or memo in response to all Planning Board comments and conditions shall be submitted.
14. Consider the use of landscaping to screen the generator.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 7P-03-22

Date: July 20, 2022

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

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

Name of Action: 7P-03-22

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Application of Generator Supercenter of Upstate NY, applicant, for Site Plan Modification to install a standby emergency generator in a side yard on property located at 115 Metro Park.

Location: 115 Metro Park

Reasons Supporting This Determination:

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

1. The requirements of the State Environmental Quality Review Law have been complied with.
2. There will be no resources of value irreversibly lost.
3. The duration of all impacts will be short term in nature.
4. No threatened or endangered species of plants or animals will be affected by this project.
5. The site will be serviced by sanitary sewers and public water. There appears to be adequate capacity to service the proposed development.

For further information:

Contact Person: Rick DiStefano, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Email: rick.distefano@townofbrighton.org

Telephone: 585-784-5228

MEMO

Date: July 14, 2022

From: Brendan Ryan

To: Jeffrey K. Frisch

Copy: File

Re: *Application No. 7P-03-22*

Application of Chris Sardone, Owner, for Site Plan Modification to install a 27kw standby emergency

generator in a side yard.

115 Metro Park

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

General:

1. Will any site work be required for this generator installation outside of a concrete pad or other similar mounting?
2. The distance of the proposed generator from the western lot line should be called out on the provided location map.
3. Does the installer anticipate any conflicts with the proposed generator and existing utility appurtenances located near the proposed installation location?

PLANNING BOARD REPORT

HEARING DATE: 7/20/2022

APPLICATION NO: 7P-04-22

APPLICATION SUMMARY: Application of Mt. Read Emerson Street Properties, LLC, owner, and Herc Rentals, lessee, for Conditional Use Permit Approval to allow for a construction equipment rental facility on property located at 1220 Brighton Henrietta Town Line Road.

COMMENTS:

- The subject property is presently zoned IG.
- The gross square footage of the building is 6,370 square feet.
- The total project area is 2.599 acres.
- It appears adequate asphalt parking area exists to accommodate the required parking for the applicant's request, but parking spaces and arrangement are not shown on the site plan.
- 12 parking spaces are proposed. Parking for this use is not specifically called out in the code.
- A maximum of 5 employees will be on the premises.
- Proposed hours of operation are Monday to Friday 8am to 5pm.
- Floor plan is dated March of 2010 and may not represent proposed conditions
- Site plan is not very legible and may not be current. It does not show current fence or proposed fence locations.
- Plan notes generator and HVAC but no details on them or if they are rentals equipment proposed for installation.
- Variances exist on the property with the following conditions:
 - 4A-07-98 – to allow for outdoor storage in a side yard where only rear yard outdoor storage is permitted by code
 1. The outside storage shall be limited to inventory of products sold for the purpose of water supply, storm sewer and sanitary sewer construction and repair.
 2. All fencing shall be in compliance with Planning Board Approvals.
 3. Material shall be stored in an orderly and neat manner and meet all conditions of the Planning Board.
 - 12A-04-00 – to allow expansion of an outdoor storage area to within 3 ft of a side

lot line where a minimum 50ft side setback is required

1. The eastern edge of the new crushed stone storage area shall follow the existing chain link fence line to the new lawn area, allowing for a setback of approximately 25 feet from the northeast corner of the new storage area to the eastern property line.
2. The proposed fencing shall be solid wood and be located as per plans submitted.
3. Storage of materials shall be kept below the height of the fence.

- 6A-11-08 – for modification and relief of conditions of approved variance application 12A-04-00 to – 1. allow outdoor storage within 10 ft of a lot line and 2. allow storage of goods above the fence line.
 1. Storage of goods and materials above the fence line shall one be permitted in the northeast portion of the storage yard, behind the back edge of the new addition as described in testimony by the applicant
 2. The security fence, including gates, shall provide complete screening of the interior yard
- 6A-12-08 – to allow for parking in a front yard where prohibited by code
 1. The front yard parking area is limited to that shown on plans submitted and per testimony given
 2. The lawn area shall be restored as shown on plans submitted per testimony given
 3. All Planning Board approvals shall be obtained
- 6A-13-08 – to allow for 69% impervious lot coverage in lieu of the maximum 65% allowed by code.
 1. The variance applies only to the lot coverage as shown on plans submitted and per testimony given
 2. All Necessary Planning Board approvals shall be obtained

CONSERVATION BOARD: N/A

TOWN ENGINEER: N/A

QUESTIONS:

- What changes are proposed for the exterior of the building?
- Will the parking lot be lighted? Is any new lighting proposed?
- What type of materials will be stored in the building?
- What types of trash will be generated? How will it be disposed of?
- Where will employees park?
- Do you plan to plan to stripe your parking lot?
- Will maintenance of equipment be done on site?

- Is the building sprinklered? Will it be?
- Have you contacted the fire marshal regarding the proposed uses?
- Will a generator be provided?
- Where will the HVAC units be located?
- Is a new fence being proposed? Where will it be located and will it be a solid fence?
- A site map with storage locations shows only a small part of the site being utilized? Is that the case?

APPLICATION:

If the Board entertains tabling the application, I would suggest including, among others suggested by the Board, the following items be addressed:

1. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).
2. The entire building/store shall comply with the most current Building & Fire Codes of New York State.
3. All conditions of the previously granted variance by the Zoning Board of Appeals shall be met or new variances shall be obtained.
4. Meet all requirements of the Town of Brighton's Department of Public Works.
5. All Town codes shall be met that relate directly or indirectly to the applicant's request.
6. All parking lot lighting shall be low in height and intensity and directed toward the building.
7. The dumpster shall be enclosed with building materials that are compatible with the existing building and located in the rear yard. The enclosure shall equal the height of the dumpster and shall not be higher than six and one-half (6.5) feet.
8. All outside storage shall be enclosed by a six (6) solid foot fence. Any proposed fencing, including gates, shall not exceed 6.5' in height and shall meet all town requirements.
9. Maintenance and repair of equipment shall only be permitted in designated indoors areas.
10. Only business identification signage as allowed per the Comprehensive Development Regulations is permitted. This signage must be reviewed and receive all necessary town approvals prior to installation.

11. The location of any proposed generators shall be shown on the site plan. All requirements of the Comprehensive Development Regulations shall be met or a variance shall be obtained from the Zoning Board of Appeals.
12. The location of the HVAC shall be shown on the site plan
13. All new accessible parking space signage to be installed or replaced shall have the logo depicting a dynamic character leaning forward with a sense of movement as required by Secretary of State pursuant to section one hundred one of the Executive Law.
14. The project engineer shall confirm if additional accessible parking spaces are required to be installed as part of this project. All new accessible parking space signage to be installed or replaced shall have the logo depicting a dynamic character leaning forward with a sense of movement as required by Secretary of State pursuant to section one hundred one of the Executive Law.
15. The requested information is required to be submitted no later than two weeks prior to the next Planning Board meeting.
16. Garage drains shall be connected to the sanitary through an oil separator.
17. Sewer discharges shall meet Town and County sanitary sewer use requirements.

PLANNING BOARD REPORT

HEARING DATE: 7/20/2022

APPLICATION NO: 5P-NB1-22

APPLICATION SUMMARY: Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Preliminary Site Plan Approval, Preliminary EPOD (watercourse) Permit Approval and Preliminary Conditional Use Permit Approval to construct a 23,000 +/- sf building addition (with an additional 8,700 sf future phase), to re-purpose the former Brookside School for the use by the Talmudical Institute of Upstate New York Residential High School and make other site improvements on property located at 1666 South Winton Road.

COMMENTS:

- The subject property is presently zoned RLB.
- The gross square footage of the existing building is 56,000 sf, the proposed addition is 23,000 +/- sf (with an additional 8,700 sf future phase).
- The use will occupy the proposed additions along with 27,600 +/- sf of the existing building. The rest of the building is occupied by the Montessori School, Brighton Parks and Recreation Department, BOCES, and Brighton Food Cupboard.
- The total project area is 21.8 +/- acres.
- Calculation for open space is 75.5 %.
- It appears an adequate asphalt parking area exists to accommodate the required parking for the applicant's request. Propose 71 spaces more than required. This is to accommodate overflow/event parking.
- The architectural design and building materials of the proposed buildings have not been reviewed
- Parts of the property are located in the 100 year flood plain and require EPOD approval
- Approvals are only for Phase 1 of the project. Final approvals for Phase 2 will require separate final approval when the project is proposed to be completed.
- Documentation was submitted showing the action is NOT a Type 1 Action under NYS SEQR Law and additional actions set forth in 201-14 of Brighton's Town Code.

- An analysis was submitted making the case for the continued operation of the Idlewood Dr entrance.
- An all clear letter was provided SHPO regarding archaeologically sensitive areas was provided and will be included with the final SWPP.
- A turning radius analysis was provided.
- A letter was provided by Mark T. Henderson, former Brighton Chief of Police and current Director of Jewish Community Security advising against the establishment of public easements on the property.
- We received a summary and recommendation letter provided by Mr. Schwingel regarding the condition assessment for the Columbus Way bridge over Allen's Creek. A copy of the analysis performed by Erdman Anthony should be provided to this Department for review.

CONSERVATION BOARD:

- Stormwater mitigation and preventing possible impacts to Allens Creek is an important aspect of this project. The stormwater mitigation plan should be thoroughly vetted by town staff and all necessary State and Federal Permits shall be obtained.
- Tree removal shall be kept to a minimum.
- Use of native plantings is encouraged.

TOWN ENGINEER: See memo from Town Engineer, Evert Garcia, dated July 17, 2022.

QUESTIONS:

- What improvements be made to the existing building?
- Do you propose to install a fire sprinkler system? Have you been in contact with the Fire Marshall?
- How will you mitigate the loss of flood plain area as part of the improvements?
- What approvals are needed from other entities? What is the status of those?
- The entire stormwater pond is in the flood plain. How will you manage storm water runoff during large events that may flood the constructed stormwater facility?
- Are any additional approvals still required? Have plans been sent to MCPW for review?

- Were calculations done on the bridge to determine if it is capable of supporting construction vehicles?
- Has it been determined if compensatory storage for work in the floodplain will be required and where that would be located?
- Have considerations been made to straighten the Columbus Way alignment?

APPLICATION:

If the Board entertains tabling the application, I would suggest including, among others suggested by the Board, the following items be addressed:

1. The entire building/store shall comply with the most current Building & Fire Codes of New York State.
2. The Fire Apparatus Access and Fire Hydrant Worksheet shall be completed and submitted to the Town of Brighton for review.
3. The architectural design and building materials of the proposed building(s) shall be reviewed and approved by the Town of Brighton Architectural Review Board.
4. The project and its construction entrance shall meet the New York State Standards and Specifications for Erosion and Sediment Control.
5. The parking lot shall be striped as per the requirements of the Brighton Comprehensive Development Regulations.
6. A detailed phasing plan is required. Plans for: utility; wildlife mitigation; roadway improvements; clearing; and erosion control shall be designated for each phase of development.
7. Fire hydrants shall be fully operational prior to and during construction of the building.
8. All County Development Review Comments shall be addressed prior to final approval.
9. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
10. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to demolition, landscaping, stormwater mitigation, infrastructure and erosion control. The applicant's engineer shall prepare an itemized estimate of the scope of the project as a basis for the letter of credit.

11. The proposed building shall be sprinklered in accordance with Town requirements.
12. Only business identification signage as allowed per the Comprehensive Development Regulations is permitted. This signage must be reviewed and receive all necessary town approvals prior to installation.
13. The project engineer shall confirm if additional accessible parking spaces are required to be installed as part of this project. All new accessible parking space signage to be installed or replaced shall have the logo depicting a dynamic character leaning forward with a sense of movement as required by Secretary of State pursuant to section one hundred one of the Executive Law.
14. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
15. The requested information is required to be submitted no later than two weeks prior to the next Planning Board meeting.
16. All comments, concerns and requirements of the Town Engineer as contained in the attached memo dated July 17, 2022 from Evert Garcia, Town Engineer, to Jeff Frisch shall be addressed.
17. The bridge over Allens Creek shall be assessed to verify it is structurally sufficient to handle loads created by vehicles and machinery to be used in construction of the addition.
18. The project will require multiple jurisdictional approvals, including but not limited to: MCPW, BCSD, and MCWA. All approvals must be obtained prior to the Town endorsing the final plans. Provide evidence these approvals have been granted.
19. Only Winton Rd entrance shall be used for construction vehicle access.
20. Provide a final Draft of the Engineer's report prior to final approval.
21. Provide a SWPP that compiles revisions noted in the provided comments submitted with this application and any additional information required by the Town Engineer.
22. Provide a landscaping plan for the proposed bioretention facility.

MEMO

Date: July 17, 2022

From: Evert Garcia

To: Jeffrey K. Frisch Jr.

Copy: File

Re: *5P-NB1-22*

1666 South Winton Road

Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Preliminary Site Plan Approval, Preliminary EPOD (watercourse) Permit Approval and Preliminary Conditional Use Permit Approval to construct a 23,000 +/- sf building addition (with an additional 8,700 sf future phase), to re-purpose the former Brookside School for the use by the Talmudical Institute of Upstate New York Residential High School and make other site improvements.

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

General:

1. We await to review the Engineer's estimate for construction to establish the value of the letter of credit. The letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: improvements within the MCDOT right of way, sanitary sewer, water service, utility improvements, stormwater water management facilities, restoration, landscaping and sediment and erosion control.
2. The proposed building and site plan must comply with the New York State Fire Code and the Town of Brighton Fire Prevention and Building Construction code. The Town of Brighton Fire Marshal must review the fire apparatus access and fire hydrant locations. The Fire Apparatus Access and Fire Hydrant Worksheet must be completed and submitted to the Town of Brighton for review. The worksheet can be found at: <http://www.townofbrighton.org/DocumentCenter/View/4557>. A completed copy of the worksheet was not included with the most recent application package as intended by the applicant's representative.
3. The owner of the site must execute a stormwater maintenance agreement that shall be binding on all subsequent owners of land served by the stormwater management facility. A template for the stormwater maintenance agreement will be provided to the applicant's engineer under separate cover by this Department.

Sustainability:

1. The applicant has indicated that bike racks will be provided on site. The location of the proposed bike racks should be depicted on the site plans.

Roadway and Traffic:

1. We are in receipt of the summary and recommendation letter provided by Mr. Schwingel regarding the condition assessment for the Columbus Way bridge over Allen's Creek. A copy of the analysis performed by Erdman Anthony should be provided to this Department for review.

2. The plans indicate that the 24" tree near the bend in the Columbus Way alignment will be removed. Has the applicant considered straightening the Columbus Way alignment to provide a gentler entry into the site?
3. The AM Peak Hour Volume provided in Table 5 of the traffic report is not consistent with the traffic count data provided for the Idlewood intersection. It appears that the AM Peak Hour Volume provided in Table 5 is actually the sum of both AM and PM Peak Hour Volumes. Please review and clarify.

Engineer's Report:

1. The hydrants should be included in the junction summary table of the hydraulic model. Please revise as necessary.
2. How were the fire demand values used in the hydraulic network analysis determined? The NYS Fire Code indicates that fire-flow requirements shall be determined by an approved method. Has the methodology used to determine the fire-flow demand been reviewed and approved by the Fire Marshal? The fire worksheet does not appear to have been included with the latest submission as intended by the applicant.
3. A final draft of the Engineer's report which compiles all of the technical documentation for this project shall be provided prior to final approval.

SWPPP:

1. The peak rate control discharge table included in the SWPPP should be revised to include the 25-year storm event. The Brighton Town Code indicates that the hydraulic design of the drainage system shall be performed in accordance with the hydrologic criteria specified in Chapter 215 with the ultimate stormwater control being quantified with respect to the watercourse to which the development is tributary to. The ultimate stormwater control capacity volume shall be based upon the design recurrence interval with the discharge rate from the structure's outfall not exceeding the criteria outlined in Chapter 215. Please provide supporting technical documentation that the proposed SWMF meets the design criteria outlined in Chapter 215.
2. A table summarizing how all components of the NYS DEC Unified Sizing Criteria for stormwater runoff, including WQv, CPv, Qp, and Qf, have been met must be provided in the SWPPP.
3. The CPv, 24-hour criteria is dependent on the volume of the facility and the discharge rate. How is the 24-hour extended detention of the post-developed 1-year storm event being met? Please provide supporting documentation.
4. An updated SWPPP was not provided with the current submission to confirm the various revisions noted by the design engineer. Please provide an updated SWPPP which compiles all of the revisions to the noted in the most recent submission.
5. The sequence of construction for the development site should be included on the Grading and Erosion Control Plan.
6. Development within the floodplain will require compensatory storage. We await to review the technical documentation demonstrating that the proposed development adheres to the Town of Brighton Floodplain Development standards.
7. Our GIS mapping indicates that a freshwater forested federal wetland, PF01A, is located in the SW corner of the property. Please provide supporting documentation that the USACOE concurs with the wetland boundary delineation provided by the applicant's engineer.
8. The NYS SWDM indicates that existing trees which are considered for RRv reduction must be inventoried, identified, protected, selected from an approved list. Similarly, new trees planted for credit must be chosen from the approved manual list. Please submit supporting documentation that the selected trees meet the aforementioned requirements.
9. The applicant's engineer has indicated that a "tideflex" type check valve will be provided to preserve the storage volumes within the SWMF. In order for the check valve to function as intended, the elevation within the SWMF would have to be above the elevation of the creek for each respective storm event so that sufficient pressure head is available to create positive discharge from the SWMF to Allens Creek. Has this analysis been performed? Please provide supporting technical documentation.
10. We await to review the forthcoming geotechnical report to confirm that the proposed SWMF will function as intended.
11. The NYS SWDM indicates that landscaping is critical to the performance and function of bioretention areas. Therefore, a landscaping plan must be provided for the proposed bioretention facility.
12. A stage-discharge table must be provided as part of the hydrocad model for the proposed SWMF.

13. The hydrocad analysis of the surcharged storm sewer system appears to use a starting elevation for the SWMF tailwater of 475.98 for both the 10-year and the 25-year storm event. Why was the same starting elevation chosen for both storm events? Please review and revise as necessary.

Existing Conditions and Demolition Plan, Sheet 1 of 9:

1. The engineer's report indicates that the proposed development will disturb approximately 7.4 acres on the site, however, no more than 5 acres will be disturbed at any given time. We await to review a proposed phasing plan that defines the maximum disturbed area per phase, and the specific sequencing and phasing that will be done to minimize the amount and duration of exposed areas to the maximum extent practicable must be submitted for review and approval. The phasing plan must illustrate the successive grading, erosion control and restoration measures by phase. Any deviation from this plan must be reviewed and approved by the Town of Brighton. Grading activities shall be limited to the phase and/or section immediately under construction to decrease the time that soil is exposed, which, in turn, decreases the potential for erosion. Additional phases should begin only when the previous phase is stabilized.
2. Orange construction fencing shall be used to delineate the limits of disturbance in conjunction with the proposed silt fencing. Silt fence cannot be used in lieu of the orange construction fencing. Please review and revise the plans as necessary.

Utility Plan, Sheet 4 of 9:

1. We await to review the grease trap sizing calculations for this project.
2. Profiles for the proposed storm sewer system should also be provided on the plans. Have potential conflicts between the storm sewer system and proposed watermain been identified?
3. The invert and rim elevations for the overflow structure in the bioretention facility should be called out on this sheet.
4. The designer should clarify whether the 8" ST crossing through Y1-C7 will be routed to the new SWMF or discharge directly to the creek through the existing 15" ST.

MEMO

Date: July 14, 2022

From: Brendan Ryan

To: Rick Distefano

Copy: File

Re: *Application No. 7P-NBI-22*
Application of Kim Bailey, Stahl Properties, Owner, for Concept Review
12 Elmwood Hill Lane

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

General:

1. The proposed site plan will require variances to be obtained through the Zoning Board of Appeals.
2. All other approvals from jurisdictional agencies must be obtained prior to that of the DPW.
3. The contractor shall obtain all necessary Highway Access, Sewer Construction, or other permits from the Town or other agencies prior to starting work.
4. A letter of credit shall be provided to cover certain aspects of the project, including, but not limited to: demolition, restoration, sanitary sewer, water service, and sediment and erosion control. The letter of credit should be submitted to the Town for review and approval. An original Letter of Credit must be received by the Town prior to the start of construction.
5. A schedule of all easements (existing/proposed, public/private) associated with this project shall be provided. All texts, maps and descriptions of proposed easements shall be prepared and submitted to this office for review. Upon satisfactory completion of these documents, the easements shall be filed at the Monroe County Clerk's Office with the Town being provided copies of each Town easement with the liber and page of filing. All easements must be filed at the MCCO prior to obtaining Town signatures.
6. This property is currently served by a sanitary sewer main which does not appear to have been dedicated to the Town. The private sanitary sewer in question appears to serve multiple residences on Elmwood Hill Lane. What is the legal mechanism used for the operation and maintenance of the aforementioned private sanitary sewer serving this property? This matter should be resolved prior to final approvals being issued for the proposed development.
7. Additional comments will be developed as the design progresses and more detailed information on the proposed development is provided.

Sustainability:

1. Regional materials should be used to construct the proposed project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.
2. Will any materials be reused or donated to building materials or house parts recyclers before demolition?

Engineer's Report:

1. An Engineer's Report should be provided. The applicant's engineer must provide a narrative along with technical information regarding sanitary demand, change in runoff, and need for stormwater mitigation.

SWPPP:

1. Drainage crossing the property under development must be maintained during the period of development, and no materials may be stored, land disturbed or other work done to block drainage or to divert or cause runoff of stormwater in an unnatural fashion.
2. Chapter 215 of the Brighton Town Code states that modification of any area greater than 20,000 square feet requires the development of a Stormwater Pollution Prevention Plan (SWPPP) by the applicant in accordance with the specifications outlined by the Town, reviewed by the appropriate board and approved by the Town Engineer. The SWPPP must meet the design criteria set forth in the most recent version of the Town of Brighton's Design Standards; NYS Stormwater Management Design Manual; and NY Standards and Specifications for Erosion and Sediment Control; and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the Town Engineer. Does the proposed development meet the threshold for requiring a development of a SWPPP?

Concept Plan:

1. A demolition and restoration plan should be developed and submitted for review.
2. A grading and erosion control plan must be provided.
3. A site plan should be developed which includes at a minimum; locations and dimensions of principal and accessory structures, general topography contours of the site, existing and proposed utilities, existing and proposed trees and other vegetation and other existing or planned features; a narrative describing anticipated changes to existing topography and natural features, including but not limited to trees, landscaping, utilities, and stormwater runoff.
4. The project must comply with the requirements of NYSDOL Code Rule 56 regarding asbestos control and Chapter 91 of the Code of the Town of Brighton, Lead-Based Paint Removal. In addition to any other requirements of Code Rule 56, the project must comply with Section 56-3.4(a)(2) regarding on-site maintenance of a project record, Section 56-3.6(a) regarding ten-day notice requirements for residential and business occupants. The property owner shall ensure that the licensing requirements of Section 56-3 and the asbestos survey and removal requirements of Section 56-5 are met.