

PLANNING BOARD
TOWN OF BRIGHTON
MEETING OF OCTOBER 19, 2022
Brighton Town Hall
2300 Elmwood Avenue

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.

AGENDA

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members.

CHAIRPERSON: Approval of the August 17, 2022 meeting minutes.
Approval of the September 21, 2022 meeting minutes. **To be done at the November 18, 2022 meeting**

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of October 13, 2022 will now be held.

SP-02-22 Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Conditional Use Permit Approval to allow for The Montessori School of Rochester to be located at 220 Idlewood Road. All as described on application and plans submitted. **TABLED - PUBLIC HEARING REMAINS OPEN - POSTPONED TO A SPECIAL MEETING TO BE HELD ON NOVEMBER 1, 2022**

8P-02-22 Application of Paychex of New York, LLC, owner, and Golisano Business COE, Inc., agent, for Conditional Use Permit Approval to allow for a college to be located at 150 Sawgrass Drive. All as described in application and plans in file. **TABLED AT THE AUGUST 17, 2022 MEETING - PUBLIC HEARING REMAINS OPEN**

10P-01-22 Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Final Site Plan Approval, Final EPOD (watercourse) Permit Approval and Final 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. **POSTPONED TO A SPECIAL MEETING TO BE HELD ON NOVEMBER 1, 2022**

HELD ON NOVEMBER 1, 2022

10P-02-22 Application of American Tower Corporation, owner, and Barclay Damon LLP, agent, for Site Plan Modification and EPOD (steepslope) Permit Approval to expand an existing cell tower equipment compound for the installation of a standby emergency generator on property located at 1 Pinnacle Hill Road. All as described on application and plans on file.

NEW BUSINESS:

10P-NB1-21 Application of 1950-1966 Monroe Avenue, LLC (Quickle's), owner, for Preliminary Subdivision Approval, Preliminary Site Plan Approval and Demolition Review and Approval to raze two commercial buildings, combine two lots into one and construct a 2,500 +/- sf convenience store, three new gas pump islands and a new gas pump canopy on properties located at 1950 and 1966 Monroe Avenue. All as described on application and plans on file. **POSTPONED AT APPLICANTS 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 JULY 20, 2022 MEETING - PUBLIC HEARING REMAINS OPEN - POSTPONED TO A SPECIAL MEETING TO BE HELD ON NOVEMBER 1, 2022**

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 Quickle'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 AT APPLICANTS REQUEST**

9P-NB1-22 Application of Kim Bailey, Stahl Properties, owner, for Preliminary Site Plan Approval and Demolition Review and Approval to raze an existing single family home and construct a 5,545 +/- sf single family home with a 900 sf attached garage on property located at 12 Elmwood Hill Lane. All as described on application and plans on file. **TABLED AT THE SEPTEMBER 21, 2022 - PUBLIC HEARING REMAINS OPEN - POSTPONED TO THE NOVEMBER 16, 2022 MEETING AT APPLICANT REQUEST**

CHAIRPERSON: Announce that public hearings are closed.

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Michele Denber, dated August 19, 2022, in opposition to 5P-NB1-22, 1666 Winton Road South.

Letter, with attachment, from Jerry Goldman, Woods, Oviatt, Gilman, LLP, dated September 7, 2022, regarding application 8P-01-22, 150 Sawgrass Drive and its potential economic impact.

Letter from Mary Boyd, 1 Meadow Lane, dated September 8, 2022 regarding 3108 East Avenue.

Letter from Jerry Goldman, Woods Oviatt Gilman, dated October 4, 2022, regarding application 8P-02-22, 150 Sawgrass Drive.

Letter from Reuben Epstein, 30 Hunters Lane, dated October 13, 2022, in support of closing the Idlewood Lane access to 1666 Winton Road South in conjunction with applications 5P-02-22, 5P-NB1-22 & 10P-01-22.

Letter from Jerry Goldman, Woods Oviatt Gilman, dated October 14, 2022, requesting adjournment of application 10P-NB1-21, 1950-1966 Monroe Avenue.

Letter from Jerry Goldman, Woods Oviatt Gilman, dated October 14, 2022, requesting adjournment of application 5P-NB2-22, 3108 East Avenue.

Letter from neighbors in Evans Farm, dated October 16, 2022, continuing to request the closure of the Idlewood Road access, and public access to the property at 1666 Winton Road South in regards to applications 5P-02-22, 5P-NB1-22 & 10P-01-22.

Letter from Tom and Peggy Lawlor, 45 Hunters Lane, dated October 16, 2022, in support of closing the Idlewood Lane access to 1666 Winton Road South in conjunction with applications 5P-02-22, 5P-NB1-22 & 10P-01-22.

Letter from Seth Holmes, 182 Idlewood Road, with comments and concerns regarding applications 5P-02, 5P-NB1-22 & 10P-01-22, 1666 Winton Road South.

Letter from Ray Warrick, 215 Idlewood Road, dated October 17, 2022, with comments regarding the Idlewood Road entrance to 1666 Winton Road South in regards to application 10P-01-22.

Letter from Peg Warrick, 215 Idlewood Road, dated October 17, 2022, with comments regarding the Idlewood Road entrance to 1666 Winton Road South in regards to applications 5P-02-22, 5P-NB1-22 & 10P-01-22.

Letter from Judy Massare, 126 Idlewood Road, dated October 17, 2022, with comments and concerns regarding applications 5P-NB1-22 and 10P-01-22, 1666 Winton Road South.

Letter from Larry Heininger, P.E. dated October 18, 2022, requesting postponement of application 9P-NB1-22 to the November 16, 2022 meeting.

PETITIONS: NONE

SIGNS:

APP #	NAME & LOCATION	TYPE OF SIGN	ARB REVIEW PB DECISION
ARB & PB RECOMMENDATIONS AND/OR CONDITIONS			
<u>1659</u> <u>Revised</u>	Prodigy Surgical 1221 East Henrietta Road	Bldg Face	8/23/22, 9/29/22
ARB - Unable to make a decision.			
<u>1664</u>	Oak Hill Terrace Apartment Homes 2470 East Avenue	Free Standing	9/29/22
ARB - Approved with conditions. 1. The proposed 24.5 sf sign be reduced to meet the size requirements (19.2 sf) of prior approval (Variance 10A-07-16) OR apply for and obtain a new area variance.			
<u>1665</u>	Alliance Fleet 2715 West Henrietta Road	Bldg Face	9/29/22
ARB - Approved as presented.			
<u>1666</u>	T Mobile 2750 Monroe Avenue	Bldg Face	9/29/22
ARB - Approved as presented.			
<u>1667</u>	Grannum Health 2220 South Clinton Road / 940 Westfall Road	Free Standing signs (2)	9/29/22
ARB - Approved as presented.			
<u>1668</u>	Tranquility Now 2750 Monroe Avenue	Bldg Face	9/29/22
ARB - Approves as presented.			
<u>1669</u>	RFC Rochester Family Chiropractic 1882 South Winton Road	Bldg Face	92922
ARB - Approved as presented.			

PLANNING BOARD REPORT

HEARING DATE: 10/19/2022

APPLICATION NO: 8P-02-22

APPLICATION SUMMARY: Application of Paychex of New York, LLC, owner, and Golisano Business COE, Inc., agent, for conditional Use Permit Approval to allow for a school to be located at 150 Sawgrass Drive.

COMMENTS:

- The subject property is presently zoned BE-1 Office & Office Park.
- Written information, a site plan, and a floor plan have been submitted
- The application states that the school wishes to occupy the entire building once occupied by General Railway Signal/Alstom and Paychex.
- The school proposes to occupy the entire 125,000 sf located on the 10.4 acre site. Breakdown of spaces was not quantified but floorplans were submitted.
- Proposed full capacity, there will be 50-60 staff and faculty, and 500 students. They are expecting 250 students the first year. It was previously occupied by 650 employees.
- Proposed hours of operation are 8:00 am to 1-1:30 pm Mon, Tue, Thur, Fri, and 8:00am to 11:00 on Wednesdays.
- The traffic report noted a reduction 15% in morning peak hour trips and 13% for evening peak hour trips compared to a fully occupied office building.
- A parking analysis has been submitted with the site plan that shows the addition of parking and appears to be from the previous use. The proposed parking on the plan appears to be installed and required parking was calculated as (1:250 sf), and there seems to be an excess of parking spots. Calculations describing needs of the currently proposed use were not submitted.
- No site or external building modifications are proposed at this time.
- Zoning Board of Appeals granted a variance to allow parking spaces to be 8.5 ft x 18 ft. in lieu of the minimum 9ft x 18 ft required by code.
- The applicant has offered a Standby PILOT Agreement to only the Town if the property or any portion thereof ends up being taken off the tax rolls.

CONSERVATION BOARD: N/A

TOWN ENGINEER: N/A

QUESTIONS:

- What is the use and what programs will be offered?
- Does the program offered require any state certification or accreditation?
- The site plan shows areas of new pavement but those areas appear to already be installed, are there going to be any modifications to the plan?
- Can you please explain the Standby PILOT agreement?

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 as a school is a conditionally permitted use within the standards of the Office & Office Park (BE-1) District.
2. The Planning Board finds that the proposed use as a school, 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 school, 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 a school at this location as described in the application and materials provided to the Planning Board, on a property currently being used for office uses, in an Office & Office Park area will not be detrimental to the health, safety or general welfare of persons working in the neighborhood nor will the proposed use be detrimental nor injurious to the property and improvements in the neighborhood nor to the general welfare of the Town.
4. The proposed school 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 school in an existing building on a site

designed for such office uses will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community. Any impact on the economic welfare of the Town will be mitigated by the Standby PILOT Agreement offered by the Applicant.

6. The Planning Board finds that the proposed school in an existing building 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 school in an existing building on a site designed and built for such uses will not result in the loss or damage to trees.
8. The location and size of the proposed school 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 school will not be hazardous or inconvenient to or incongruous with the surrounding uses, nor the neighboring uses along Westfall Road or on Sawgrass Drive.
9. The location, height, and orientation of the existing building in which the proposed school will operate and the nature and extent of the existing landscaping on the site are such that the proposed school use will not hinder or discourage the appropriate development and use of 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. All requirements of the Town of Brighton's Department of Public Works shall be met.
2. All Town codes shall be met that relate directly or indirectly to the applicant's request.
3. All required building permits shall be obtained.
4. An Operational Permit shall be obtained from the Town of Brighton Fire Marshal (Chris Roth, 585-784-5220).
5. Any change in programs offered or use of indoor or outdoor space shall require review by the Building and Planning Department and may require further Planning Board approval.
6. Any new signage must receive all necessary Town approvals. Only business identification signage as allowed per the Comprehensive Development Regulations is permitted.
7. All Monroe County Development Review Committee comments shall be addressed.
8. All conditions of the Zoning Board of Appeals regarding parking space size shall be

mct.

9. Any external modifications shall be approved by the Town of Brighton Architectural Review Board prior to the issuance of any building permits.
10. 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.
11. The parking lot lights shall be placed on a timer.
12. Applicant shall comply with the requirements of §207-14.2 of the Comprehensive Development Regulations regarding refuse and grease handling, cleaning of exhaust hoods/vents and other applicable regulations.
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 revised site plan showing the current conditions shall be submitted.
15. Prior to issuing a certificate of occupancy, information shall be submitted by the applicant showing that the educational program and offerings have received necessary approvals from the New York State Education Department or that approvals were not required.
16. The Applicant shall execute a Standby PILOT Agreement providing that the Applicant and its successors and assigns shall pay annually to the Town of Brighton \$0.51584 per square foot of any or all of the portions of the Building to be used for the school approved herein which is determined to be exempt from Real Property Taxes, that such payment shall commence and be due to the Town on January 1 of each and every tax year in which the Building is determined to be in whole or in part exempt from Real Property taxes, that said payment shall escalate each tax year after 2023 by the greater of 1% or the percentage increase in the Town Tax rate, and the form of said Standby PILOT Agreement shall be subject to the approval of the Town Attorney and the Brighton Town Board. Applicant shall file said Standby PILOT Agreement in the Monroe County Clerk's Office and provide proof of the same to the Town prior to the issuance of any Certificate of Occupancy.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: 8P-02-22

Date: October 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 Town of Brighton Planning Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and an Environmental Impact Statement will not be prepared.

Name of Action: Change use of 125,000 square foot building from office space to post-secondary school.

SEQR Status: Type 1

Conditioned Negative Declaration: No

Description of Action: Conditional Use Permit Approval to change use of a 125,000 sf, 2 story building from office space to post-secondary school (Golisano Business Center of Excellence [COE]). No exterior alterations are proposed.

Location: 150 Sawgrass Drive, Town of Brighton

Applicant: Golisano Business COE, Inc.

Reasons Supporting This Determination:

Based on information submitted to the lead agency and after considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant, the Criteria for determining significance in the SEQR regulations and other supplemental information, documentation, testimony and correspondence, the Town Planning Board finds that the proposed action will not have a significant impact on the environment based on the following findings:

1. Impact on Land

The proposed change of use of an existing structure involves no physical changes to the site. No impact on the land.

2. Impact on Geological Features

The proposed change of use of an existing structure involves no physical changes to the site. No impact on geological features.

3. Impacts on Surface Water

The proposed change of use of an existing structure involves no physical changes to the site. Existing drainage will remain as is. No impact on surface water.

4. Impact on groundwater

The proposed change of use of an existing structure involves no physical changes to the site. Building is served by public water. Existing drainage will remain as is. No impact on groundwater.

5. Impact on Flooding

The proposed change of use of an existing structure involves no physical changes to the site. Existing drainage will remain as is. No impact on flooding.

6. Impacts on Air

The proposed change of use of an existing structure involves no physical changes to the site. No impact on air.

7. Impact on Plants and Animals

The proposed change of use of an existing structure involves no physical changes to the site. No impact on plants and animals.

8. Impact on Agricultural Resources

Not applicable

9. Impact on Aesthetic Resources

The proposed change of use of an existing structure involves no physical changes to the site or building. No impact on aesthetic resources.

10. Impact on Historic and Archeological Resources

The proposed change of use of an existing structure involves no physical changes to the site. No impact on historic and archeological resources.

11. Impact on Open Space and Recreation

The proposed change of use of an existing structure involves no physical changes to the site. No

impact on open space and recreation.

12. Impact on Critical Environmental Areas

Not applicable

13. Impact on Transportation

The proposed change of use of an existing structure involves no physical changes to the site. Traffic report noted an anticipated reduction in peak hour traffic compared to a fully occupied office building. No impact on transportation.

14. Impact on Energy

Not applicable

15. Impact on Noise, Odor, and Light

The proposed change of use of an existing structure involves no physical changes to the site. Construction noise limited to interior building renovation. Minor changes to parking lot lighting may occur. No significant impacts on noise, odor, and light.

16. Impact on Human Health

Not applicable

17. Consistency with Community Plans

The proposed change of use of an existing structure involves no physical changes to the site.

The change of use is from a permitted use to a conditionally permitted use in the BE-1 (Office and Office Park) District (Zoning Code Section 203-44). The proposal is consistent with the Town of Brighton Comprehensive Plan, Envision Brighton 2028. In particular, the proposed Golisano Business COE falls within the general cluster of post-secondary institutions included in the Rochester Multiversity Concept outlined in Volume 2 of the plan, pages 30-31.

18. Consistency with Community Character

The proposed change of use of an existing structure involves no physical changes to the site.

The existing building fits with the existing character of large scale buildings along the south side of Westfall Road stretching from Mount Hope Avenue, across the Rochester/Brighton line, all the way east to Buckland Park.

The Lead Agency has made the following additional determinations:

- A. The Lead Agency has met the procedural and substantive requirements of SEQRA.
- B. The Lead Agency has carefully considered each and every criterion for determining the potential significance of the Project upon the environment as set forth in SEQRA, and the Lead Agency finds that none of the criteria for determining significance set forth in SEQRA would be implicated as a result of the Project.
- C. The Lead Agency has carefully considered (that is, has taken the required "hard look" at) the Project and the relevant environmental impacts, facts, and conclusions in connection with same.
- D. The Lead Agency has made a reasoned elaboration of the rationale for arriving at its determination of environmental non-significance, and the Lead Agency's determination is supported by substantial evidence, as set forth herein
- E. To the maximum extent practicable, potential adverse environmental impacts will be largely avoided or minimized by the Applicant's careful incorporation in its application materials of measures designed to avoid such impacts that were identified as practicable.

Date issued: October 19, 2022

For further information:

Contact Person: Rick DiStefano, Environmental Review Liaison Officer

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

Telephone: 585-784-5228
Email: rick.distefano@townofbrighton.org

PLANNING BOARD REPORT

HEARING DATE: October 19, 2022

APPLICATION NO: 10P-02-22

APPLICATION SUMMARY: Application of American Tower Corporation, owner, and Barclay Damon LLP, agent, for Site Plan Modification and EPOD (steep slope) Permit Approval to expand an existing cell tower equipment compound for the installation of a standby emergency generator on property located at 1 Pinnacle Hill Road.

COMMENTS:

- The fenced compound at the base of the tower will be expanded with an additional 10' x 22' area on the south side..
- A SEAF has been submitted.
- A scaled Site Plan, proposed Compound Plan and Details sheet have been provided. It does not show the topography, extent of the parcel, or the top of the steep slope. Vegetation is also not shown on the plans. The potential impacts of the proposed generator installation cannot be properly assessed
- The fence details provided show a barbed wire-topped fence, height is not provided. A variance was granted in 2003 (3A-04-03) to allow an eight foot high fence topped with barbed wire. Applicant has applied for and received a variance on October 6th for the new fence to match the existing fence in height and style. (10A-09-22)
- Variance 10A-09-22 was approved allowing the applicant to use diesel as a fuel source in lieu of LP gas or Natural gas, and a 7.5 ft fence topped with 1 foot of barbed wire where a 6.5ft fence without barbed wire is allowed by code
- The subject property is presently zoned RLA Residential .
- Under the previous approval a condition was included that if a generator was proposed in the future it would need the appropriate approvals.
- Application was received on September 20th. On September 21st, after receipt and initial review of the application, a notification was sent in writing via email to the applicant that

CONSERVATION BOARD:

-The plans lack sufficient detail for the Board to adequately comment on the potential impacts, if any, to the steep slope.

TOWN ENGINEER: See memo from Assistant Engineer, Brendan Ryan, dated October 13, 2022.

QUESTIONS:

- Is any additional lighting proposed? Is it dark sky compliant?
- What disturbance will there be inside and outside the existing and proposed fenced area during installation/construction? After installation/construction?
- The fence details provided show a barbed wire-topped fence, height is not provided. What is the height of the existing fence? Has the fence received the required variance to match the existing fence?
- What trees/vegetation will be removed/disturbed? What is proposed to be planted?
- How will the site be restored?
- Do you have verification from a geotechnical engineer that the proposed extension to the compound will not adversely affect the slope?
- How will the generator be accessed for maintenance?
- What will the decibel levels of the generator be? Will they comply with Town of Brighton regulations?
- At what times will the required testing of the generator be conducted?

SEQRA:

The Planning Board finds the action to be an Unlisted Action under the State of New York Environmental Quality Review Act. Additional information is requested in order to make a determination of significance.

APPLICATION:

Tabled as presented based on the testimony given, plans submitted, and for the following information conditions:

1. A report from a geotechnical engineer shall be submitted addressing the town's Environmental Protection Overlay District (EPOD) requirements and verifying that the project will not be adversely affected by the slope and the slope stability will not be adversely affected by the site work or equipment.

2. Review section 203-120 of the Town of Brighton code and submit information required to meet the Town's development standards for Steep Slope EPODs.
3. A variance (10A-09-22) was granted at the October 6th Zoning Board meeting for fuel source and height of the fence and inclusion of barbed wire. All conditions of that approval shall be met.
4. All New York State Uniform Fire Prevention and Building Codes shall be satisfied.
5. Prior to issuance of any building permits, all plans for utility and storm water control systems must be reviewed and have been given approval by appropriate authorities. Prior to any occupancy, work proposed on the approved plans shall have been completed to a degree satisfactory to the appropriate authorities.
6. Meet all requirements of the Town of Brighton's Department of Public Works.
7. All Town codes shall be met that relate directly or indirectly to the applicant's request.
8. The project and its construction entrance shall meet the N.S. Guidelines for Urban Erosion and Sediment Control.
9. The contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection and preservation throughout construction.
10. All trees to be saved shall be protected with orange construction fencing placed at the drip line or a distance greater than the drip line. Trees shall be pruned, watered, and fertilized prior to, during and after construction. Materials and equipment storage shall not be allowed in fenced areas.
11. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance.
12. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
13. The generator shall comply with the most current Building & Fire Codes of New York State.
14. Documentation of the noise level of the generator per manufacturer's specifications at seven meters (23 feet) from the unit shall be provided.
15. The generator shall be used only during electrical power outages and as required by the manufacturer for maintenance purposes.
16. Maintenance operation of the generator shall take place only during daylight hours;

17. Details of any proposed new lighting shall be submitted.
18. All comments and concerns of the Assistant Engineer as contained in the attached memo from Brendan Ryan to Jeff Frisch shall be addressed.
19. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
20. The requested information is required to be submitted no later than two weeks prior to the next Planning Board meeting.

1900 Bausch & Lomb Place
Rochester, New York 14604
P 585.987.2800 F 585.454.3968



ATTORNEYS
woodsoviatt.com

1900 Main Place Tower
Buffalo, New York 14202
P 716.248.3200 F 716.854.5100

Writer's Direct Dial Number: 585.987.2901
Writer's Direct Fax Number: 585.362.4602
Email: jgoldman@woodsoviatt.com
Admitted to practice in New York and Florida

October 4, 2022

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



Re: Application of Golisano Business COE, Inc.
150 Sawgrass Drive- Conditional Use Permit
Application # 8P-02-22

SUPPLEMENTAL LETTER OF INTENT

Dear Board Members:

This office has been retained by Golisano Business COE, Inc., ("GB") to assist in obtaining municipal approval for the repurposing the 125,000 square foot building at 150 Sawgrass Drive in the Brighton Meadows Business Park (formerly occupied by General Railway Signal/Alstom and Paychex) to establish an innovative business education school concept developed by Mr. Golisano.

We have appeared before the Planning Board at your August 17 and September 21 meetings and believed that we have narrowed the issues related to this Conditional Use Permit application.

Our client acknowledges the Town's concern related to fiscal impact to the Town of a potential tax exemption for this not-for-profit school. Accordingly, the applicant is willing to offer a "backup PILOT" to the Town (and no other taxing jurisdictions), if the property goes off the tax rolls, at a rate of the lower of (1) \$0.51584 per square foot, with an annual escalator of 1% per year or the (2) actual Town tax for the property at the assessed value for the applicable tax year (the applicant would retain its rights under the NYS Real Property Tax Law to challenge the tentative and final assessment as established by the Town Assessor to arrive at the appropriate assessed value). This Agreement would be documented as the Town has done with other "backup PILOT" agreements. We would work with the Town Attorney to arrive at a mutually acceptable document and would expect that the execution of the document would be a condition of CUP approval.

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Golisano Business COE Inc. Supplemental Letter of Intent
October 6, 2022
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Given the applicant's timetable to have the school up and running in September of next year, it is of paramount importance to move the CUP decision at the October 20 Planning Board meeting. We believe that any other outstanding issues can be addressed as conditions of approval.

Should the Board have any questions or require additional information in advance of the October 20 meeting, please do not hesitate to contact me.

Thank you very much for your consideration.

Very truly yours,

WOODS OVIATT GILMAN LLP

A handwritten signature in black ink, appearing to read "Jerry A. Goldman".

Jerry A. Goldman

1900 Bausch & Lomb Place
Rochester, New York 14604
P 585.987.2800 F 585.454.3968



ATTORNEYS
woodsoviatt.com

1900 Main Place Tower
Buffalo, New York 14202
P 716.248.3200 F 716.854.5100

*Writer's Direct Dial Number: 585.987.2901
Writer's Direct Fax Number: 585.362.4602
Email: jgoldman@woodsoviatt.com
Admitted to practice in New York and Florida*

October 4, 2022

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

Re: Application of Golisano Business COE, Inc.
150 Sawgrass Drive- Conditional Use Permit
Application # 8P-02-22
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This office has been retained by Golisano Business COE, Inc., ("GB") to assist in obtaining municipal approval for the repurposing the 125,000 square foot building at 150 Sawgrass Drive in the Brighton Meadows Business Park (formerly occupied by General Railway Signal/Alstom and Paychex) to establish an innovative business education school concept developed by Mr. Golisano.

We have appeared before the Planning Board at your August 17 and September 21 meetings and believed that we have narrowed the issues related to this Conditional Use Permit application.

Our client acknowledges the Town's concern related to fiscal impact to the Town of a potential tax exemption for this not-for-profit school. Accordingly, the applicant is willing to offer a "backup PILOT" to the Town (and no other taxing jurisdictions), if the property goes off the tax rolls, at a rate of the lower of (1) \$0.51584 per square foot, with an annual escalator of 1% per year or the (2) actual Town tax for the property at the assessed value for the applicable tax year (the applicant would retain its rights under the NYS Real Property Tax Law to challenge the tentative and final assessment as established by the Town Assessor to arrive at the appropriate assessed value). This Agreement would be documented as the Town has done with other "backup PILOT" agreements. We would work with the Town Attorney to arrive at a mutually acceptable document and would expect that the execution of the document would be a condition of CUP approval.

Planning Board - Town of Brighton
Golisano Business COE Inc. Supplemental Letter of Intent
October 6, 2022
Page 2

Given the applicant's timetable to have the school up and running in September of next year, it is of paramount importance to move the CUP decision at the October 20 Planning Board meeting. We believe that any other outstanding issues can be addressed as conditions of approval.

Should the Board have any questions or require additional information in advance of the October 20 meeting, please do not hesitate to contact me.

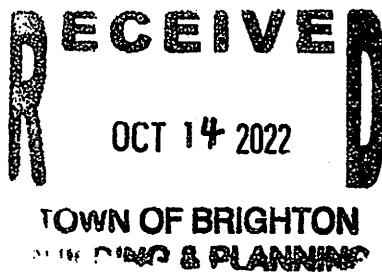
Thank you very much for your consideration.

Very truly yours,

WOODS OVIATT GILMAN LLP

A handwritten signature in black ink, appearing to read "Jerry A. Goldman".

Jerry A. Goldman



30 Hunters Lane
Rochester, NY 14618

October 13, 2022

To the Brighton Planning Board:

We are writing in support of the request from Evans Farm neighborhood residents to close the roadway that leads from Idlewood Road into the Brookside school property as part of the changes as this property is sold.

We have lived in Evans Farm since 1984, going back to when Brookside School was open. The concern about traffic in and out of Brookside and the safety of walkers in the neighborhood was a major issue even then.

Then, as now, there were no sidewalks and walking could be hazardous. This was especially true in winter when snow piles reduce visibility and narrow the street. Because of this danger the Brighton school district bussed children who lived in this neighborhood to Brookside, even children who only lived a few houses from the entrance to the school.

When there were events at the school, such as Open House nights, the traffic issues were so great that to cope the Brighton police turned the Idlewood and Glenhill circle into a one-way loop. Police were stationed to direct traffic at all the entrances to the neighborhood. During the hours of an event, parking overflowed into the neighborhood, and traffic was required to go only in one direction.

Later, after the school was closed and the town rented space for the recreation department, the entrance bridge from Winton Road was widened and the parking lot on the west side significantly enlarged to protect the neighborhood from excessive and hazardous traffic.

Traffic safety remains an issue. I walk in the neighborhood every day and, starting at this time of year when the evenings become dark, I walk in the afternoon. If I am walking near the entrance to Brookside in the late afternoon, I need to be particularly watchful. When parents are picking up children from the Montessori school, it is very common for them to ignore the stop sign at the exit onto Idlewood Road and drive without pausing into the street. Periodic requests to the school to remind parents to stop before entering Idlewood can be helpful, but invariably the problem emerges again.

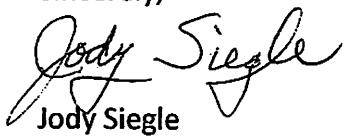
This neighborhood is full of pedestrians – people like me out for exercise, people walking their dogs multiple times a day, parents out with young children, groups of children walking to someone's house, and of course, bicyclists. All these people are on the roadway.

Once Brookside is sold, neither the town nor the school district will have the same umbrella of responsibility about the appropriateness of future tenants who would be driving to the building using Idlewood Road. Once the building is privately owned, there would be no assurance that the neighborhood's concern about the impact of future tenants on the traffic on Idlewood Road would be a priority for the landlord.

Any potential negative issues could simply be prevented by making the closing of the Idlewood entrance and redirecting all traffic to enter from the Winton Road a condition of the permit approval. This would protect the safety of the pedestrians in the neighborhood, a recognized concern for decades. In addition, a further consideration is that if nothing is done and an accident happens, the oversight parties who ignored the warnings and could have done something about this issue might be vulnerable to legal action.

Please close the Idlewood Road driveway into Brookside school building as a condition of approving the proposed changes.

Sincerely,



Jody Siegle



Reuben Epstein



Jeff Frisch <jeff.frisch@townofbrighton.org>

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

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

Fri, Oct 14, 2022 at 8:05 AM

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>, "Quicklees- Lou Terragnoli (l.terragnoli@quicklees.com)" <l.terragnoli@quicklees.com>, "John H. Sciarabba (john@landtechny.com)" <john@landtechny.com>

Jeff-

We would request that the above referenced application continue to be adjourned from the October 19 Planning Board agenda as the applicant and the Town continue to proceed with the early stages of the desired Incentive Zoning process.

[Quoted text hidden]





Jeff Frisch <jeff.frisch@townofbrighton.org>

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

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

Fri, Oct 14, 2022 at 8:09 AM

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

Cc: "Town of Brighton-Rick DiStefano (rick.distefano@townofbrighton.org)" <rick.distefano@townofbrighton.org>, "Quickelees-Ken Perelli (k.perelli@quickelees.com)" <k.perelli@quickelees.com>, "Quickelees- Lou Terragnoli (l.terragnoli@quickelees.com)" <l.terragnoli@quickelees.com>, "JSudol@passero.com" <JSudol@passero.com>, "Brugg, Betsy D." <bbrugg@woodsoviatt.com>, "Volpe, Courtney J." <cvolpe@woodsoviatt.com>

Jeff-

On behalf of the applicant, we hereby request that the above referenced application be adjourned from the Planning Board's meeting of October 19 to allow the applicant's representatives to process its use and area variance applications to the Zoning Board of Appeals.

[Quoted text hidden]



From: **Seth Holmes** <setholmes@gmail.com>
Date: Sun, Oct 16, 2022 at 8:29 PM
Subject: Applications 10P-01-22, 5P-02-22, and 5P-NB1-22
To: Jeff Frisch <jeff.frisch@townofbrighton.org>
Cc: Peg Warrick <warrickpeg@gmail.com>, Ray Warrick <rwarrick215@gmail.com>, Casey Sacco <casey.sacco@gmail.com>, Vicki Reina <phriendly2001@hotmail.com>, Nathan & Audrey Schroeder <nathanaudreys@gmail.com>, Judy Massare <jmassare@aol.com>, Tim Beach <tcbeach@gmail.com>

Jeff and the Planning Board,

We are writing with regards to the October 2022 planning board meeting and applications 10P-01-22, 5P-02-22, and 5P-NB1-22 as they relate to the 1666 S. Winton Road property.

Over the past year we have sent the planning board numerous letters, documents, and a petition pertaining to applications 5P-02-22 and 5P-NB1-22. These documents outline numerous pedestrian safety concerns in Evans Farm related to the property's vehicular entrance to Idlewood Road (and its stub road), as well as the historical use of the school grounds and playground as open space for the neighborhood. We reviewed the most recent documents submitted by TIUNY's team and we do not see any changes alleviating our concerns; therefore, we request the board consider our previous letters, documents, and petition related to the 5P-02-22 and 5P-NB1-22 applications in their review of the new 10P-01-022 Final Approval application.

We continue to request that the board require TIUNY and its team to 1) close the vehicular entrance to Idlewood Road and its stub road, and 2) provide legal access to a portion of the grounds for public open space use.

Thank you for your time and consideration.

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

R E C E I V E D
OCT 17 2022

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

From: Margaret Lawlor <emmetlawlor2@gmail.com>

Date: Sun, Oct 16, 2022 at 11:24 AM

Subject: TIUNY

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

As tax paying residents of the Evans Farm neighborhood, we implore you to seriously consider closing the Idlewood entrance to the former Brookside School. Foot and bicycle traffic on our neighborhood streets will be negatively impacted without doubt. Please be proactive and close off the access before any planned upgrades/building projects are implemented by the TIUNY. Thank you.

Tom & Peggy Lawlor
45 Hunters Lane



Members of the planning board,

My name is Seth Holmes and I live at 182 Idlewood Rd in Brighton. I have written to you numerous times as part of a group of Evans Farm residents voicing concerns about the proposed plans for the former Brookside school at 1666 S. Winton Road. I am writing ahead of this week's planning 10/19 planning board meeting, which I will unfortunately not be able to attend as I just tested positive for Covid-19. My comments below relate to all three applications associated with the Brookside property (10P-01-22, 5P-02-22, and 5P-NB1-22).

I continue to stand by the comments and conditions that our group has requested: 1) closing the Idlewood vehicular entrance to the property to reduce traffic and increase pedestrian safety, and 2) providing legal access to a portion of the grounds for public open space. I am writing today to a) remind you of some crucial facts involving pedestrian safety in Evans Farm, b) add two new points to the conversation, and c) make one last request of the board ahead of the final approval questioning and vote.

First, with respect to our request to close the Idlewood entry, I must point out again that Idlewood Road is a shared-use roadway with no sidewalks or lights and is not designed for the volume of traffic generated by the Montessori school. The SRF traffic study report conducted by the TIUNY team is misleading in that it describes the Idlewood "roadway" as 24ft wide, but does not describe how that dimension includes 19ft of asphalt with two 30" concrete gutters on either side. Marathon Engineering clarified in its 9/7/22 letter to you that the inclusion of the gutters is for the overall wear surface, but "is not typically utilized for regular passenger vehicles". With those facts in mind, we can conclude that the asphalt is the only surface meant for driving on and therefore the lane width on Idlewood road is $19 / 2 = 9.5$ ft. This dimension, per the SRF report's own definition, is meant for local roads (8-10ft lanes), not a through street or minor collector (10-11ft lanes). Therefore, this unlit, undersized, shared roadway infrastructure cannot accommodate the current weekday Montessori traffic, let alone the uncertainty of how TIUNY may utilize their tenant space in the future. I would hope the SEQR review would identify this as a built environment and existing infrastructure concern. Additionally, TIUNY is already proposing to extend a new driveway 2/3 of the way around the south side of the addition and existing building; therefore, it does not appear to be an undue burden for them to extend the new driveway a bit further to connect to the east parking lot - thus granting MSR vehicular access to the S. Winton Road entrance. Yes, that driveway extension would add some cost to the project; however, that cost is minor compared to the overall project cost that TIUNY is likely to pay for this total purchase and construction project (which I estimate is $>\$10,000,000$). I also want to remind you that the Brighton planning board has never had a chance to weigh in on the building's tenant uses (and impacts) as the property owners (BCSD) never applied for conditional use permits when Montessori (and other tenants) moved in. This is the first time the town and its citizens have had a say in how the building gets used and how the building's use impacts the existing built environment of the adjacent neighborhood. I beseech the board to take these facts, and the many others we have presented, into consideration while reviewing and voting on the TIUNY application and to add our requested conditions to any approval granted TIUNY or their tenants.

Second, there are two additional points that I do not believe the board has fully considered. **Point 1:** How does the design of the property relate to the Envision Brighton plan, particularly regarding pedestrian safety? We have commented about this numerous times to you, yet to my knowledge there has been little discussion about how this project holistically fits into the Envision Brighton plan. The town Comprehensive Development Regulation section 217-7 part G states that a conditional use shall "conform to the town master plan", in this case Envision Brighton 2028. We believe our requested conditions would strengthen TIUNY's proposal in supporting the Envision Brighton 2028 plan; please consider that again for your final review and vote. **Point 2:** With respect to emergency management, I would think TIUNY would want to connect the east and west parking lots with a driveway to allow for more resilient vehicular access to their building during emergency conditions. If the west parking lot ever flooded (portions of it are in the 100-yr flood plain), or the bridge needed significant repair, how will their new cafeteria get a delivery or their dumpsters be accessed or shuttles arrive for morning prayer? If the parking lots were connected by a driveway and an "emergency only" gate were placed across the Idlewood entry, the neighborhood gets better pedestrian safety on a regular basis and the TIUNY property has emergency vehicular access options that don't exist with their current design. I see that as a win-win. This would seem to me to be a fair compromise.

Finally, I ask that you direct a particular inquiry to the TIUNY team at this Wednesday's meeting. I would like for you to ask the TIUNY team this question: "*why does TIUNY want to keep the Idlewood entrance open so badly?*" I ask this because I have never once heard a non-financial reason for this design choice on their part. In February 2022, TIUNY presented to your board and I watched silently on Zoom, as there was no public comments. As an architect and architecture professor, I appreciate that TIUNY and their design team thoughtfully located the addition to the building on the west side of the existing structure and sought to minimize changes to the eastern side of the property bordering Evans Farm. I am also thankful that Rabbi Noble welcomed the residents to continue to use the grounds as we have for decades. However, I was concerned at the February presentation that the entrance to Idlewood Road was still present, and that there was no official easement or land-lease being established for public access to the grounds. In early March, TIUNY invited Evans Farm residents to a private zoom meeting and solicited questions ahead of time. I wrote to the TIUNY lawyer, Betsy Brugg, with a few questions including one about closing the Idlewood entrance. During the zoom call, when she responded to the question about whether the entrance would be closed, she simply stated that the entrance would not be closed and moved on to the next question. No justification was provided for this response, even after numerous residents, including myself, reiterated this pedestrian safety

concerns to the TIUNY team multiple times during that meeting. A few days later, our neighborhood group formed and we researched, wrote, and submitted our documents to you. After sending you (and TIUNY) our first document in April, I called TIUNY and left a voicemail for Rabbi Noble asking to speak with him about our concerns (he suggested in the Zoom call that we could do just that); he never returned my call. Even after we wrote our letters and provided our evidence at multiple meetings, the TIUNY team has never said why they want to maintain the Idlewood entrance. In response to your questions about possibly closing the entrance (thank you), Marathon Engineering provided a brief study examining the creation of a south or north driveway connecting the east and west parking lots. Their conclusions effectively state that the cost would be ~\$200,000 and require environmental review, but would not be prohibited. They expressed some concerns about tenant traffic on the property interfering with TIUNY or MSR pedestrians; however, the property has existing and proposed sidewalks, whereas Idlewood Road and Evans Farm do not - we walk and bike on Idlewood Road. The TIUNY administrators early on said they wanted to be neighborly and consider our concerns, yet our concern about the Idlewood entry (that garnered 270+ signatures from the neighborhood) seems to be one that they do not want to address. So to conclude, I simply request that you ask TIUNY "why" they are so adamant about keeping the Idlewood entry open, particularly given that there is an existing alternative with relatively minimal cost with respects to their overall project, that would also serve their own emergency management needs.

Thank you for your time and dedication to our town. I truly wish I could be there Wednesday night.

Seth Holmes
182 Idlewood Road



From: Ray Warrick <rwarrick215@gmail.com>

Date: Mon, Oct 17, 2022 at 8:23 AM

Subject: Application 10P-01-52

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

Jeff Frisch and the Planning Board,

Re: Application 10P-01-22 for the final approval of the site plans for the Talmudical Institute use of 1666 Winton Road property.

All trips in and out of the Brookside facility should be via the Winton Road entrance with very minimal traffic not to exceed 25 trips in and 25 trips out per day from the Idlewood Road neighborhood entrance.

Please help to make our neighborhood a walkable neighborhood.

Sincerely,
Ray Warrick
215 Idlewood



From: Peg Warrick <warrickpeg@gmail.com>

Date: Mon, Oct 17, 2022 at 9:39 AM

Subject: Applications 10P-01-22, 5P-02-22, and 5P-NB1-22 and traffic on Idlewood Road

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

Jeff Frisch, Laura Civiletti, Daniel Cordova, David Fader, John J. Osowski, William Price, Jason Babcock Stiner, James Wentworth,

Please ensure that going forward Idlewood Road can be a walkable area any time of the day.

As has been discussed, Idlewood Road is clearly an urban road and should not be used for the volume of traffic that exists today, nor the volume that is possible should the rooms in the north wing ever be occupied by a greater number of people. The north wing rooms generate very little traffic at this point and I am extremely concerned that this will change in the future with a higher per capita use.

Please require that once the Talmudical Institute of Upstate New York occupies the building, the current level of traffic on Idlewood Road is reduced to that appropriate for a walkable neighborhood. This reduction must apply to both rental tenants and to the use by the owners of the building.

Any future use of Idlewood Road above a pedestrian friendly urban road once TIUNY occupies the building MUST be reviewed at that time by the planning board. Also, the current use by the Montessori School of Rochester should not be used as a precedent since there has historically been no way for the planning board or citizens to provide input on that use.

Thank you very much for all your efforts on this matter that is so important to the Evans Farm Neighborhood.

Peg Warrick
215 Idlewood Road



From: <jmassare@aol.com>
Date: Mon, Oct 17, 2022 at 12:57 PM
Subject: Concerns about applications 10P-01-22 and 5P-NB1-22
To: jeff.frisch@townofbrighton.org <jeff.frisch@townofbrighton.org>
Cc: warrickpeg@gmail.com <warrickpeg@gmail.com>, setholmes@gmail.com
<setholmes@gmail.com>, tcbeach@gmail.com <tcbeach@gmail.com>, nathanaudreys@gmail.com <nathanaudreys@gmail.com>, phriendly2001@hotmail.com <phriendly2001@hotmail.com>, ajreina@hotmail.com <ajreina@hotmail.com>, casey.sacco@gmail.com <casey.sacco@gmail.com>

Dear Mr. Frisch and the Brighton Planning Board,

Let's talk about the elephant in the room. A 120 student dormitory is being imposed on the Evans Farm neighborhood, with no consideration of our concerns by the applicant. Think about that for a moment...an additional 120 teenage boys, with much less supervision than the same number of children in a typical family setting, in our residential neighborhood. Would you be concerned? More importantly, would a potential buyer of your home be concerned about a dormitory within $\frac{1}{4}$ mile or less of your house? It is very likely that the presence of a residential school in the neighborhood will negatively affect property values, and not just for houses adjacent to the property. Would you advise your adult child to buy a house down the street from a 120 student dormitory? I am afraid that my neighbors and I are about to get hit with a significant financial loss in the equity we have in our homes.

One way to help mitigate the negative effect is to 'isolate' the Brookside property from the neighborhood. A row of trees along the back yards of the Hunters Lane properties is not much of a buffer (regardless of the distance from the dormitory and various state and Town regulations). The Brookside property should be developed so that it abuts the neighborhood but is not a part of it, in much the same way that Cambridge Place abuts the neighborhood. This can be done, in part, by eliminating vehicular access to the property via Evans Farm roads. It is well within the authority of the Planning Board to specify the number of access points to the property. By directing all vehicular access, including tenants, to Winton Road, the property will no longer be perceived as part of the Evans Farm neighborhood. Instead, it will be on Winton Road 'adjacent' to Evans Farm. Moreover, the larger the buffer that you require between the property and the neighborhood, the less property values will be negatively affected by the development.

Over 150 houses in Evans Farm are within $\frac{1}{4}$ mile of Brookside School, and even more are within $\frac{1}{4}$ mile of the Idlewood Road entrance to the property. A modest reduction in assessment of \$25-30K for each house could result in a greater value taken off of the tax roll than BCSD will get for the sale of the property! If property values go down, it will not only affect Evans Farm residents, but it will increase the tax burden on other Brighton residents. I am asking the Planning Board to protect the interests of taxpayers by at least requiring just a single vehicular access point (via Winton Road) to the Brookside property when it is developed by TIUNY for a residential school.

Judy Massare
126 Idlewood Road



From: Larry Heininger <lehengin@rochester.rr.com>
Date: Tue, Oct 18, 2022 at 1:20 PM
Subject: RE: 10/19 Planning Board Meeting
To: Jeff Frisch <jeff.frisch@townofbrighton.org>
Cc: Kimberley Bailey <kimbailey99@gmail.com>, Chuck Smith <chuck@newdesignworks.com>, <teri@newdesignworks.com>

Jeff,

Consider this a formal request for postponement. Please move our agenda item to the November meeting.

We have:

1. Shifted the house to the east away from Deborah Ronnen's property line. A variance on this side is no longer required.
2. Lowered the garage roof so it is "secondary" to the house.
3. Decreased the size of the pool and shifted it to the South, behind the main body of the house.

I will let Deborah Ronnen know we are moved to the November meeting, so she doesn't come out unnecessarily.

If you need anything else, please let me know.

Larry Heininger, P.E., PMP

585-455-8855