

PLANNING BOARD  
TOWN OF BRIGHTON  
MEETING OF NOVEMBER 1, 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](mailto: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.

FINAL AGENDA

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members.

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of October 26, 2022 will now be held.

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[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  
[Sept Letter](#)      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**

[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**

NEW BUSINESS:

[5P-NB1-22](#)      Application of the Talmudical Institute of Upstate New York, contract vendee,  
[Additional Info](#)      and the Brighton Central School District, owner, for Preliminary Site Plan  
[Sept Revisions](#)      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 - PUBLIC HEARING REMAINS OPEN - POSTPONED TO A SPECIAL MEETING TO BE HELD ON NOVEMBER 1, 2022**

CHAIRPERSON: Announce that public hearings are closed.

OLD BUSINESS: NONE

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PRESENTATIONS: NONE

COMMUNICATIONS: See October 19 Final Agenda

PETITIONS: NONE

SIGNS:

## **PLANNING BOARD REPORT**

**HEARING DATE:** 11/1/2022

**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 last 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?
- 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:**

The Planning Board finds that the proposed is a Type II action pursuant to 6 NYCRR 617.5(c)(18) and does not require review under SEQR or the adoption of a negative declaration

**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 complies with the standards of the Residential Low Density (RLB) 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. The building has been used as a school for over fifty years and the Montessori School has operated at the building for over twenty years.
3. The Planning Board finds that the establishment of a school at this location, on a property currently being used for a school and Town recreation facility, in a Residential Low Density 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 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 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 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 proposed school essentially conforms to the Town Master Plan: Envision Brighton 2028. Specifically, the Sense of community Statement and Objectives
  - Objective F: Maintain the attributes of the community that support our world-class educational system, diverse cultural and religious history, and inclusive community environment.
9. 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. The Montessori School presently has 92 students, is at full capacity and has no plans to increase enrollment. The traffic study submitted by the Applicants showed that there was neither vehicular nor pedestrian accident history in the vicinity of the Idlewood entrance to the building. Moreover, the objective information provided to the Planning Board supports that the roadways servicing the building are adequate and the use of the Idlewood entrance to the property over the last twenty plus years of operations of the Montessori School at the subject property have not resulted in any actual hazard, inconvenience or incongruence with the surrounding neighborhood. Although concerns have been raised by neighboring residents regarding the continued use of the Idlewood entrance by Montessori School parents and staff, no objective information has been submitted that is contradictory to results of the traffic analysis or information provided by the applicant.
10. 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. 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. Consistent with the Applicants' representations, student population for the use is capped at 92 students. Any increase in enrollment would require a new conditional use permit application.
9. Consistent with the Applicants' representations to restrict the Idlewood entrance to Montessori School users only, a regulatory type of black and white metal sign, approximately 2' wide by 3' high, which reads "VEHICULAR TRAFFIC RESTRICTED TO MONTESSORI SCHOOL AUTHORIZED STAFF, PARENTS, AND VISITORS ONLY. ALL OTHERS USE S. WINTON ROAD ENTRANCE" shall be installed on the Applicant's property at the closest point to where the public access road from Idlewood Road enters the Applicant's property.

## **PLANNING BOARD REPORT**

**HEARING DATE:** 11/1/2022

**APPLICATION NO:** 5P-NB1-22 & 10P-01-22

**APPLICATION SUMMARY:** Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Preliminary and Final Site Plan Approval, Preliminary and Final EPOD (watercourse) Permit Approval and Preliminary 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.

### **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 SEQRLaw 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.
- Information was submitted regarding the wetland area on the property. The wetlands will not be affected by the work on the property.

#### **CONSERVATION BOARD:**

- Consider planting additional large native shade trees in areas not slated for ball fields and construction, concentrating around parking areas.

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

#### **QUESTIONS:**

- 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?
- Are any additional approvals still required? Have plans been sent to MCPW for review?
- Have you received any final determinations from the Army Corps of Engineering regarding the wetland?
- When are you proposing a submittal to the Architecture Review Board?
- Is there a planting plan for the bioretention facility?
- Will all addresses, excluding Montessori School, be changed to 1666 S. Winton Rd.?
- Has a phasing plan been created showing the maximum disturbed area per phase?
- Will adequate CPx be provided for 1-year, 24-hour storm events?



## **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 complies with the standards of the Residential Low Density (RLB) 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. The building has been used as a school for over fifty years.
3. The Planning Board finds that the establishment of a school at this location, on a property currently being used for a school and Town recreation facility, in a Residential Low Density 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 school will be in an existing building and will not result in the destruction, loss or damage of any natural, scenic or significant historical resource. Similarly, the proposed addition will 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 and the proposed addition 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 school in an existing building and the proposed addition 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 and the proposed addition on a site designed and built for such uses will not result in the loss or damage to trees.
8. The proposed school essentially conforms to the Town Master Plan: Envision Brighton 2028. Specifically, the Sense of community Statement and Objective:
  - Objective F: Maintain the attributes of the community that support our world-class educational system, diverse cultural and religious history, and inclusive community environment.

9. 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. The Applicant has committed to directing all traffic entering or exiting the subject property will be directed to use the South Winton Road access other than vehicles accessing the property for the Montessori School. Moreover, the traffic study submitted by the Applicant showed that there was neither vehicular nor pedestrian accident history in the vicinity of the Idlewood entrance to the building. Moreover, the objective information provided to the Planning Board supports that the roadways servicing the building are adequate and the use of the Idlewood entrance to the property over the last twenty plus years of operations of the Montessori School at the subject property have not resulted in any actual hazard, inconvenience or incongruence with the surrounding neighborhood. Although concerns have been raised by neighboring residents regarding the continued use of the Idlewood entrance by Montessori School parents and staff, no objective information has been submitted that is contradictory to results of the traffic analysis or information provided by the applicant.
10. The location, height, and orientation of the existing building and the proposed addition 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. The entire building 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. 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. 8. 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.
8. Fire hydrants shall be fully operational prior to and during construction of the building.
9. All County Development Review Comments shall be addressed prior to final approval.
10. All other reviewing agencies must issue their approval prior to the Department of Public Works issuing its final approval.
11. 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.
12. The existing and proposed building shall be sprinklered in accordance with Town requirements.
13. All disturbed areas shall be protected from erosion either by mulch or temporary seeding within two weeks of disturbance.
14. Maintenance of landscape plantings shall be guaranteed for three (3) years.
15. Any contractor or individual involved in the planting, maintenance or removal of trees shall comply with the requirements of the town's Excavation and Clearing (Chapter 66), Trees (Chapter 175) and other pertinent regulations and shall be registered and shall carry insurance as required by Chapter 175 of the Comprehensive Development Regulations.
16. A pre, during and post protection plan for trees to be saved and moved shall be reviewed by the Conservation Board with final approval by the Planning Board.
17. All proposed landscaping shall be installed prior to the issuance of any certification of occupancy.
18. Erosion control measures shall be in place prior to site disturbance.
19. The applicant shall review the site plan, elevations, and floor plans to ensure that the areas and dimensions provided on those plans agree with one another. Elevation drawings showing the height of the structure in relationship to proposed grade as shown on the approved site plan shall be submitted. Any changes to plans shall be reviewed by the Building and Planning Department and may require Planning Board approval.
20. The location of the HVAC shall be shown on the site plan

21. All easements shall be shown on the site plan with ownership, purpose, and liber/page of filing with the Monroe County Clerk's Office. A copy of the filed easement shall be submitted to the Building and Planning Department for its records.
22. All parking lot lighting shall be low in height and intensity and directed toward the building.
23. 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.
24. 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.
25. Only business identification signage as allowed per the Comprehensive Development Regulations is permitted other than signage as specified in these conditions. This signage must be reviewed and receive all necessary town approvals prior to installation.
26. 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.
27. A letter or memo in response to all Planning Board and Town Engineer comments and conditions shall be submitted.
28. All comments, concerns and requirements of the Town Engineer as contained in the attached memo dated October 17, 2022 from Evert Garcia, Town Engineer, to Jeff Frisch shall be addressed.
29. 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.
30. Provide a final Draft of the Engineer's report prior to final approval.
31. Provide a SWPP that compiles revisions noted in the provided comments submitted with this application and any additional information required by the Town Engineer.
32. Provide a landscaping plan for the proposed bioretention facility.
33. The Talmudical Institute shall direct their traffic and all other traffic, excluding that of the Montessori School, to the Winton Road entrance.
34. Construction vehicles and all related vehicles and equipment shall NOT use Idlewood Dr to enter or exit the site. All such traffic shall be routed to the entrance from South Winton Rd.

35. The Talmudical Institute will use as its business address, and shall, prior to the issuance of a certificate of occupancy for the project, require all tenants other than the Montessori School, to change their business and mailing address to 1666 South Winton Road.
36. Construction vehicles and other equipment used for construction of the proposed development that will cross the Columbus Way bridge shall not exceed the load rating values considered in the Load Rating and Condition Assessment Report by Erdman Anthony.
37. A copy of the preliminary jurisdictional determination should be forwarded to this office upon receipt by the applicant to confirm the USACOE's review of the wetland delineation performed by Diehlux.
38. A schematic which depicts the 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 prior to this signing the plans and final acceptance of the SWPPP.
39. The SWPPP indicates that a CPv of 0.225 ac-ft is required for the proposed development. However, only 0.183 ac-ft of storage will be provided by the proposed SWMF during the 1-year, 24-hour storm event, due to the CPv orifice being sized at 3" diameter for anti-clogging purposes. The applicant's engineer should clarify how the CPv component of the unified stormwater sizing criteria will be met for this development.
40. Provide a fire hydrant with 600 feet with the perimeter of the newly constructed facility.
41. Prior to the issuance of a certificate of occupancy for the project, the developer/owner shall erect a regulatory type of black and white metal sign, approximately 2' wide by 3' high, which reads "VEHICULAR TRAFFIC RESTRICTED TO MONTESSORI SCHOOL AUTHORIZED STAFF, PARENTS, AND VISITORS ONLY. ALL OTHERS USE S. WINTON ROAD ENTRANCE" which shall be installed on the Applicant's property at the closest point to where the public access road from Idlewood Road enters the Applicant's property.

## State Environmental Quality Review

### NEGATIVE DECLARATION

#### Notice of Determination of Non-Significance

**Project Number:** 5P-NB1-22 & 10P-01-22

**Date:** 11/1/22

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

The Brighton Planning Board, as lead agency, has taken a hard look at all environmental factors and has determined that the proposed action described below is not likely to have a significant negative impact on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** 5P-NB1-22

**SEQR Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Preliminary and Final Site Plan Approval, Preliminary and Final EPOD (watercourse) Permit Approval and Preliminary 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.

**Location:** 1666 South Winton Rd

#### **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 likely have a significant negative impact on the environment based on the following finding:

1. Soil erosion control measures will be implemented during and after construction based upon a detailed grading and erosion control plan.
2. There will be disturbance in the EPOD and floodplain that will be minimized and additional plantings will be added to the area outside the floodway. The building is located outside of the floodplain.
3. A traffic survey was completed and showed that the proposed development will not

negatively affect street networks or intersections used by this proposed development and its access to South Winton Road. The survey also found that no additional traffic control measure are needed. 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. The traffic study submitted by the Applicants showed that there was neither vehicular nor pedestrian accident history in the vicinity of the Idlewood entrance to the building. Moreover, the objective information provided to the Planning Board supports that the roadways servicing the building are adequate and the use of the Idlewood entrance to the property over the last twenty plus years of operations of the Montessori School at the subject property have not resulted in any actual hazard, inconvenience or incongruence with the surrounding neighborhood. Although concerns have been raised by neighboring residents regarding the continued use of the Idlewood entrance by Montessori School parents and staff, no objective information has been submitted that is contradictory to results of the traffic analysis or information provided by the applicant. All traffic to the site, other than for access to the Montessori School, will be directed to utilize the South Winton Road access drive to enter and exit the property.

4. Some areas in the floodplain will be filled affecting flood storage, however enough compensatory storage is proposed to result in net positive flood storage on site.
5. No threatened or endangered species of plants or animals will be affected by this project.
6. The site will be serviced by sanitary sewers and public water. There appears to be adequate capacity to service the proposed development.
7. The storm water drainage system is designed and will be constructed in accordance with all applicable Town requirements and designed in a manner so as to mitigate storm water pollutant loads.
8. The requirements of the State Environmental Quality Review Law have been complied with.
9. The duration of all impacts will be short term in nature.
10. There will be no resources of value irreversibly lost.

For further information:

Contact Person: Rick Distefano, Environmental Review Liaison Officer

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

Telephone: (585)784-5228



## Public Works Department

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

Evert Garcia, P.E.  
Town Engineer

### MEMO

Date: October 17, 2022

From: Evert Garcia

To: Jeffrey K. Frisch Jr.

Copy: File

Re: 10P-01-22

1666 South Winton Road

*Application of the Talmudical Institute of Upstate New York, contract vendee, and the Brighton Central School District, owner, for Preliminary/Final Site Plan Approval, Preliminary/Final EPOD (watercourse) Permit Approval and Preliminary/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.*

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

#### **General:**

1. We will review the Engineer's estimate for construction to establish the value of the letter of credit when it is submitted by the applicant.
2. We will review the draft copy of the stormwater maintenance agreement for this development when it is submitted by the applicant.

#### **Roadway and Traffic:**

1. Construction vehicles and other equipment used for construction of the proposed development and will cross the Columbus Way bridge shall not exceed the load rating values analyzed in the Load Rating and Condition Assessment Report by Erdman Anthony.

#### **Engineer's Report:**

1. The Fire Marshal's office has request supporting calculations demonstrating how the required fire flow was determined and how the anticipated demand for the automatic fire sprinkler system was established. The Fire Marshal's office recommends using Appendix B and Appendix C of the Fire Code of New York State to determine the required fire flow.
2. Are fire hydrants located within 600 feet of the perimeter of the facility?

#### **SWPPP:**

1. The hydraulic design of the SWMF 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. 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. For a primary watercourse, the outlet control structure shall be designed to control the difference of the 100 year develop to the 25-year undeveloped. The proposed SWMF shall be designed to meet this requirement.

2. The SWPPP indicates that a CPv of 0.225 ac-ft is required for the proposed development. However, only 0.183 ac-ft of storage will be provided by the proposed SWMF during the 1-year, 24-hour storm event, due to the CPv orifice being sized at 3" diameter for anti-clogging purposes. The applicant's engineer should clarify how the CPv component of the unified stormwater sizing criteria will be met for this development.
3. The sequence of construction for the development of the site should be included on the Grading and Erosion Control sheet.
4. A copy of the preliminary jurisdictional determination should be forwarded to this office upon receipt by the applicant to confirm the USACOE's review of the wetland delineation performed by Diehlux.
5. Please submit an inventory of the existing trees which are being considered for RRV in the SWPPP prior to final acceptance of the SWPPP.
6. The applicant's engineer has indicated that a "tideflex" type check valve is no longer being considered on the outlet pipe from the SWMF, however, the "tidflex" check valve is still called out on the plans. Please review and clarify the intent for the outlet pipe from the SWMF.

**Existing Conditions and Demolition Plan, Sheet 1 of 10:**

1. A schematic which depicts the 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 prior to this signing the plans and final acceptance of the SWPPP.
2. Orange construction fencing and silt fence should also be depicted on the demolition sheet.

**Layout Plan, Sheet 2 of 10:**

1. A detail for the proposed 3' high screen wall called out on this sheet should be provided on the plans.

**Utility Plan, Sheet 3 of 10:**

1. The grease trap sizing calculations shall be submitted for review prior to this department signing the final plans for this project.
2. The invert elevation of 475.9 at the cleanout for the 6" sewer lateral should be verified prior to the final design of the sanitary sewer system. Inadequate separation between the sewer lateral and the proposed 6" DIP water service at the point of crossing can have design implications.
3. The proposed sanitary sewer system shall have a minimum of 4' of cover along the entire length, including all laterals.
4. The plans should clarify that no east invert will be provided within the Y1-C7 structure as the stormwater through this catch basin is being directed to the new SWMF.

**Grading and Erosion Control Plan, Sheet 4 of 10:**

1. The fence linetypes on this sheet should be revised to clearly indicate what type of fencing is being proposed at the various locations around the site.
2. The callout for the emergency spillway detail on this sheet is not referenced correctly. Please revise.

**Details:**

1. A detail for the proposed bike racks should be included on the plans.