

A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
FEBRUARY 7, 2024

Written comments may be submitted to Rick DiStefano, Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to rick.distefano@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.

7:00 P.M.

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members

CHAIRPERSON: Approve the minutes of the December 6, 2023 meeting.
Approve the minutes of the January 3, 2024 meeting.

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Daily Record of February 1, 2023 will now be held.

[11A-01-23](#) Application of Rhonda Kay, owner of property located at 1534 Crittenden Road, for an Area Variance from Section 207-49 to allow for the installation of ground mounted solar panels in lieu of roof mounted panels as required by code. All as described on application and plans on file. **WITHDRAWN BY APPLICANT**

[1A-03-24](#) Application of Rodney Buffington, agent, and Cameron Sands, owner of property located at 3601 Elmwood Avenue, for Area Variances from Section 207-2 to 1) allow for a 5 ft. high front yard wall with a 6.5 ft. high gate in lieu of the maximum 3.5 ft. in height allowed by code, 2) allow for a side yard (east) wall to be 8 ft. in height in lieu of the maximum 6.5 ft. allowed by code, and 3) allow for sunken garden walls to be 10 ft. in height in lieu of the maximum 3.5 ft. and 12.75 ft. in height in lieu of the maximum 6.5 ft. allowed by code. All as described in application and plans on file. **PARTIALLY APPROVED WITH CONDITIONS, PARTIALLY TABLED - AT JANUARY 3, 2024 MEETING - PUBLIC HEARING REMAINS OPEN**

[1A-07-24](#) Application of Ryan Kelly, agent, and Golisano Business COE, Inc., owner of property located at 150 Sawgrass Drive for 1) an Area Variance from Section 207-2A to allow a front yard wall to be 6.5 ft. in height in lieu of the maximum 3.5 ft. allowed by code; and 2) a Sign Variance from Section 207-32 B to allow for a second free-standing sign where no free-standing signs are allowed by code. All as described on application and plans on file. **POSTPONED FROM THE JANUARY 3, 2024 MEETING**

[1A-08-24](#) Application of Jon Tantillo, agent, and Salafia Nunzio, owner of property located at 125 Old Mill Road, appealing the Historic Preservation Commission's landmark

designation of said property, pursuant to Section 224-3F of the code. All as described on application and plans on file. **TABLED AT THE JANUARY 3, 2024 MEETING - PUBLIC HEARING REMAINS OPEN**

[2A-01-24](#) Application of Eric Shoenhardt, agent and Clare and Hayeou Park, owners of property located at 95 Brittany Circle, for an Area Variance from bulk regulations as set forth using Town Law Section 278 - Cluster Development (formerly Town Law Section 281), to allow a two story addition to extend 5 ft. into the 15 ft. required rear setback. All as described on application and plans on file.

[2A-02-24](#) Application of Jessica Costa, Vital signs, agent, and 2090 Clinton Avenue South LLC, owner of property located at 2080 South Clinton Avenue, for modification of an approved free standing sign (8-03-15) allowing for 2 business identifying signs in lieu of one as approved. All as described n application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

SEQRA Lead Agency establishment for Talmudical Institute project at 1666 South Winton Road.

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter, with attachments, form Jason Haremza, Executive Secretary Town of Brighton Planning Board. Dated January 22, 2024, seeking establishment of Lead Agency pursuant to SEQRA or the Talmudical Institute project at 1666 South Winton Road.

Letter from Rhonda Kay, 1534 Crittenden Road, dated January 23, 2024, withdrawing application 11A-01-23.

Letter, with attachments, from Betsy Brugg, Woods Oviatt Gilman, dated January 24, 2024, offering supplement to application 1A-07-24, 150 Sawgrass Drive.

Memo, with attachments, from Mary Jo Lamphear, Town Historian, with additional information regarding the historical designation of 125 Old Mill Road.

Letter from Loren Flaum, 141 Old Mill Road, dated February 2, 2024, in support of the Historic Landmark Designation of 125 Old Mill Road.

Letter from Arlene Schenker, 35 Old Mill Road, dated February 5, 2024, in support of the Historic Landmark Designation of 125 Old Mill Road.

PETITIONS:

NONE



Planning Board

Executive Secretary – Jason Haremza, AICP

Monroe County Department of Planning and Development
Attn: Patrick Gooch, Senior Planner
50 West Main Street, Suite 1150
Rochester, NY 14614

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

Monroe County Water Authority
Attn: Anthony Piascik, PE, New Services Supervisor
475 Norris Drive
Rochester, NY 14610

New York State Department of Environmental Conservation
Environmental Permits
6274 East Avon-Lima Road
Avon, NY 14414

Town of Brighton Zoning Board of Appeals
Attn: Rick DiStefano, Executive Secretary
2300 Elmwood Avenue
Rochester, NY 14618

January 22, 2024

Re: Establishment of Lead Agency
1666 South Winton Road
Town of Brighton Project #ER-1-24

Dear Involved and Interested Agencies:

The Town of Brighton Planning Board has received an application for Site Plan Modification to modify an Approved Site Plan (10P-01-22) and EPOD Permit (watercourse) which allowed for a 23,000 +/- sf school building addition (with an additional 8,700 sf future phase) and Preliminary/Final Site Plan Approval (1P-01-24) to construct an additional 24,300 +/- sf school building addition, all in one phase, on property located at 1666 South Winton Road.

At their meeting on January 17, 2024, the Town of Brighton Planning Board declared this a Type 1 action pursuant to 6 NYCRR Part 617.4(b)(6)(i) and is seeking Lead Agency status for the purpose of State Environmental Quality Review Act (SEQRA) compliance.

I have attached/enclosed Part 1 of the Full Environmental Assessment Form and supplemental information for your consideration.

I have also enclosed a lead agency selection agreement designating the Town of Brighton Planning Board as lead agency. To expedite the lead agency designation process, I respectfully request that you promptly review the application documents which have been provided and, if you concur with the designation of the Town of Brighton Planning Board as lead agency, sign and return the agreement to my attention to be received no later than February 21, 2024.

Please email jason.haremza@townofbrighton.org or call 585-784-5259 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Haremza', is written over a horizontal line.

Jason Haremza, AICP
Executive Secretary, Planning Board

AGREEMENT ON LEAD AGENCY SELECTION

FOR THE

Site Plan Modification, EPOD Permit (watercourse), and Preliminary/Final Site Plan Approval at 1666 South Winton Road

TOWN OF BRIGHTON PROJECT #ER-1-24

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

Signature:

Date:

Title:

Email:

Telephone:

Agency:

Please return by February 21, 2024

Jason Haremza, AICP
Planner
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

jason.haremza@townofbrighton.org

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: TIUNY - Talmudical Institute of Upstate NY		
Project Location (describe, and attach a general location map): 1666 S Winton Rd Rochester NY 14618		
Brief Description of Proposed Action (include purpose or need): Re-purposing of the former Brighton Central School District Brookside School property for educational and public uses. Proposal for the Talmudical Institute of Upstate New York, who was issued a Conditional Use Permit for its use in 2022--TIUNY to use a portion of the existing school building and an addition to the building comprised of 31,700 square feet of space, previously considered/approved by the Town Planning Board in 2022 and currently before the Planning Board as a site plan modification, and an additional 22,120 square feet of newly designed space (currently before the Planning Board as a new site plan application) for a total of 53,820 square feet of newly constructed space on the 21.8± acre site. The remainder of the existing school building will continue to be utilized for a toddler/pre-school (Conditional Use Permit issued in 2022) and for public uses, including the Town of Brighton Parks and Recreation Department (permitted uses in the RLB Zoning District in which the property is located).		
Name of Applicant/Sponsor: Talmudical Institute of Upstate NY		Telephone: 585-473-2810
		E-Mail:
Address: 769 Park Ave		
City/PO: Rochester	State: NY	Zip Code: 14607
Project Contact (if not same as sponsor; give name and title/role): Matt Tomlinson, Marathon Engineering, Project Manager		Telephone: 585-458-7770
		E-Mail: mtomlinson@marathoneng.com
Address: 39 Cascade Dr		
City/PO: Rochester	State: NY	Zip Code: 14614
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☐ Yes ☒ No or Village Board of Trustees		
b. City, Town or Village ☒ Yes ☐ No Planning Board or Commission	Site Plan, EPOD Permit	12/19/23
c. City, Town or ☒ Yes ☐ No Village Zoning Board of Appeals	Town of Brighton ZBA - potential variances	TBD
d. Other local agencies ☒ Yes ☐ No	Town of Brighton Architectural Review Board	TBD
e. County agencies ☒ Yes ☐ No	Monroe County Health Dept Monroe County Water Authority	TBD
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☒ Yes ☐ No	NYSDEC - stormwater permit	TBD
h. Federal agencies ☒ Yes ☐ No	FEMA (Administered by Town)	12/19/23
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No	
- If Yes, complete sections C, F and G. - If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	☒ Yes ☐ No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	☒ Yes ☐ No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	☒ Yes ☐ No
If Yes, identify the plan(s): NYS Heritage Areas: West Erie Canal Corridor	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	☐ Yes ☒ No
If Yes, identify the plan(s):	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	☒ Yes ☐ No
<u>RLB: Residential Low Density</u>	
b. Is the use permitted or allowed by a special or conditional use permit?	☒ Yes ☐ No
c. Is a zoning change requested as part of the proposed action?	☐ Yes ☒ No
If Yes, i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located?	<u>Brighton Central School District</u>
b. What police or other public protection forces serve the project site?	<u>Brighton Police Department</u>
c. Which fire protection and emergency medical services serve the project site?	<u>Brighton Volunteer Ambulance, Brighton Fire District</u>
d. What parks serve the project site?	<u>Brighton Community Garden, Buckland Park, Meridian Centre Park</u>
D. Project Details	
D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? <u>Residential secondary school</u>	
b. a. Total acreage of the site of the proposed action? _____ 21.8 acres	
b. Total acreage to be physically disturbed? _____ 9.3 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 21.8 acres	
c. Is the proposed action an expansion of an existing project or use? ☒ Yes ☐ No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ 97 Units: _____ SF _____	
d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No	
i. If No, anticipated period of construction: _____ 18 months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	
<u>Driven by enrollment only</u>	

f. Does the project include new residential uses? ☒ Yes ☐ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	36 dorm rooms, 4 staff apts
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No	
If Yes,	
i. Total number of structures <u>1</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>30'</u> height; <u>300</u> width; and <u>150</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>54,000+/-</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☒ Yes ☐ No	
If Yes,	
i. Purpose of the impoundment: <u>Stormwater Management Facility</u>	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☒ Other specify: <u>Stormwater runoff</u>	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: <u>0.5</u> acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____	
• Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
 If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
 If Yes:

i. Total anticipated water usage/demand per day: _____ 10,220 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
 If Yes:

- Name of district or service area: MCWA
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ 10,220 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
 Sanitary Waste Water

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
 If Yes:

- Name of wastewater treatment plant to be used: Van Lare
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

• Do existing sewer lines serve the project site? ☒ Yes ☐ No • Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☒ No If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☒ No If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☒ Yes ☐ No If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or <u>2.3</u> acres (impervious surface) _____ Square feet or <u>21.8</u> acres (parcel size) ii. Describe types of new point sources. <u>New building, parking and sidewalks</u>	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? <u>On-site surface waters</u> • If to surface waters, identify receiving water bodies or wetlands: <u>Allens Creek</u> • Will stormwater runoff flow to adjacent properties? ☐ Yes ☒ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☒ Yes ☐ No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☒ Yes ☐ No If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) <u>Construction equipment and delivery vehicles</u> ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☒ No If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction: • Monday - Friday: _____ 7am-7pm • Saturday: _____ 7am-7pm • Sunday: _____ 7am-7pm • Holidays: _____ 7am-7pm	ii. During Operations: • Monday - Friday: _____ 24/7 • Saturday: _____ 24/7 • Sunday: _____ 24/7 • Holidays: _____ 24/7
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: <u>Typical construction noises are to be expected during regular business hours throughout the construction phase.</u>	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: <u>18' high LED dark-sky compliant fixtures</u>	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☒ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: <u>Kitchen for school - 3 meals per day. 690' +/- to nearest structure</u>	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☒ Yes ☐ No If Yes: i. Describe proposed treatment(s): <u>Lawn maintenance</u>	
ii. Will the proposed action use Integrated Pest Management Practices? ☒ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	3.6	5.9	+2.3
• Forested	2.7	2.7	-
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	-	-	-
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.2	1.0	+0.8
• Wetlands (freshwater or tidal)	1.0	1.0	-
• Non-vegetated (bare rock, earth or fill)	-	-	-
• Other Describe: <u>Lawn</u>	14.3	11.2	-3.1

Page 10 of 13

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No																	
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____																	
E.2. Natural Resources On or Near Project Site																	
a. What is the average depth to bedrock on the project site? _____ 76' feet																	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																	
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Type D</td> <td style="width: 20%; text-align: right;">100 %</td> <td style="width: 20%;"></td> </tr> <tr> <td>_____</td> <td style="text-align: right;">_____ %</td> <td></td> </tr> <tr> <td>_____</td> <td style="text-align: right;">_____ %</td> <td></td> </tr> </table>		Type D	100 %		_____	_____ %		_____	_____ %								
Type D	100 %																
_____	_____ %																
_____	_____ %																
d. What is the average depth to the water table on the project site? Average: _____ feet																	
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">☐ Well Drained:</td> <td style="width: 30%; text-align: right;">_____ % of site</td> <td style="width: 40%;"></td> </tr> <tr> <td>☐ Moderately Well Drained:</td> <td style="text-align: right;">_____ % of site</td> <td></td> </tr> <tr> <td>☒ Poorly Drained</td> <td style="text-align: right;">100 % of site</td> <td></td> </tr> </table>		☐ Well Drained:	_____ % of site		☐ Moderately Well Drained:	_____ % of site		☒ Poorly Drained	100 % of site								
☐ Well Drained:	_____ % of site																
☐ Moderately Well Drained:	_____ % of site																
☒ Poorly Drained	100 % of site																
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">☐ 0-10%:</td> <td style="width: 30%; text-align: right;">_____ % of site</td> <td style="width: 40%;"></td> </tr> <tr> <td>☐ 10-15%:</td> <td style="text-align: right;">_____ % of site</td> <td></td> </tr> <tr> <td>☐ 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> <td></td> </tr> </table>		☐ 0-10%:	_____ % of site		☐ 10-15%:	_____ % of site		☐ 15% or greater:	_____ % of site								
☐ 0-10%:	_____ % of site																
☐ 10-15%:	_____ % of site																
☐ 15% or greater:	_____ % of site																
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____																	
h. Surface water features.																	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No																	
ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No																	
If Yes to either i or ii, continue. If No, skip to E.2.i.																	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No																	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name 846-37, 846-36</td> <td style="width: 20%;">Classification ^B _____</td> <td style="width: 30%;"></td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> <td></td> </tr> <tr> <td>• Wetlands:</td> <td>Name Federal Waters, Federal Waters, Federal Waters,....</td> <td>Approximate Size _____</td> <td></td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="3">_____</td> </tr> </table>		• Streams:	Name 846-37, 846-36	Classification ^B _____		• Lakes or Ponds:	Name _____	Classification _____		• Wetlands:	Name Federal Waters, Federal Waters, Federal Waters,....	Approximate Size _____		• Wetland No. (if regulated by DEC)	_____		
• Streams:	Name 846-37, 846-36	Classification ^B _____															
• Lakes or Ponds:	Name _____	Classification _____															
• Wetlands:	Name Federal Waters, Federal Waters, Federal Waters,....	Approximate Size _____															
• Wetland No. (if regulated by DEC)	_____																
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____																	
i. Is the project site in a designated Floodway? ☒ Yes ☐ No																	
j. Is the project site in the 100-year Floodplain? ☒ Yes ☐ No																	
k. Is the project site in the 500-year Floodplain? ☒ Yes ☐ No																	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No If Yes: i. Name of aquifer: _____																	

m. Identify the predominant wildlife species that occupy or use the project site: _____ <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border-bottom: 1px solid black;">suburban wildlife</td> <td style="width: 33%; border-bottom: 1px solid black;">song birds</td> <td style="width: 33%; border-bottom: 1px solid black;">deer</td> </tr> <tr> <td style="border-bottom: 1px solid black;">small mammals</td> <td style="border-bottom: 1px solid black;">rodents</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>			suburban wildlife	song birds	deer	small mammals	rodents	
suburban wildlife	song birds	deer						
small mammals	rodents							
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres								
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____								
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____								
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____								
E.3. Designated Public Resources On or Near Project Site								
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____								
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____								
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____								
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____								

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☒ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☒ Yes ☐ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No	
If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☒ No	
If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No	
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

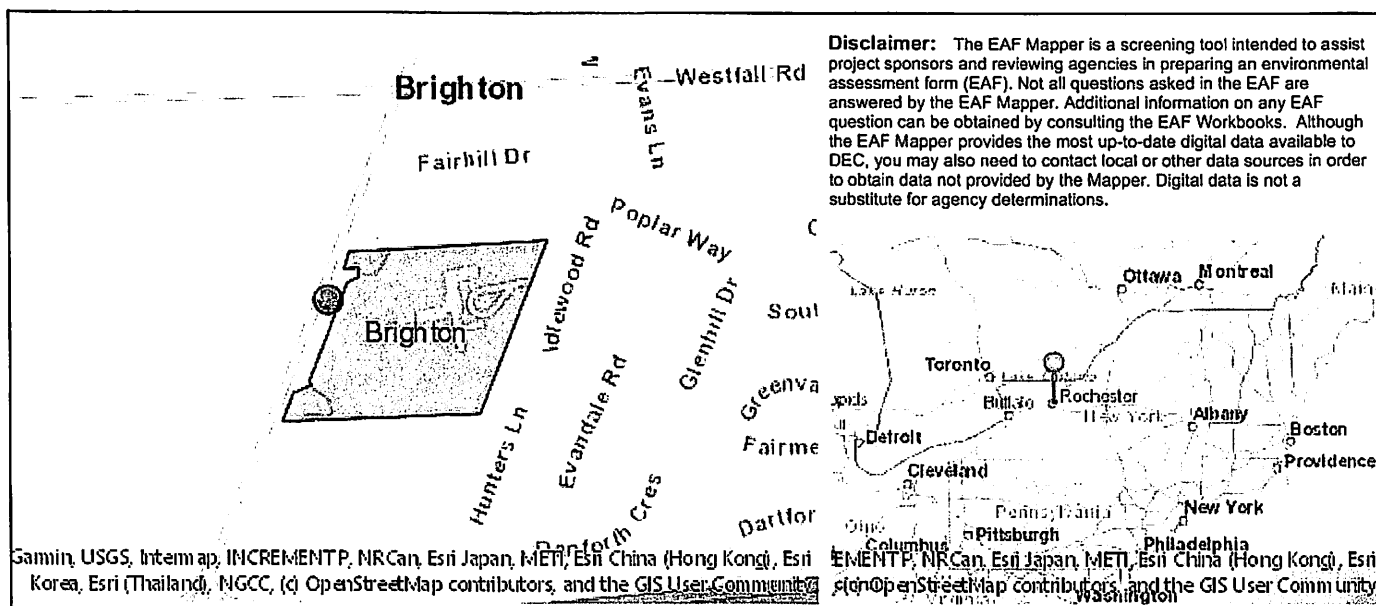
Applicant/Sponsor Name Matt Tomlinson, Marathon Engineering as agent Date 1/18/24

Signature  Title Project Manager

PRINT FORM

EAF Mapper Summary Report

Friday, April 15, 2022 1:40 PM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	846-37, 846-36
E.2.h.iv [Surface Water Features - Stream Classification]	B
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes

E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

From: Rhonda Kay <rkay80@outlook.com>
Sent: Tuesday, January 23, 2024 1:17 PM
To: Rick DiStefano <rick.distefano@townofbrighton.org>
Subject: Fwd: Postpone Planning board meeting

Hi Rick,

I have spoken with a few other solar people and have decided I will not proceed at this time.
Thank you for all of your help

Have a great day.

Regards,
Rhonda Kay

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

1900 Bausch and Lomb Place
Rochester, New York 14604
P 585-987-2800 F 585-454-3968



1900 Main Place Tower
Buffalo, New York 14202
P 716-248-3200 F 716-854-5100

www.woodsoviatt.com

Writer's Direct Dial Number: 585.987.2905

Writer's Direct Fax Number: 585.362.4623

Email: bbrugg@woodsoviatt.com

January 24, 2024

Zoning Board of Appeals
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

**Re: Golisano Institute for Business and Entrepreneurship
Request for Variances for Proposed Sign
SUPPLEMENT TO AREA VARIANCE APPLICATION**

Dear Board Members:

This office represents Golisano Business COE, Inc. and the Golisano Institute for Business and Entrepreneurship ("Golisano Institute") in connection with their property at 150 Sawgrass Drive. This letter is submitted as part of a pending application submitted to request approval to allow a second freestanding sign for the Golisano Institute, proposed now in lieu of a building sign approved as part of the sign variance approval granted on June 7, 2023.

Since securing approval in June 2023, the Golisano Institute has commenced operating at 150 Sawgrass Drive. The Golisano Institute is an educational institution of higher learning for the study of business and entrepreneurship which welcomed its inaugural class in September 2023. For its reuse of the building, the Golisano Institute applied for and secured area variance approval for proposed business identification signage, which included a new free-standing sign located on the corner of Sawgrass Drive and Westfall Road which replaced a free-standing sign in the same location, and a wall-mounted building sign proposed to fit on the upper portion of the front façade. The approved free-standing sign has been installed on the corner.

However, after further review of the site conditions and issues which only became apparent after the Golisano Institute opened, the Golisano Institute is now proposing to install a second freestanding sign to clearly identify and invite visitors to the main entrance of the property. The freestanding sign is proposed replace an existing structure at the northernmost driveway entrance to the site. A photo of the existing structure is enclosed for reference. The proposed entry element and sign will identify the use and the main entrance to its parking lot more effectively and in lieu of the approved on building sign, all as further discussed below and illustrated in the materials submitted.

Property

The property at 150 Sawgrass Drive is located in the BE-1 Office and Office Park District on the southeast corner of Westfall Road and Sawgrass Drive, at the entrance to the Brighton Meadows Business Park, which includes several traditional medical office buildings.

The Golisano Institute recently moved into the existing building, which was previously occupied by General Railway Signal/Alstom, Paychex, and was more recently vacant. The site is opposite SUNY Empire State College and the New York State DDSO campus on the north side of Westfall Road. The Islamic Center of Rochester and its parking lot are located to the west. There is a wide variety of signage in the Brighton Meadows Office Park and along Westfall Road, with large and small signs, freestanding and building signs. It is a short distance west of CityGate in the City of Rochester and east of other medical office uses at Westfall Road and South Clinton Avenue, with a mix of uses in the area.

The property is 10.42± acres in size and includes a large 125,250 +/- square foot flat roof brick office building. The existing building faces and sits some 280- 350 feet back from Westfall Road. The site includes a large parking field in the front and rear of the building, with the entrance to the site being from Sawgrass Drive only. The site has historically had multiple free-standing signs, including freestanding signage on the Westfall Road frontage and at the proposed driveway entrance to the site.

The building was built as and has been a corporate office building, such that it is similar in nature to other buildings in the office park. The Golisano Institute is conveniently located in proximity to other institutions of higher learning, employers, the City of Rochester, and the expressway and Thruway.

Golisano Institute

The new Golisano Institute is the creation of business icon and community leader B. Thomas Golisano, renowned for his success in business as the founder of Paychex and for his commitment to and philanthropic impact on our community and its institutions. The Golisano Institute offers its unique program of business studies to educate and prepare the next generation of entrepreneurs and business leaders to succeed and lead. The Golisano Institute signage is a representation of the values and stature of the brand.

Identification Signs

The Golisano Institute requires signage to properly identify the location of the facility and inform drivers, while also being signage that communicates the nature of the Golisano Institute as a prominent educational institutional and brand, not another medical office building in the office park. A letter from Dr. Ian Mortimer, President of the Golisano Institute for Business and Entrepreneurship is attached and submitted to describe the regular occurrences of visitors coming to the site mistaking the building for a medical office building, thereby delaying their visits to their medical professionals. The Golisano Institute proposes signage to resolve the current problem with confused visitors coming

to the site and provide a defined entrance to the site. The proposed decorative wall and sign is consistent with and replaces prior signage in the same location. The design of the sign and brick wall will also enhance the aesthetic of the building, and reflect the stature of the Golisano Institute.

Variance Approval- June 7, 2023

The Brighton Zoning Board of Appeals granted approval on June 7, 2023 for two signs proposed by the Golisano Institute, for a freestanding sign to be located on the corner of Sawgrass Drive and Westfall Road which replaced a previously existing sign, and for a wall-sign to be placed in space in the upper-east section of the front façade of the building. The Board granted the following variance approval: *1) an Area Variance from Section 207-A to allow a front yard wall to be 6 ft. in height in lieu of the maximum of 3.5 ft. allowed by code and allow for the display of a relocated freestanding sign on said wall; and 2) a Sign Variance from Section 207-32B to allow a building face business identification sign to be 25 +/- ft. above grade in lieu of the maximum 20 ft. allowed by code.*

The approved freestanding sign has been installed at the intersection of Sawgrass Drive and Westfall Road, replacing a previous sign in that location. The Golisano Institute leadership team has had an opportunity to reevaluate the signage based on their experience over the past months of operation. As mentioned, since opening, their experience has been that visitors to the area have often confused the Golisano Institute with other office destinations on Sawgrass Drive.

Proposed Change to Signage Approved

The Golisano Institute leadership proposes to address the challenges identifying the site by proposing a change to the approved signs. Instead of installing the approved building sign on the building façade as approved, the proposal is to install the sign on an attractive entry structure located at the entrance to the Golisano Institute site to better identify the site and use of the property to drivers in the office park. The proposed sign and decorative wall will be placed in the location of an existing structure at the entrance to the site. (The structure previously included business identification signage. It is unclear whether that previous sign was permitted, but it was similar in nature to other freestanding signs found throughout the neighborhood.)

The proposed sign is the same sign previously approved to be on the building, now proposed to be installed on a decorative brick wall at the northernmost driveway entrance into the site. The sign is 78.65 square ft. in size and comprised of fabricated letters, halo lit. The height of the proposed wall on which the sign is proposed to be placed is 5 feet. and 6.5 feet at the tallest part of the decorative pillars, being slightly taller than the freestanding sign approved and installed on Westfall Road, which is similarly 5 feet. with a maximum height at the pillars of 6 feet. The length of the proposed wall on which the sign is proposed to be placed is 26' 5" in length. The base will be heavily landscaped, as illustrated. The area is bermed and landscaped, and includes a landscaped wall (without a sign). The wall and sign are consistent with signage commonly found at other institutions of higher learning and the signage found throughout the office park and greater neighborhood.

AREA VARIANCES

The proposed second freestanding sign requires area variances to (1) allow a second freestanding sign, and (2) to allow the height of the proposed wall to exceed 3.5 feet. The applicant satisfies the criteria in the Town Law for the granting of the requested area variances.

The primary standard in the Town Law is whether the benefit to the applicant outweighs the detriment to the health, safety or welfare of the neighborhood from the granting of the variances.

The proposed variances will greatly benefit the Golisano Institute, while having no negative impact on the neighborhood whatsoever. The Golisano Institute site requires appropriate signage for wayfinding, public safety, and to reflect the quality of the institution. The proposed freestanding sign will serve as a marker to inform the public of the location and entrance of the Golisano Institute at the main entrance on Sawgrass Drive and to prevent confusion by drivers seeking out different destinations in the neighborhood. The quality, size, and design of the proposed wall will enhance the overall aesthetic of the site by adding a prominent entry element that represents the quality of the brand and nature of the Golisano Institute as an educational institution, and distinguishes the site from neighboring office uses.

At the same time, the addition of a second freestanding sign and the height of the wall on which the sign is to be placed will not be a detriment in any way, and provides a traffic and public safety benefit. The area currently includes a landscaped wall (which once included a sign which may or may not have been permitted), landscaping, and berming. The proposed brick wall and sign, with its proposed landscaping, will be an attractive and functional upgrade that defines the entrance to the Golisano Institute in a manner that directs drivers in the area and conveys the values of the Golisano Institute. The height is consistent with other signage in the area and not excessive for the location of the sign.

In considering whether to grant the variance, the Board shall consider the following factors:

1. **Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.**

The variances will not produce any change to the character of the neighborhood or detriment to any nearby property. The proposed sign and wall will maintain and not change the character of the neighborhood. The signage is consistent with the past signage on the site and broader character of the area which includes a wide variety of freestanding and building signs, with no uniformity in the Brighton Meadows Office Park or wider area. The proposed wall and sign will be situated along Sawgrass Drive, directed to travelers approaching on Sawgrass Drive that need to identify their destination. Neighboring uses will benefit from the additional signage which will help prevent their customers or patients from mistakenly going to the wrong property on Sawgrass Drive. As noted, the proposed wall and sign will replace the existing structure with a similar but more aesthetically appropriate and functional wall and sign.

2. Whether the benefit to be sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance.

Given the unique existing features of the building and site, including its setbacks and orientation, proximity to other office buildings, and location of driveway access to the site being from Sawgrass Drive, there is no feasible alternative to the variances to effectively identify the entrance to the Golisano Institute property to the public. Placement of the sign at the driveway entrance on Sawgrass Drive will assist the public in locating the property. The height of the proposed wall is necessary to properly accommodate the proposed sign lettering, as well as to accommodate snow storage and landscaping proposed. The building sign initially proposed and approved would not provide the effective site identification needed at the driveway entrance on Sawgrass Drive nor does it contribute to enhancing the aesthetic of the site.

3. Whether the area variance is substantial.

The variances are not substantial in amount, nature or impact given the existing conditions of the site, neighborhood context, and use of the property. The variances allow the installation of effective signage to identify the use and entrance to the site. The proposed sign and wall will be a replacement of a similar wall and sign. The site is over 10 acres in size, includes a 125,250 sq. foot former office building, and is oriented to front on and be setback some 300± feet from Westfall Road, with driveway access from Sawgrass Drive in the Brighton Meadows Office Park, such that a second sign and the proposed wall height are not excessive for the size, location and context of the property. The neighborhood is characterized by a wide variety of freestanding and building signage, such that the proposed sign and brick wall will complement the site and fit in with the other signage in the area.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The variances will have no such adverse impacts. The variances will have a positive impact on the physical and environmental condition of the property and neighborhood by allowing installation of an attractive entry element sign located to help drivers identify the site and safely identify their correct destination in the office park. The decorative wall and sign will inform drivers, enhance the appearance of the site, and invite visitors to the Golisano Institute. The proposed sign is designed incorporating extensive landscaping which uses a sustainable and eco-friendly approach with multiple environmental advantages (described in the prior submission). The sign is attractive and designed to prominently represent and reflect the quality of the brand and use as an institution of higher learning.

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

The difficulty results from physical characteristics of the existing building and property. The proposed second sign is needed to identify the Golisano Institute from Sawgrass Drive and to resolve

the situation with drivers coming to the property in error. The variance for the height of the wall is needed to provide an appropriately sized wall and proportions on which to install the sign. The height is only slightly taller than the first freestanding sign approved and installed pursuant to the June approval such that the difference is minimal. The height is appropriate for its function and in the context of the placement, grading, and size of the sign.

The applicant is requesting the minimum variances necessary to provide the necessary and appropriate signs for the Golisano Institute.

Based on the foregoing, we respectfully request that the Zoning Board of Appeals grant the requested variances to allow a second freestanding sign to be installed and to allow the height of the proposed brick wall on which the sign will be installed.

We look forward to presenting this application to you at your next available meeting. If any Board Member has any questions in the interim, please do not hesitate to let us know. Thank you for your consideration.

Very Truly Yours,

WOODS OVIATT GILMAN LLP

Betsy D. Brugg

Please direct responses to Rochester Office

GOLISANO INSTITUTE

for BUSINESS & ENTREPRENEURSHIP

Monday, January 8, 2024

To whom it may concern:

Thanks to the support of the Town of Brighton, the New York State Education Department, and countless others from the Rochester community, the Golisano Institute for Business & Entrepreneurship opened on September 11, 2023. Since our opening, we have achieved many of our initial milestones and we are focused on continuous improvement as we learn more about the needs of our students and employers.

Although the launch of the Institute has been successful, one unanticipated challenge is the volume of cars coming into the Golisano Institute parking lot erroneously.

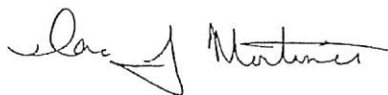
On any given day, more than 40 cars will enter the Institute parking lot with the belief they are at the right location for a medical appointment. Although our address is different than the many large medical centers on Sawgrass Drive in Brighton, cars constantly come into the Institute lot with the belief they are in the correct spot for their medical appointment. Moreover, many of the patients are handicapped or have significant mobility issues which can be problematic if they get out of their cars. On Sawgrass Drive, there are medical facilities for digestive and liver disease, ophthalmology and retina care services, breast cancer care, and the URMCC pain treatment center. Many of the patients seeking these services are considerably disabled from our observations.

Under current regulations, we are allowed to place letters on the Golisano Institute building as a solution for wayfinding. However, we believe that this approach could exacerbate the issue of medical patients getting lost, feeling misguided, and experiencing frustration. In certain situations, patients have returned to the Institute to express their frustration, citing missed medical appointments resulting from a lack of helpful signage at the entrance to the Golisano Institute for Business & Entrepreneurship.

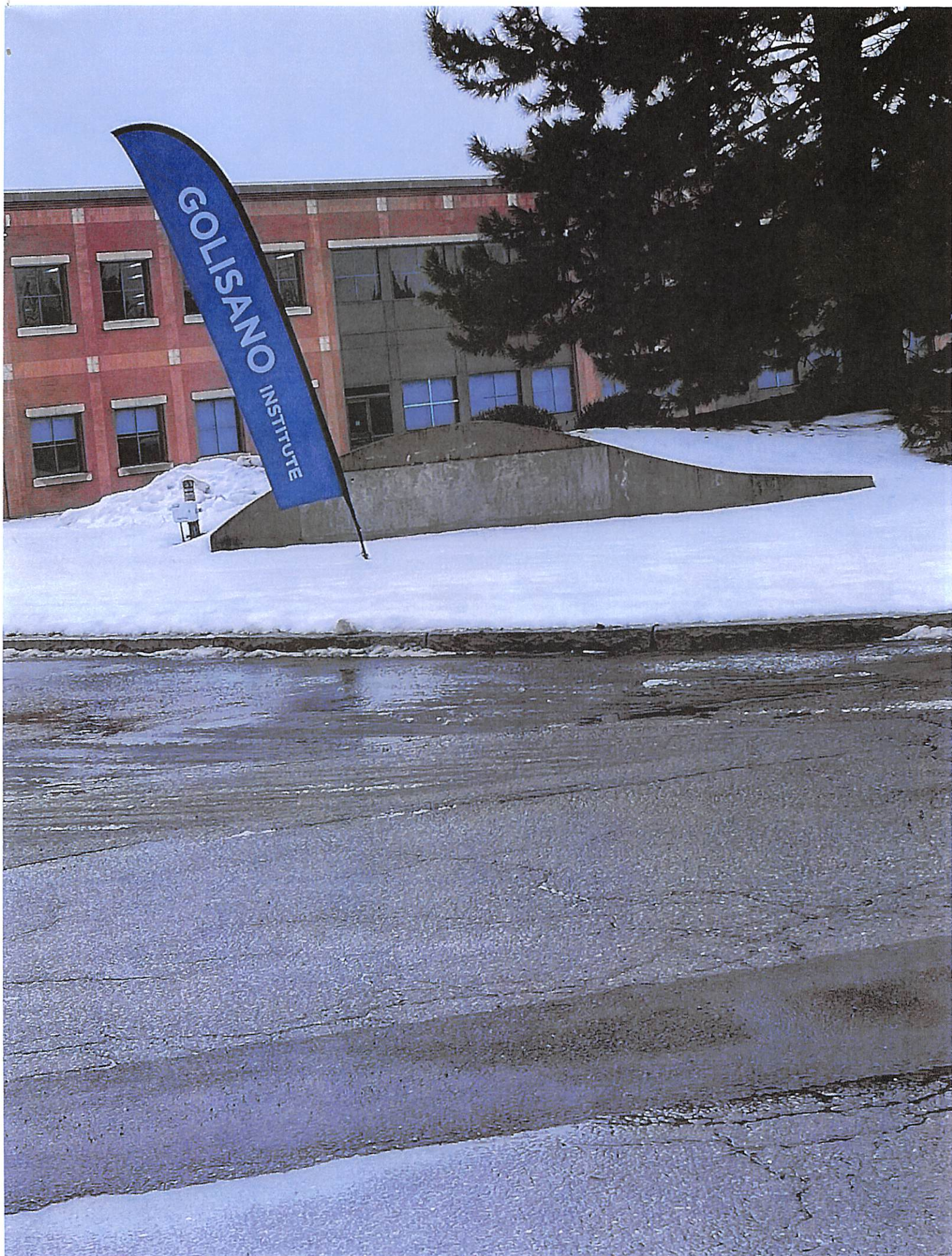
As the president of the Institute, I am asking for a variance that allows us to place an attractive and appropriate fixed sign at our entrance to mitigate patients from ending up at the wrong building. Not only would it reduce frustration for community members, but it would also reduce the risks of unnecessary foot traffic within the Institute parking lot. If we can place a new sign at our entrance, we will gladly coordinate with the Town of Brighton to ensure it meets quality standards.

Thank you for considering this request. Please contact me anytime with any questions.

Warmly,



Dr. Ian Mortimer
President
(585) 339 - 8877
Imortimer@golisanoinstitute.org





Office of the Town
Historian

Mary Jo Lanphear
Town Historian

26 January 2024

TO: Town of Brighton Zoning Board of Appeals
FROM: Mary Jo Lanphear, Town of Brighton Historian
RE: 125 Old Mill Road

At last night's (25 January) meeting of the Town of Brighton Historic Preservation Commission, I shared with the members additional information on the Everest-Bentley family that built the house. I also provided a more complete profile of the architect of the house, Herbert C. Williamson. And lastly, I included expanded information about the landscape designer, Fletcher Steele.

The above cited documents accompany this memo.

Herbert C. Williamson

Architect Herbert C. Williamson not only designed a wide variety of important homes and commercial buildings during his long career, but he was also an active participant in community life.

After attending the University of Rochester for two years, he transferred to the Massachusetts Institute of Technology, graduating in 1917 with a Bachelor of Science in architecture. His senior project was "Design for a Civic Center for Rochester NY."

In August 1917 he accepted a commission as second lieutenant in the U.S. Army Infantry and was later promoted to major, the youngest major in the 76th Division, and served until the end of World War I. Returning to Rochester after the war, he lived at the family home on Birr Street while working for Eastman Kodak Company until Kodak sent him to Kingsport, Tennessee, to help set up the Tennessee Eastman Chemical Company. Leaving Kingsport in 1923, he became president and general manager of the Charax Chemical Company on Buell Road in Rochester. Partnering with William C. Slayton, he left the chemical industry to form a real estate company in the Granite Building in Rochester in 1926. He was elected to the Real Estate Board in 1928.

Finally, in 1929, Herbert C. Williamson established his own architectural firm at 65 Broad Street in Rochester as H. C. Williamson Homes, Inc. One of the first projects was Ingleside Villas in Brighton, advertised as "all the compact conveniences of apartment living ...combined with the pleasures of a private home." Constructed of stucco over cinderblock for fire safety purposes, the houses were designed for comfort and ease of maintenance yet they contained such amenities as vaulted ceilings, wood-burning fireplaces, and sheltered porch benches. Located in the Kirk-Astor neighborhood, these houses typically command top prices when they come up for sale.

After Janet Everest Bentley's purchase of over eight acres of land on Mill Road in 1930, she and her husband, Raymond, hired Herbert C. Williamson to design their Colonial Revival house at 125 Old Mill Road.

As an enthusiastic supporter of the Boy Scouts and having two young sons, in 1930 Herbert C. Williamson established the first Cub scout pack in the Rochester area, going to Buffalo for the training course. Later in his life, after he re-enlisted in the U.S. Army so he could serve in World War II, he was stationed at an Air Force base in Presque Isle, Maine. Colonel Williamson purchased copies of the Boy Scout handbook for each pilot so he would know survival skills if he were shot down.

In 1931, Williamson's newly completed Valley Park Court apartments on Genesee Street were advertised as next to Genesee Valley Park and thus close to tennis, boating, swimming and golf and only ten minutes from downtown Rochester.

1229 East Avenue, a distinctive Tudor-style mansion near Culver Road, was one of Herbert C. Williamson's next commissions. Built for John Stevenson, secretary-treasurer of the Fashion Park clothing manufacturing company on Portland Avenue, it was completed by 1935.

Pittsford's first subdivision, Long Meadow, was the site of a Williamson-designed house at 212 Westbrook Road in 1936. Owner Wyatt Brummitt selected Herbert C. Williamson because of his reputation for designing livable, low maintenance, fire safe houses. Given a blank check by the owner, Williamson designed a modern style, two-

story, 2318 square foot house, using cinder block because its pre-casting offered the opportunity to avoid sharp corners in construction. Williamson explained that the architecture of his time must express its period, saying that "if we are to hope that architecture is to tell the story of today in enduring beauty, it must be based on fundamental principles and not by placing one cube on another and calling it modern design."

Returning to commercial architecture in the following year, Herbert C. Williamson designed the Arnett Boulevard Post Office at 32 York Street. He followed that with the design of the first house built in Ellison Park Heights in Brighton and continued with designs for houses across Penfield Road on Colonial Village Road and Dale Road.

In 1942, recommissioned Major, Herbert C. Williamson, age 47, resumed military service in World War II. Promoted to Colonel, he served until the end of the war in 1945.

Rochester addressed the need for housing for returning WW II veterans by hiring Herbert C. Williamson to be the architect for Norton Village, a Georgian-style development of 200 rental units in garden-type layout on an eighteen-acre tract near the corner of Norton Street and Waring Road.

The City Council of Rochester hired Herbert C. Williamson in 1949 to remodel the Municipal hospital at 168 Crittenden Boulevard. That building is long gone today, replaced by the University of Rochester Medical Center.

One of Herbert C. Williamson's last commissions was the First Federal Bank building in downtown Rochester, completed in March of 1951. Under construction at the time of his death in 1952 was Hope Lutheran Church on Dewey Avenue.

The Williamsons lived in Brighton for most of their married life, first on Kirk Drive, then on Fonthill Park, then at 525 Penfield Road. In 1941 Herbert Williamson ran unsuccessfully for Brighton town supervisor.

Herbert C. Williamson died of a heart attack at his home at 1375 Highland Avenue on July 1, 1952. He is buried in Riverside Cemetery.

Mary Jo Lanphear
Town of Brighton Historian
11 January 2024

Everest-Bentley family

In 1866, only seven years after the first commercial production of petroleum, Hiram Bond Everest and his partner, Matthew Ewing, founded Vacuum Oil in Rochester. While attempting to distill kerosene, Everest observed that the residue from the distillation made a suitable lubricant for steam engines and internal combustion engines. Ewing left the partnership when a particular process failed but Everest went on to develop Vacuum Harness Oil.

Vacuum was purchased by Standard Oil in 1879. When Standard Oil was broken up in 1911 because of the Sherman Antitrust Act, Vacuum Oil became an independent company again. The Company specialized in lubricating oil under the brand names of Gargoyle and Mobil Oil.

Hiram Everest's son, Charles, joined him in managing the company. When George B. Selden needed a lubricating oil for his high speed, internal combustion engine in 1879, he turned to his friend, Charles Everest, for help. Later he would say, "Hiram Everest was the city's greatest inventor. He made the automobile possible."

Hiram Bond Everest died in 1913 in Los Angeles at the age of 82.

Hiram's son, Charles, and his wife, Sophie, raised their three children at 56 West Avenue, a twenty-two-room mansion on three acres of land. West Avenue, at that time, rivaled East Avenue in its collection of magnificent dwellings and lush gardens. Charles died in September of 1917 leaving an estate of \$1,525,508 (\$36,314,480 today) to his three children, one of whom was Janet Cornelia Everest who married Raymond Bentley in November of 1925.

Fletcher Steele

John Fletcher Steele was born on Park Avenue in Rochester in 1885. After graduation from Williams College in 1907, he enrolled in a landscape architecture program at Harvard University where one of his professors was Frederick Law Olmsted, Jr. After a four-month tour of European gardens, he opened his own landscaping firm in Boston but took a hiatus during World War I to serve with the American Red Cross in Europe.

His early gardens favored the Arts & Crafts style that was popular during his training but later, in the 1920s, he adopted the Art Deco mode of landscape design. Returning to Harvard to teach, he was lauded by one of his students who said, "Steele was the only good designer working during the twenties and thirties, also the only one who was really interested in new things."

Steele is renowned for a number of projects during his fifty-year career including Naumkeag, Peters Reservation, Ancrum House, Whitney Allen House, Standish Backus House, Turner House, and Lisburn Grange. Naumkeag in Massachusetts is perhaps the most famous of his works.

In 1932 Janet and Raymond Bentley hired Steele to create a terrace design for their house at 125 Old Mill Road. The plan for a terrace spanning the west side of the house was completed in November of 1934 and by July 1935 the turf and brick terraces, balustrades, and stone retaining walls were built. A 1936 design for a fence for the forecourt was not implemented but it's believed that an October 1946 order to the New England Brick Company was the source for the forecourt fence or the stairway on the west terrace.

Steele worked with the Bentleys for over thirty years. The intricate terrace system overlooking Allens Creek came about during this time. Steele's use of curvilinear walls on the Bentley property became a reoccurring feature in his landscape designs.

After Fletcher Steele closed his landscape design company in Boston, he retired to 20 Monroe Avenue in Pittsford where he died in 1971.

Mary Jo Lanphear
Town of Brighton Historian
12 January 2024

Charles R. Bentley, 87, Pioneer of Polar Science, Is Dead

by William Grimes

Aug. 25, 2017

Charles R. Bentley, who in the 1950s led a team of scientists that measured the West Antarctic Ice Sheet for the first time, and who later explained the mechanics of the fast-moving ice streams that drain the sheet, died on Aug. 19 at his home in Oakland, Calif. He was 87.

The cause was complications of Parkinson's disease, his daughter, Molly Bentley, said.

Professor Bentley was a doctoral candidate in geophysics at Columbia University when one of his teachers stepped out of his office and asked, "Would anybody like to go to the Antarctic?"

Plans were shaping up for the International Geophysical Year, an 18-month initiative to study the earth, scheduled to begin in July 1957, and volunteers were needed for the United States Antarctic Expedition. Professor Bentley raised his hand. "I thought that sounded like a pretty good deal," he said in a 2008 oral-history interview for the American Institute of Physics.



Professor Bentley dressed for the Antarctic chill in 1964. United States Navy

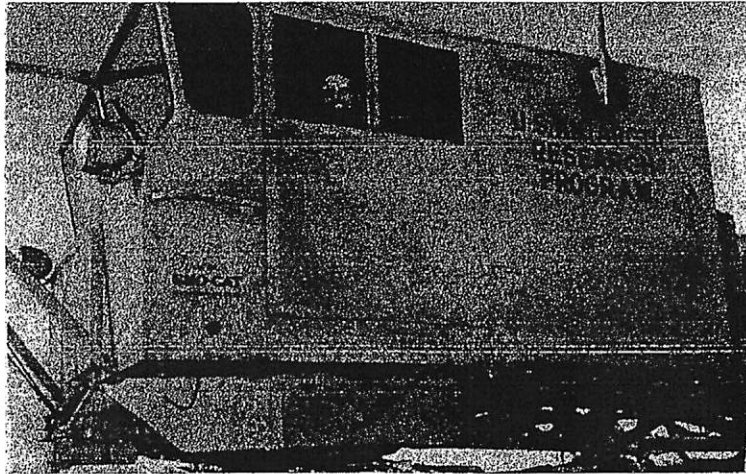
After boarding a ship in Panama and making his way up a new trail from Little America on the Ross Ice Shelf to Byrd Station, built for the occasion, he spent two years in West Antarctica, where he and his colleagues ventured into parts unknown on Sno-Cat tractors.

He and his team found that the West Antarctic Ice Sheet, thought to be a thin layer covering high mountains, was two miles thick at some points and extended as far below sea level as the highest mountains rose above the surface. In their travels they discovered a trench the size of Mexico. Now known as the Bentley Subglacial Trench, it is the deepest spot on Earth not covered by ocean.

Professor Bentley made more than 15 trips to the Antarctic, the last in 2009, mapping the structure and physical properties of the ice sheet and probing the continent beneath it. In 1986, he and several colleagues reported in a cover article in Nature magazine that the glaciers known as ice streams do not rest on rock but rather move rapidly over water-saturated till.

By explaining the mechanics of ice-stream movement, he opened the way for research into the instability of the ice sheet and its potential for collapse, a subject of increasing concern as evidence on global warming accumulated.

Charlie Bentley was the absolute polar scientist, going where nobody else had gone and measuring what nobody else had measured," Richard Alley, a former student of Professor Bentley's and now a geoscientist at Penn State University, wrote in an email. "Concern about rapid sea-level rise from ice-sheet collapse grew out of his early discoveries, and many of the tools to answer the big questions come from his research since then."



Professor Bentley in a Sno-Cat vehicle in the Antarctic in December 1964. PH3C Robert C. Howe/United States Navy

Charles Raymond Bentley was born on Dec. 23, 1929, in Rochester. His father, also named Charles but known as Raymond, was a successful lawyer. His mother, the former Janet Everest, was the granddaughter of a founder of Vacuum Oil, which later merged with Standard Oil. She was unconventional: Before marrying, she had already adopted two children on her own.

After graduating from Phillips Academy in Andover, Mass., Professor Bentley earned a physics degree from Yale University in 1950. He planned to study law but changed his mind after spending a summer on a research ship in the Atlantic led by the oceanographer Maurice Ewing of Columbia University.

He enrolled in Columbia to study geophysics and, after spending two summers on the Greenland ice sheet, where he developed a seismic method of measuring ice depth, defended his dissertation at the end of 1956. The degree was not awarded until 1959 because he had forgotten to pay a \$50 dissertation fee before setting off for Antarctica.

Professor Bentley joined the department of geology and geophysics (now the department of geosciences) at the University of Wisconsin in 1961. On retiring in 2000, he became the head of Ice Drilling Design and Operations, a program at the university's Space Science and Engineering Center that designs and deploys drills for collecting ice samples.



Professor Bentley in an undated photo.



Professor Bentley inspecting the barrel of an ice drill at the University of Wisconsin at Madison, where he headed the Ice Drilling Design and Operations program.
UW-Madison Space Science and Engineering Center

Professor Bentley's scientific exploits combined the derring-do of the great polar explorers with the painstaking work of measurement and calibration. On his first expedition, he and his team discovered a mountain range as high as the Rockies running parallel to the Weddell Sea. They were the first to visit and partly survey the Sentinel Range, one of whose peaks was named after him.

To measure the ice sheet's depth, he set off explosions that sent sound waves to the bottom of the ice sheet. Geophones on the surface picked up the waves on their return and provided a depth reading.

It would be many decades before such discoveries captured the imagination of the general public.

"There was no particular effort to reach the public at all," he told *The Antarctic Sun*, a newsletter published by the United States Antarctic Program, in 2007. "Furthermore, we didn't really understand back 50 years ago the connections between the polar regions and the rest of the world. They seemed isolated and remote, and of interest as part of the earth; but it took quite a while to learn how closely related they are to the rest of the world."

In addition to his daughter, Professor Bentley is survived by a son, Alex; a grandson; and two step-grandsons.

Professor Bentley served as the chairman of the Polar Research Board of the National Academy of Sciences from 1981 to 1985. His work was honored by the Soviet Academy of Sciences with the Bellingshausen-Lazarev Medal in 1971, and in 1990 the International Glaciological Society gave him its highest honor, the Seligman Crystal.



Professor Bentley in Antarctica in 1964. United States Navy

correction was made on Aug. 29, 2017: An obituary on Sunday 27 about the polar explorer Charles R. Bentley misstated the time he spent in Greenland in the 1950s. It was two summers, not two years.

version of this article appears in print on , Section A, Page 25 of the New York edition with the headline: Charles R. Bentley, Daring Polar Scientist, Is Dead at 87

Loren Flaum
141 Old Mill Road
Rochester, New York 14618

February 2, 2024

Via U.S. Mail, Email, and Hand Delivery at Meeting

Town of Brighton
Zoning Board of Appeals
2300 Elmwood Avenue
Rochester, New York 14618
Email: rick.distefano@townofbrighton.org



RE: PUBLIC COMMENT: Application of John Tantillo, agent, and Salafia Nunzio, owner of property located at 125 Old Mill Road, appealing the Historic Preservation Commission's landmark designation of said property, pursuant to Section 224-3F of the code.

To whom it may concern,

I submit in support of the Historic Preservation Commission's unanimous decision to designate the property known as 125 Old Mill Road (the "Property") a "Landmark" (the "Designation") and in opposition to Messrs. Tantillo and Salafia's application to appeal the Designation.

I am the owner of 141 Old Mill Road and a direct neighbor of 125 Old Mill Road.

In making its unanimous decision, the Historic Preservation Commission properly applied Section 224-3(A) of the Town of Brighton's code. The code provides that the Historic Preservation Commission may designate a property, site, or structure in the event it meets at least one of four factors. The property located at 125 Old Mill Road meets at all four factors.

First, the Property is identified with historic personages. The house was built for and previously occupied by members of the Bentley family which owned Vacuum Oil and went on to found Brighton's own The Harley School.

Second, the Property is the work of a significant designer. It was designed by the nationally famous landscape architect, and Rochester native, Fletcher Steele over a thirty-year period. It is a wonderful example of his work and should be preserved along with the house designed by locally significant designer Herbert Williamson whose work has also been granted similar Landmark status.

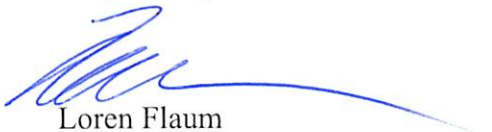
Loren Flaum
141 Old Mill Road
Rochester, New York 14618

Third, the Property possesses historic, social, and cultural value. It is the gem of the Old Mill neighborhood and is appreciated and valued by members of the neighborhood who wish its preservation. As the landscape architecture and house were designed in conjunction with each other, and their combined, intertwined existence is greater than the sum of their parts, the house and landscaping cannot be divorced from each other. Both should be preserved.

To support all these reasons for designation, I want to point out that the deeds for the Property and my property at 141 Old Mill Road contain restrictive covenants meant to protect this historically important and to preserve the character of the parcels and the neighborhood as a whole. These restrictions can be seen in the enclosed deeds from 1985 and 1990 respectively. The restrictions require that no development of the property shall interfere with the natural growth of the woodlands and that each parcel shall be limited to not more than one single family residence. This property is no ordinary property. The house is located on a 3.9-acre parcel nestled among woodlands and Allen's Creek. It is set askew on the flat portion of the lot where the superbly designed landscaping can be, and is, appreciated by the public, and the protections provided by these restrictive covenants have contributed to 125 Old Mill Road retaining the location, setting, workmanship, feeling and association that make it a Landmark.

For the reasons set forth above, I oppose the application to appeal the Designation and request that the Zoning Board of Appeals affirm the decision of the Historic Preservation Commission.

Respectfully,



Loren Flaum

letter in support of historic landmark designation for 125 Old Mill Rd

Arlene Schenker <arleneschenker@gmail.com>

Sun 2/4/2024 12:11 PM

To: Rick DiStefano <rick.distefano@townofbrighton.org>

Cc: howard schenker <schenkerhowardi@gmail.com>

Dear Mr. DiStefano,

My letter is pasted below. I'd appreciate it if you could confirm receipt to me.

Thank you very much,

Arlene Schenker



To the members of the Zoning Board of Appeals:

My name is Arlene Schenker. I live with my husband, Howard Schenker, at 35 Old Mill Road. We've been residents there since 1980 when we fell in love with the street and purchased our home. We raised two children there, both of whom attended Brighton public schools.

I am writing this letter in support of the historic landmark designation for 125 Old Mill Road, adopted by the Housing Preservation Commission in a unanimous vote on November 16, 2023. I was present at that meeting, and I'd like to emphasize the unanimity and the enthusiasm of the HPC members for the designation. I was also present at the HPC meeting on May 25, 2023, at which time I spoke in favor of the designation, and at the Jan 25, 2024 meeting. I am sorry that I cannot be present at the upcoming Feb 7 meeting to address you, the members of the Zoning Board of Appeals, in person.

The HPC members at the Jan 25 meeting once again expressed their firm belief, based on the criteria of Brighton Town Code section 224, that 125 Old Mill Road should be designated a historic landmark. They reiterated the property's identification with a historic personage and its cultural and architectural significance, specifically the design and work of architect, Herbert Williamson, and especially the design and work of the landscape architect, Fletcher Steele. Mr. Gordon noted that the landscape design is only one of three by Steele in Brighton and that there are not many in the wider Rochester area. I was particularly impressed by Mr. Gordon's comment that the value of the cultural, artistic, and social history of this property should be seen through a local lens. (Town code chapter 224-3, section 1)

In that regard, I would like to say that this house has great significance to Old Mill Road residents and even to Whitewood Lane residents, one of whom spoke at the Jan 25 HPC meeting. The cul de sac on Whitewood borders Old Mill Road, the residents socialize together, and it is like a small community. Furthermore, since Old Mill Road is a dead end, this community takes on greater significance. My husband and I love to take walks down the street in nice weather, and we used to always stop at 125 to admire the house and the landscaping. While the integrity of the landscape and house remain, it is not as satisfying to walk past the property right now since the new owners have neglected and degraded it. Our hope is that when it is designated a historic landmark, it will regain the magic that it had for us. We take pride in living on such a special street.

Lastly, in regard to the fact that two other properties on the street have been razed with new homes built on those properties, my husband and I believe that is irrelevant to the landmark designation of 125 Old Mill Road. That house remains historically significant and very meaningful to the neighborhood. The other changes have not at all diminished our love for living on Old Mill Road, but the destruction of the Fletcher Steele house would greatly sadden us.

My husband concurs with everything in this letter. Thank you very much for taking our considerations into account in making your decision.

Sincerely,

Arlene Schenker

Project: 1A-07-24

Date: 01-03-2024

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: 1A-07-24

Date: 01-03-2024

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The site has been previously disturbed with the construction of an office building which has been converted for a business school use. A variance allowing for a second freestanding sign mounted to a wall higher which is higher than allowed by code will result in very minimal disturbance to the site.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

BRIGHTON ZONING BOARD OF APPEALS

Name of Lead Agency

2/7/24

Date

Rick DISTEFANO

Print or Type Name of Responsible Officer in Lead Agency

SECRETARY

Title of Responsible Officer

[Signature]

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

Project: 2A-02-24

Date: 02-07-2024

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: 2A-02-24

Date: 02-07-2024

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The site has been previously disturbed with the construction of multiple buildings. A modification of an approved sign variance, adding a second name to the sign will result in no to small impact.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

BRIGHTON ZONING BOARD OF APPEALS 2/7/24
 Name of Lead Agency Date
 RICK DISTEFANO SECRETARY
 Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer
 [Signature] [Signature]
 Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)