

PLANNING BOARD  
TOWN OF BRIGHTON  
MEETING OF JUNE 20, 2024

**NOTE THE CHANGE IN MEETING DAY FROM JUNE 19 TO JUNE 20  
DUE TO THE JUNETEENTH HOLIDAY ON JUNE 19**

Brighton Town Hall  
2300 Elmwood Avenue

Written comments may be submitted to Jason Haremza, Executive Secretary, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, NY 14618 via standard mail and/or via e-mail to [jason.haremza@townofbrighton.org](mailto:jason.haremza@townofbrighton.org).

Applications subject to public hearings and the documents to be considered by the Board will be available for review on the town's website no later than twenty-four hours prior to the meeting to the extent practicable.

**FINAL AGENDA**

7PM

CHAIRPERSON: Call the meeting to order.

SECRETARY: Call the roll.

CHAIRPERSON: Agenda Review with Staff and Members.

CHAIRPERSON: Approval of 5-15-2024 minutes

CHAIRPERSON: Announce that the public hearings as advertised for the PLANNING BOARD in the Daily Record of 6-13-2024 will now be held.

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**PUBLIC HEARINGS:**

**Application Number: [5P-02-24](#) [additional information submitted]**

*OpenGov reference no: PB-24-12*

[55 Stonybrook Drive](#)

Application of Stephen Artim and Tricia Shalka, owners, and Jerry Serafine, agent, for EPOD (watercourse) Permit Approval to allow for the construction of 462 +/- sf building addition within Zone AE of the 100 year floodplain on property located at 55 Stonybrook Drive. All as described on application and plans on file.

**Application Number: [4P-01-24](#)** [additional information pending]  
*OpenGov reference no: PB-24-9*  
[1402 Blossom Road](#)

Application of C and K Real Estate Ventures LLC, owner, and McMahon LaRue Associates, agent, for Preliminary/Final Site Plan Approval to construct a 2,415 +/- sf single family home on property located at 1402 Blossom Road. All as described on application and plans on file. **TABLED 4-17-2024; PUBLIC HEARING REMAINS OPEN**

**NEW BUSINESS:**

**Application Number: [6P-NB1-24](#)**  
*OpenGov reference no: PB-24-14*  
[0 East Henrietta Road](#)

*Immediately east of 335-345 Westfall Road (Costco) and 460 East Henrietta Road (former county facility). Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12*

Application of Westfall Brighton SRE, LLC, owner, and BME Associates, agent, for Preliminary Subdivision Approval, Preliminary Site Plan Approval and Preliminary EPOD (woodlot) Permit Approval to combine two lots into one and construct a 48,282 +/- sf, 2-story golf and entertainment venue (TopGolf) with an outfield hitting area and with other associated site improvements on property located south of Westfall Road, east of East Henrietta Road (CityGate), known as Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12. All as described on application and plans on file.

**Application Number: [6P-NB2-24](#)**  
*OpenGov reference no: PB-24-17*  
[Elmwood Ave](#)

*Immediately east of 1201 Elmwood. Tax ID parcels 136.14-1-1.2 and 136.14-1-1.3*

Review an advisory report regarding Home Leasing and Providence Housing's Incentive Zoning proposal to construct 120 units of affordable housing (40 townhouses and an 80 unit multifamily building) and other site improvements on property located on Elmwood Avenue (Tax parcels 136.14-1-1.2 and 136.14-1-1.3).

**OLD BUSINESS:**

NONE

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PRESENTATIONS:

NONE

COMMUNICATIONS:

NONE

PETITIONS:

NONE

SIGNS:

**Application Number: [SN-24-10 \(1721\)](#)**

2150 Monroe Ave

Building face nonilluminated sign for 'Bobby Pin + Pure Sole Nails Beauty Bar.'

**Application Number: [SN-24-11 \(1722\)](#)**

2048 (2050) S Clinton Ave Suite

Rectangular LED illuminated cabinet building face sign for 'CROSSCOUNTRY  
MORTAGE Drips Spa'

## PLANNING BOARD REPORT

**HEARING DATE:** 6-20-2024

**APPLICATION NO:** 5P-02-24  
*OpenGov reference no:* PB-24-12

**LOCATION:** 55 Stonybrook Drive

**APPLICATION SUMMARY:** Application of Stephen Artim and Tricia Shalka, owners, and Jerry Serafine, agent, for EPOD (watercourse) Permit Approval to allow for the construction of 462 +/- sf building addition within Zone AE of the 100 year floodplain on property located at 55 Stonybrook Drive.

### COMMENTS

*The Board may wish to consider the following comments when asking questions*

### BUILDING AND PLANNING:

1. 55 Stonybrook Drive currently contains a single family dwelling.
2. The subject property is zoned Residential – Low Density B (RLB)
3. The subject property is also within Environmental Protection Overlay District (EPOD) 3, Watercourse and Floodplain Protection. The boundaries of the Watercourse Protection District shall be delineated on the Official Town of Brighton EPOD maps and shall include the following areas: West Branch of Allens Creek, Crittenden Creek, Allens Creek, Irondequoit Creek, Buckland Creek, Red Creek, the Genesee River and the New York State Erie Canal; for a distance of 100 feet from each bank or to the landward boundary of special flood hazard. A map of the town's flood hazard area is attached.
4. A survey map, site, grading, and erosion control plan, and engineers report have been submitted. A revised site, grading, and erosion control plan dated 5-23-2024 has been submitted.
5. A workshop meeting with the applicant and staff was held on 4-30-2024. The location of the compensatory flood water storage area was discussed, as well as the final grading. There was general agreement on the path forward. A final site, grading, and erosion control plan was submitted as noted above.
6. The applicant has received a variance from the NYS Building Code regarding the finished floor elevation being 18 inches rather than 24 inches above the flood level.
7. The applicant was granted an area variance from the Town of Brighton Code by the Zoning Board of Appeals on 6-5-2024 regarding the finished floor elevation.

8. Per [Town of Brighton Code Section 203-129B](#) No permit to undertake a regulated activity within the Watercourse and Floodplain Protection District shall be issued by the Planning Board unless it determines that the proposed project complies with the following standards:
  - (1) The proposed activity provides adequate measures to prevent disruption and pollution of fish and wildlife habitats and freshwater wetlands, stormwater runoff, septic and sewage systems and any other activity on the site.
  - (2) A natural vegetative buffer of 100 feet from each bank shall be retained adjacent to the watercourses to absorb floodwaters, to trap sediments, to protect adjacent fish and wildlife habitats and to protect scenic qualities.
  - (3) Site preparation, including stripping of vegetative cover or grading, shall be undertaken so that the amount of time that disturbed ground surfaces are exposed to the energy of rainfall and runoff water is limited. Disturbed soils shall be stabilized and revegetated before construction can begin. During the interim, erosion protection measures, including but not limited to vegetation, retention ponds, recharge basins, berthing, silt traps and mulching, shall be used to ensure that sedimentation is minimized and mitigated.
  - (4) The project shall provide adequate measures to protect surface and ground waters from direct or indirect pollution and from overuse.
  - (5) Fill shall not encroach on natural watercourses, constructed channels or floodway areas. All fill shall be compacted at a final angle of repose which provides stability for the material, minimizes erosion and prevents settlement.
  - (6) Roads, trails and walking paths along water bodies shall be sited and constructed so they are not a source of runoff and sedimentation. Such roads, trails and walking paths shall be constructed and sited in such a manner as to maximize the visual opportunities of a water body while maintaining the scenic qualities of the water body.
  - (7) No new dock, boat launching site or fishing access and parking area shall be constructed unless it is shown that it will not impede the natural flow of the streams to which this section applies and will be located and constructed so as to minimize its intrusion into the streams and avoid adverse environmental impact and unreasonable impacts upon public use of the waters.
  - (8) New structures, except for fences, bridges and fishing access parking areas, shall not be constructed within 25 feet of the bank of the stream.
  - (9) New structures shall be designed and constructed in accordance with erosion control standards and stormwater control standards contained in the Best Management Practices for Stormwater Runoff Management and Stormwater Management Guidelines for New Development, as found in Chapter 6 of the New York State Department of Environmental Conservation's Stream Corridor Management Manual.
9. A flood plain development permit will be required from the Town. This is an administrative review and approval by the Town Engineer.
10. A permit from the Town of Brighton Highway Department will be required for the temporary construction entrance.

**TOWN ENGINEER:** The Town Engineer has reviewed the revised site, grading, and erosion control plan and has found it to be satisfactory.

**CONSERVATION BOARD:** The board noted the patio in the side yard will be in the area to be re-graded. The applicant has confirmed that this patio will be removed as part of the re-grading.

## **ENVIRONMENTAL REVIEW/SEQR**

The granting of an EPOD Permit is an unlisted action. If the Planning Board finds that the proposed action will not have a significant impact on the environment, Town staff suggests that the Planning Board adopt the prepared negative declaration when considering this EPOD Permit.

## **BOARD ACTION/DECISION**

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Building and Planning Department, and Fire Marshal.
2. Monroe County comments, if any, shall be addressed.
3. The entire project shall comply with the most current New York State Fire Prevention and Building Code (except as waived by the State Variance) and the Town of Brighton sprinkler requirements.
4. All Town codes shall be met that relate directly or indirectly to the applicant's request.
5. The project shall be constructed in accordance with the final site plan drawing set.

State Environmental Quality Review

**NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

**Project Number:** 5P-02-24

**Date:** 6-20-2024

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

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

**Name of Action:** 5P-02-24

**SEQR Status:** unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** EPOD (Environmental Protection Overlay District) Permit approval to allow for the construction of 462 +/- sf building addition within Zone AE of the 100 year floodplain on property located at 55 Stonybrook Drive

**Location:** 55 Stonybrook Drive, Rochester, NY 14618 (Town of Brighton)

**Findings and Reasons Supporting this Negative Declaration:**

Based on information submitted to the Lead Agency, Short Environmental Assessment Form (EAF) Part 1, this action will not have a significant adverse impact on the environment for the reasons set forth below:

1. Air, Water, Waste, Erosion, Drainage, and Site Disturbance. The Project will not create any significant adverse impact in the existing air quality or water quality, nor in solid waste production, nor potential for erosion. After thorough documentation provided by the applicant's engineer and careful review by the town engineer, the project will not promote flooding or drainage problems.
2. Noise and Visual Impacts. The Project will not create any adverse noise or visual impacts.
3. Agriculture, Archeology, Historic, Natural, or Cultural Resources, Community or Neighborhood Character. The Project is on an already developed site and will not adversely impact agricultural, archeological, historical, natural, or cultural resources.
4. Vegetation, Fish, Wildlife, Significant, Habitats, Threatened or Endangered Species, Wetlands, Flood Plains. The Project will not have a significant adverse impact on plant or

animal life. The Property does not host any threatened or endangered species, and therefore the Project will have no impact on any threatened or endangered species. There are no State or Federal wetlands on the Property. After thorough documentation provided by the applicant's engineer and careful review by the town engineer, the project will not significantly adversely impact the floodplain.

5. Community Plans, Use of Land, and Natural Resources. The Project is consistent with the Town's Comprehensive Plan.
6. Growth, Subsequent Development, etc. The Project will not induce any significant or adverse growth or subsequent development.
7. Long Term, Short Term, Cumulative, or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.
8. Critical Environmental Area. The Project will not have an impact on any designated Critical Environmental Area as set forth in 6 NYCRR Section 617.14(g).
9. Traffic. The Project will not have a significant adverse impact on vehicular traffic.
10. Public Health and Safety. The Project will not have a significant adverse impact on public health or safety.

The Project is subject to all applicable Federal, State, and Local laws, regulations, and code requirements including all requirements of the Town of Brighton, Monroe County Department of Transportation, Monroe County Water Authority, Monroe County Department of Health, and New York State Department of Environmental Conservation.

Pursuant to SEQRA, based on the abovementioned information, documentation, testimony, correspondence, and findings, and after examining the relevant issues, including all relevant issues raised and recommendations offered by involved and interested agencies and Town Staff, the Lead Agency determines that the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration, and, therefore, SEQRA does not require further action relative to the Project.

The Town of Brighton Planning Board, as Lead Agency, has made the following additional determinations:

- A. The Lead Agency has met the procedural and substantive requirements of SEQRA.
- B. The Lead Agency has carefully considered each and every criterion for determining the potential significance of the Project upon the environment as set forth in SEQRA, and the Lead Agency finds that none of the criteria for determining significance set forth in SEQRA would be implicated as a result of the Project.
- C. The Lead Agency has carefully considered (that is, has taken the required "hard look" at) the Project and the relevant environmental impacts, facts, and conclusions in connection with

same.

D. The Lead Agency has made a reasoned elaboration of the rationale for arriving at its determination of environmental non-significance, and the Lead Agency's determination is supported by substantial evidence, as set forth herein

E. To the maximum extent practicable, potential adverse environmental impacts will be largely avoided or minimized by the Applicant's careful incorporation in its application materials of measures designed to avoid such impacts that were identified as practicable.

Date Issued: 6-20-2024

For further information:

Contact Person: Rick DiStefano, Environmental Review Liaison Officer

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

Email: [rick.distefano@townofbrighton.org](mailto:rick.distefano@townofbrighton.org)

Telephone: 585-784-5228

## PLANNING BOARD REPORT

**HEARING DATE:** 6-20-2024

**APPLICATION NO:** 4P-01-24  
*OpenGov reference no:* PB-24-9

**LOCATION:** 1402 Blossom Road

**APPLICATION SUMMARY:** Application of C and K Real Estate Ventures LLC, owner, and McMahon LaRue Associates, agent, for Preliminary/Final Site Plan Approval to construct a 2,415 +/- sf single family home on property located at 1402 Blossom Road.

### COMMENTS

*The Board may wish to consider the following comments when asking questions*

### BUILDING AND PLANNING:

1. The subject property is zoned Residential – Low Density B (RLB)
2. Full site, grading, utility, and landscaping plans have been submitted. Revised grading and utility plans, dated 6-14-2024, have been submitted. The revised plans eliminate a proposed retaining wall along the east property line and instead proposes to regrade this area, including a portion of the neighboring property. The neighboring property owner has provided authorization for this work.
3. The project requires review by the Architectural Review Board (ARB) completed their review and approved the project on 4-23-2024.
4. The applicant shall address any remaining comments from the Town Engineer's.
5. Applicant to confirm that the retaining wall in the front yard is not greater than 42 inches in height.
6. Blossom Road is under the jurisdiction of the New York State Department of Transportation (NYSDOT). The applicant has provided a copy of the NYSDOT Highway Work Permit 202404109977 issued 6-6-2024.

**TOWN ENGINEER:** See attached memo dated 4-16-2024. The memo includes eight items, all of which must be addressed in writing by the applicant.

### SEWER DEPARTMENT:

*The applicant should contact Tim Jason ([tim.jason@townofbrighton.org](mailto:tim.jason@townofbrighton.org) 585-784-5289) in the Sewer Department with any questions on these comments.*

1. Sewer permit is required.

2. Contractor must be a plumber registered in the Town of Brighton
3. Contractor shall remove a small section of 15" sanitary main, install new 15x4 wye including new 15" SDR 35 pipe and two 15x15 Strongback Ferncos.
4. Cleanouts shall be provided within 5' outside right of way or easement line and a maximum spacing of 75' between cleanouts thereafter up to the building.

## **CONSERVATION BOARD:**

### *Advisory comments*

1. Per the Town of Brighton Code requirements, a minimum of one tree per 5,000 sf of lot area shall remain and/or be planted on the site. The tree(s) shall be a minimum two-inch diameter at a height of at least four feet above the ground.

## **ENVIRONMENTAL REVIEW/SEQR**

Town staff reviewed the submitted materials and carefully considered both State (6 NYCRR 617.5) and Town (Town Code Section 201-14) and determined this project is a Type 2 action, requiring no further environmental review.

Specifically 6 NYCRR 617.5(c)(11):

Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections

## **BOARD ACTION/DECISION**

If the Planning Board entertains approval, the following conditions are recommended by staff, along with any others added by the Board:

1. Applicant shall respond in writing to all comments of the Planning Board, Department of Public Works, Building and Planning Department, and Fire Marshal.
2. Monroe County comments, if any, shall be addressed.
3. The entire project shall comply with the most current New York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.
4. All Town codes shall be met that relate directly or indirectly to the applicant's request.
5. The project shall be constructed in accordance with the ARB approved design and the final site plan drawing set.

## PLANNING BOARD REPORT

**HEARING DATE:** 6-20-2024

**APPLICATION NO:** 6P-NB1-24  
*OpenGov reference no:* PB-24-14

**LOCATION:** 0 East Henrietta Road

*Immediately east of 335-345 Westfall Road (Costco) and 460 East Henrietta Road (former county facility). Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12*

**APPLICATION SUMMARY:** Application of Westfall Brighton SRE, LLC, owner, and BME Associates, agent, for Preliminary Subdivision Approval, Preliminary Site Plan Approval and Preliminary EPOD (woodlot) Permit Approval to combine two lots into one and construct a 48,282 +/- sf, 2-story golf and entertainment venue (TopGolf) with an outfield hitting area and with other associated site improvements on property located south of Westfall Road, east of East Henrietta Road (CityGate), known as Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12.

### COMMENTS

*The Board may wish to consider the following comments when asking questions*

### BUILDING AND PLANNING:

1. The property is vacant land that is part of the CityGate development and had previously been part of the Monroe County Iola Campus. The site was rezoned to General Commercial (BF-2) and is subject to an Incentive Zoning agreement by the Town Board on 5-8-2024.
2. A site plan drawing set, subdivision plan, engineer's report, and tree survey have been submitted.
3. The project was reviewed and approved by the Architectural Review Board (ARB) on 6-18-2024.
4. Review of certain aspects of this project are particularly relevant to the Planning Board:
  - a. Pedestrian and bicycle access to the site and circulation within the site and, in coordination with the City of Rochester's review, the rest of the CityGate site immediately to the west (see also Conservation Board advisory comments and letter from the City of Rochester Division of Zoning dated 6-20-2024).

Staff has noted that to encourage walking and biking, pedestrian and bicycle infrastructure should be designed with careful attention to detail. This includes how a sidewalk/pathway/space connects adjacent infrastructure and destinations, how it feels to a user, and how it functions year round.

A unique aspect of this project/site is a proposed hotel located approximately 800-

900 feet southwest of the TopGolf facility. Given the stated geographic draw of TopGolf, it is reasonable to expect that a portion of patrons will stay at this hotel. Infrastructure that is designed to encourage them to walk this distance, rather than drive across the parking lots (as is common in many car-oriented developments) is of vital importance.

- b. Landscaping (including trees and the Woodlot EPOD).

**TOWN ENGINEER:** Comments are pending the Town Engineer's review of the project, including but not limited to the Stormwater Pollution Prevention Plan.

**SEWER DEPARTMENT:**

*The applicant should contact Tim Jason ([tim.jason@townofbrighton.org](mailto:tim.jason@townofbrighton.org) 585-784-5289) in the Sewer Department with any questions on these comments.*

1. A sewer permit is required.
2. More sanitary sewer details are needed.
3. Cleanouts shall be provided within 5' outside right of way or easement line and a maximum spacing of 75' between cleanouts thereafter up to the building.

**CONSERVATION BOARD:**

*Advisory comments*

1. Utilize native species for plantings
2. Avoid mowed grass where possible, utilize a low mow mix (i.e. clover)
3. Add additional large trees where possible
4. Provide a cover/roof for bike rack
5. Reconsider parking configuration to maximize tree islands and provide safe, direct pedestrian and bike connections through parking lot and to canal trail and that is designed in such a way that encourages walking and bicycling

**ENVIRONMENTAL REVIEW/SEQRA**

Pursuant to the State Environmental Quality Review Act (SEQRA), the Planning Board agreed to the Town Board acting as Lead Agency for this project. The Town Board conducted the environmental review and adopted a negative declaration on 4-24-2024.

**BOARD ACTION/DECISION**

If the Planning Board entertains tabling, the following reasons are recommended by staff, along with any others added by the Board:

1. Allow for final review of the Stormwater Pollution Prevention Plan (SWPPP) and site details by town staff
2. The applicant has submitted a Final Site Plan Review/Subdivision application. It is anticipated that the Planning Board will review a combined Preliminary/Final Site

Plan/Subdivision on 7-17-2024.



Town of  
**Brighton**

## Planning Board

Executive Secretary – Jason Haremza, AICP

June 20, 2024

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

### **RE: Planning Board Advisory Report**

*Regarding Home Leasing and Providence Housing's Incentive Zoning proposal to construct 120 units of affordable housing (40 townhouses and an 80 unit multifamily building) and other site improvements on the 9.88 +/- acre Brighton portion of the former state hospital property located on Elmwood Avenue (Tax parcels 136.14-1-1.2 and 136.14-1-1.3) (the "Project").*

Dear Town Board Members:

On June 20, 2024, the Planning Board reviewed the above referenced matter and offers the following comments regarding the adequacy of the proposed Project as it relates to the project site and the adjacent uses and structures.

1. The Planning Board supports the proposed application and recommends to the Town Board that the Project is worthy of further consideration as part of the Incentive Zoning review process. The proposed Project appears to be well suited for the project site and area. The proposal also furthers the town's comprehensive plan (Envision Brighton 2028), specifically:

Environmental Policy Objection (volume 2, page 6):

“Preserve, in their natural state, open space areas that have significant ecological value, and sensitive environmental areas, including wetlands, floodplains, watercourses, woodlots, steep slopes, and wildlife habitats.”

Environmental Policy Objective (volume 2, page 6):

“Promote and support the increased use of renewable energy sources...”

Sense of Community Policy Objective (volume 2, page 12):

“Provide a balance in the type and affordability of housing for Brighton residents, employing smart-growth principles that strategically encourage density and diversity of housing options in areas with ready access to local goods, services, infrastructure, and mass transit.”

2. The Planning Board recommends that the Town move to a public hearing on this application only after receiving firm commitments on the proposed amenities that include affordable and supportive housing, adherence to green building standards, open space/playground, and real property taxes.
3. The Planning Board notes the proposed amenity of affordable housing is the first on the list identified in the Incentive Zoning chapter of the Town Code, [Town of Brighton Code Section 209-3](#): Amenities for which incentives may be offered under this article.
4. The bulk of the former state hospital site, including the Terrence Building, immediately to the west of the project site, located over the town line in the City of Rochester, currently has proposed development under review by the City. Careful and ongoing coordination between the Town of Brighton review processes and the City of Rochester review processes is necessary to create an efficient, cohesive development. This is especially critical since substantial vehicular traffic and nearly all the pedestrian access for the 9.88 acre Brighton portion will pass through the City.
5. The Planning Board notes the proposal does not include any new curb openings on any public road. All vehicular access to the project site will be from a new private road to be constructed just over the town line, to the west, in the City of Rochester. This will connect at the north to the existing cross access point to Brickstone Circle and at the south to the existing Science Parkway and ultimately to South Avenue. This new private roadway is entirely within the City of Rochester and conceptual plans show sidewalks on both sides.

While this transportation infrastructure is in an adjacent municipality, it is critical to the accessibility of the development on the Brighton side of the municipal boundary.

Affordable housing, in particular, should carefully consider access to transit. The sidewalk network to the west provides this access to transit on Elmwood Avenue and South Avenue.

6. Regional materials should be used to construct the proposed Project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.
7. The inclusion of renewable energy installations (ground mounted solar) is to be commended.
8. The Project is adjacent to the existing Highland Crossing Trail and the applicant has also noted that the project site contains environmentally sensitive areas, including wetlands and a woodlot. In order to accommodate and protect such environmental resources, the applicant has represented that a 100 foot buffer around the wetlands within the subject site will be maintained, the Project will complement the existing Highland Crossing Trail, and the applicant will offer a conservation easement to the Town of Brighton, which will

assist in the creation of a greenway between the Town Park on Westfall Road and Highland Park in the City of Rochester.

9. Environmental Review pursuant to the New York State Environmental Quality Review Act was conducted by the City of Rochester in 2017 and a Negative Declaration was issued. As the project remains substantially the same, it is consistent with the 2017 Environmental Determination.
10. The provisions of Code Section 225-6(b) require that the Planning Board make a determination concerning the following issues:

- (a) Whether the uses permitted by the proposed change would be appropriate in the area concerned.

The site under review is bordered by large scale legacy institutional structures to the west and south and medium scale residential development to the east.

Given the scale and intensity of existing and proposed surrounding land uses, both in the Town of Brighton and the City of Rochester, the uses permitted by the proposed zoning change are entirely appropriate for the area concerned.

- (b) Whether adequate public school facilities and other public facilities and services, including roads, exist or can be reasonably expected to be created to serve the needs of any additional dwellings or other uses likely to be constructed as a result of such change.

Access from the project site to the proposed recreation and golf entertainment venue will be through the existing Brickstone development to the east, ultimately to Elmwood Avenue. In addition, there is proposed access to South Avenue via an extension of Science Parkway.

The nearest transit service to the project site is at the north end of the site, surrounding the intersection of Elmwood Avenue and Goodman Street. These stops are currently served by RTS routes 97 and 41. A little over a half a mile to the west of the site, there is additional transit access to RTS route 13 at South Avenue and Science Parkway.

The proposed zoning change will allow additional residential development that will include school-age children. However, only 34 units of the 120 total will be three bedroom units and only 14 will be two bedroom units. It is reasonable to expect that the Brighton Central School District has adequate school capacity for 48 housing units sized to accommodate families, if the school-age children residing at the project site attend Brighton Central School District schools.

- (c) Whether the proposed change is in accord with any existing or proposed plans in the vicinity.

The proposed rezoning to Residential High Density 2 (RHD-2) District is in accord with the proposed development immediately adjacent to the west on the rest of the former state hospital site and with existing medium density residential development to the east.

(d) The effect of the proposed amendment upon the growth of the town as envisioned by the Master Plan.

As noted in item #1 of this document, the proposed zoning change furthers the town's comprehensive plan (Envision Brighton 2028).

11. If the Town Board decides to move forward with the IZ proposal, the Planning Board looks forward to providing additional project review and comment as part of the site plan review and approval process.

Sincerely,

Jason Haremza, AICP  
Executive Secretary  
Planning Board