

**BRIGHTON**

**PLANNING**

**BOARD**

---

July 17, 2024  
At approximately 7 p.m.  
Brighton Town Hall  
2300 Elmwood Avenue  
Rochester, New York 14618

PRESENT:

JASON HAREMZA, EXECUTIVE SECRETARY

WILLIAM PRICE, CHAIRPERSON

KAREN ALTMAN	)	BOARD MEMBERS
CLARA SANGUINETTI	)	
PETER GRISEWOOD	)	
JASON BABCOCK-STINER	)	

LAUREN BARON, ESQ.  
Attorney for the Town

ABSENT: DAVID FADER  
JOHN OSOWSKI

REPORTED BY: HOLLY E. CASTLEMAN, Court Reporter,  
FORBES COURT REPORTING SERVICES, LLC  
21 Woodcrest Drive  
Batavia, NY 14020

1 CHAIRPERSON PRICE: Good evening. We are  
2 five minutes late, but I would like to welcome  
3 everyone to the July 17th meeting of the Town of  
4 Brighton Planning Board.

5                   In the unlikely event of an emergency  
6                   tonight, there are exits directly behind you in the  
7                   audience and also to our right, your left.

8 I'd like to ask the secretary to please call  
9 the roll.

10 MR. HAREMZA: One moment, Mr. Chair.

11 CHAIRPERSON PRICE: Thank you.

12 | (Whereupon the roll was called.)

13 MR. HAREMZA: Fader is absent. Osowski is  
14 absent.

15 CHAIRPERSON PRICE: Okay. We're going to  
16 take a few minutes with our staff and our attorney to  
17 review the agenda tonight.

18 I'd like to start that conversation with a  
19 request to modify the agenda sequence and to have a  
20 look at our two sign applications -- I believe it's  
21 two sign applications -- before we hear the  
22 application for 2300 Elmwood Avenue, which is Town of  
23 Brighton. So we would like to hear those two sign  
24 applications, move those up on the agenda prior to the  
25 Town's.

1                   Is there any discussion on that? Okay.  
2                   We'll modify the agenda to hear the two sign  
3                   applications ahead of the Town's site plan application  
4                   or referral.

5                   Jason, we've got just a few things on our  
6                   agenda tonight. I think the first two may have  
7                   something to do with each other, but if we could just  
8                   kind of go through where we were after we tabled the  
9                   application last month and where we think we are with  
10                   the package resubmitted.

11                   MR. HAREMZA: Sure. And just if anybody  
12                   missed it, logically, the microphones are not  
13                   working. So please project your voice.

14                   So last month you reviewed the preliminary  
15                   application for subdivision site plan review and a  
16                   woodlot EPOD permit. At the recommendation -- staff  
17                   recommendation was to table that pending additional  
18                   information for the Town engineer to review regarding  
19                   stormwater.

20                   Was there anything else from last month?

21                   MS. BARON: I believe the Board also asked  
22                   for more detailed landscaping plans.

23                   MR. HAREMZA: That's right.

24                   MS. BARON: And just some additional site  
25                   details that the engineer asked for.

1                   MR. HAREMZA: Right. Landscaping, David  
2 Fader suggested a low-mow mix for the lawn area. And  
3 the applicant has responded with a revised landscaping  
4 plan that reflects that.

5                   And what has happened -- and the Planning  
6 Board has seen this before -- the applicant has  
7 applied for final subdivision site plan approval and  
8 EPOD permit and we're recommending combining  
9 preliminary and final into one approval tonight, which  
10 would be preliminary/final.

11                  I'll let Lauren get into the details, but  
12 the other element of this is the applicant -- since  
13 the last meeting, the applicant has submitted an  
14 application for a conditional use permit to extend the  
15 hours from midnight until 2 a.m.

16                  MS. BARON: Yup.

17                  MR. HAREMZA: And that will be considered as  
18 a separate vote; correct?

19                  MS. BARON: Yup. Yeah. So that will be  
20 separate since a conditional use permit has its own  
21 individual criteria under the Code you can consider.

22                  So that came up because it's part of the  
23 incentive zoning approval. The Town Board did not  
24 approve the extension of the hours for the zone the  
25 project is located in. They're just asking for an

1 extension of the hours until 2 a.m. for Friday and  
2 Saturday.

3 I believe they are permitted to operate  
4 their business until midnight on any other day in the  
5 business zoning district they're located in. So  
6 that's what the conditional use permit is for.

7 MR. HAREMZA: Couple other things to  
8 consider, which were reflected in the staff report for  
9 this, the Board should look at -- you know, one of the  
10 purviews the Board has for this project is the  
11 landscaping and, you know, some of the site layout  
12 details, consider whether the applicant's response to  
13 some of those issues is adequate. Obviously, that's  
14 up to the Board to decide.

15 And then in the review of the final  
16 application, the senior planner, Rick DiStefano,  
17 determined that the access driveway for the sewer  
18 easement on the east side of the site, that will  
19 require two area variances; one for the paving coming  
20 within 10 feet of the property line; the other for a  
21 retaining wall that is over 6 feet in high.

22 That is -- the access drive and thus the  
23 retaining wall is a requirement of the Monroe County  
24 Water Authority. However, it still does need to go  
25 through the variance process. The applicant has made

1 variance applications. They will be on the August  
2 agenda of the ZBA.

3 CHAIRPERSON PRICE: We have historically not  
4 granted site plan approval if they're pending  
5 variances.

6 MS. BARON: So you can condition site plan  
7 approval on receipt of those variances. If they do  
8 not receive those variances, they would have to come  
9 back with a modified site plan for you to look at  
10 again if they have any changes based on the Zoning  
11 Board's determination.

12 CHAIRPERSON PRICE: That I think we've done.

13 MR. HAREMZA: Correct. Yeah. And I believe  
14 that is reflected in one of the conditions that the  
15 variance -- in the draft conditions that the variances  
16 be received.

17 And, you know, this is -- seemed the most --  
18 to staff that this is a minor issue. It's also being  
19 required by an upper level of government. So it's a  
20 little bit of a unique situation.

21 CHAIRPERSON PRICE: Okay. There's only a  
22 couple of other minor things that we had asked the  
23 applicant to look at -- was the amount of pavement  
24 associated with the loading dock areas on the --  
25 really the front elevation and the approach elevation

1 of the building. And possibly a look at land banking  
2 any of the parking spaces toward the outer part of the  
3 lot. That doesn't seem to have been done, but I  
4 recall there being an explanation in the responses.

5 MR. HAREMZA: Correct. The applicant did  
6 provide a rationale for the parking, comparing this to  
7 other TopGolf locations, as well as the loading dock  
8 pavement, staff felt that was reasonable.

9 The other issue that was raised by the  
10 Planning Board last month was additional tree  
11 planting. Due to the nature of the site with the  
12 landfill material and that being sort of relocated in  
13 some areas, staff also felt that the justification of  
14 not being able to plant trees on a landfill was  
15 reasonable. But the Board may perhaps consider  
16 additional trees at the north end of the site, which  
17 does not appear to have any constraints regarding the  
18 landfill material.

19 CHAIRPERSON PRICE: Okay. So the  
20 conditional use permit just comes back to this Board  
21 for approval under a separate application.

22 MS. BARON: They already applied. So it's  
23 before you tonight.

24 CHAIRPERSON PRICE: It is before us.

25 MS. BARON: Yup.

1                   CHAIRPERSON PRICE: Okay. I see. And  
2 incentive zoning did not agree to do that. Was that  
3 looked at under SEQRA?

4                   MS. BARON: So it was looked at under SEQRA,  
5 but it was not part of the specific incentives that  
6 were actually approved for the project.

7                   It could have been by the Town Board, but it  
8 was just not included in that. So that's why it's  
9 before this Board.

10                  CHAIRPERSON PRICE: Okay.

11                  MR. HAREMZA: And I would add that the  
12 conditional use permit draft findings can be found on  
13 page 4 of the staff report.

14                  They're a little bit different than what  
15 you're used to seeing with conditional use permits  
16 because they're related specifically to the extension  
17 of hours. So it's only four findings that are in that  
18 code section related to conditional use permits rather  
19 than the usual eight.

20                  CHAIRPERSON PRICE: Page 4?

21                  MR. HAREMZA: Page -- I believe it's four of  
22 the staff report.

23                  MS. ALTMAN: Jason, can I get a copy of the  
24 updated staff report?

25                  MR. HAREMZA: Yeah. Sorry. We had to

1                   scramble before we started.

2                   It's the page that starts with sewer  
3                   department, then Conservation Board and then  
4                   conditional use permit findings.

5                   CHAIRPERSON PRICE: Okay. We'll have an  
6                   opportunity to ask about this. Okay.

7                   We have an accompanying application for Zero  
8                   East Henrietta Road, which is our next application.

9                   MR. HAREMZA: Yes.

10                  CHAIRPERSON PRICE: Did you have any more  
11                  about this?

12                  MR. HAREMZA: So are you referring to the  
13                  preliminary application from last month?

14                  CHAIRPERSON PRICE: Is it still on -- Zero  
15                  East Henrietta Road, immediately east of Westfall.

16                  MR. HAREMZA: That's just a description of  
17                  application 7P-01-24. Because the individual  
18                  components have been broken out due to the file size,  
19                  that pushes everything down in the formatting.

20                  CHAIRPERSON PRICE: Okay. All right. What  
21                  more do you know about the application that's  
22                  preceding in the City? Do you know any more about  
23                  that?

24                  I know that SEQRA's been done and those have  
25                  been handled separately.

1                   MR. HAREMZA: Yeah. So as of a few weeks  
2 ago, the last time I chatted with our colleagues in  
3 the City, you know, we've all seen the hotel proposal  
4 in the media, but no application has been made to the  
5 City for site plan approval for the proposed hotel or  
6 office buildings.

7                   CHAIRPERSON PRICE: Okay. All right.  
8 Anybody have questions?

9                   MS. SANGUINETTI: The pathway between the  
10 hotel and TopGolf, who's in charge of that?

11                  MR. HAREMZA: That's a good question. So  
12 our understanding is that the entire site is under  
13 common ownership of the Brighton and the City portion.  
14 So in our staff discussion, the thought was that it's  
15 incumbent upon the applicant to coordinate with the  
16 Town and the City in designing a connection that will  
17 be efficient and effective and make sense.

18                  I think -- and you know, at this time  
19 because no application has been made for the hotel,  
20 you know, we don't know the site details of how that's  
21 going to be laid out. So I would not expect a  
22 detailed design at this point. But, you know, perhaps  
23 a conceptual suggestion of a future connection would  
24 be something in order.

25                  MS. SANGUINETTI: Okay.

1                   MR. HAREMZA: And you know, the hotel may or  
2 may not even happen. You know, projects change and  
3 financing doesn't come through and all sorts of  
4 things.

5                   MS. SANGUINETTI: Would that be a condition  
6 if the hotel is built then --

7                   MR. HAREMZA: I'm thinking it's hard to  
8 condition another municipality. I think -- you know,  
9 my recollection of our discussion amongst the staff  
10 was we could condition the applicant to coordinate --

11                  MS. BARON: Yup.

12                  MR. HAREMZA: -- with the two  
13 municipalities.

14                  MS. BARON: I think it's more a  
15 recommendation rather than a condition just to  
16 coordinate.

17                  As Jason said, it's still very much a  
18 hypothetical project of what's going to occur in the  
19 city. So hopefully it does happen. But if the  
20 half -- there's no actual plan in front of you right  
21 now that shows adequately what's within the site that  
22 you're -- that you would be considering whether to  
23 issue an approval on tonight or not.

24                  So I think that that's why staff thought  
25 that it was more of a recommendation to coordinate or

1 condition to encourage coordination in the future.

2 MR. HAREMZA: Yeah. The other thing to  
3 remember is that, you know, the west edge of the  
4 TopGolf site is, you know, quite close to the building  
5 itself. So any connection would be mostly in the City  
6 in the future.

7 I don't see anything on -- what is on the  
8 plans on the Town of Brighton side that would preclude  
9 a future connection.

10 MS. BARON: I also think as part of the  
11 public hearing tonight, I'd encourage you to ask those  
12 questions to the applicant themselves and see what  
13 their responses in terms of their plans for  
14 coordination in the future are.

15 MS. SANGUINETTI: Thank you.

16 MR. GRISEWOOD: I have a quick question  
17 about the trees. So there's 14 trees shown on the  
18 plans and the notes here say that it would be nice to  
19 have some more, but I don't see that that's been  
20 added. Has there been any discussion about adding  
21 trees that is not in front of me right now?

22 MR. HAREMZA: Not to my knowledge.

23 MR. GRISEWOOD: Okay. Thank you.

24 CHAIRPERSON PRICE: Okay. All right. Our  
25 other agenda item is the Town of Brighton Elmwood

1 Avenue site plan and general discussion of the overall  
2 scope and improvements to the building and the site.  
3 We're probably more concerned with the site. But  
4 who's making that presentation?

5 MR. HAREMZA: There is a representative from  
6 EDR here tonight.

7 And this is a bit of an unusual application.  
8 It's not an approval. It is akin to an advisory  
9 report, like an incentive zoning advisory report. So  
10 that's what has been drafted. That's what was  
11 included in your packet.

12 Again, you know, obviously, it's up to the  
13 Board. Feel free to, you know, take the report as is,  
14 strike out, add things if you see fit. But it is an  
15 advisory report that in this case is going back to the  
16 applicant, which is the architecture firm for the  
17 project.

18 But my understanding is that EDR has been  
19 doing the site design. And hopefully the  
20 recommendations will be taken into account as the  
21 project moves forward.

22 CHAIRPERSON PRICE: Okay.

23 MR. HAREMZA: Also that is not a public  
24 hearing.

25 CHAIRPERSON PRICE: Okay. We'll close the

1 hearings before. All right.

2 We do have two signs. We'll hear those  
3 before we hear the presentations. Any other matters  
4 anybody cares to bring up?

5 Peter, anything seen around town you want to  
6 talk about?

7 MR. GRISEWOOD: No, sir.

8 CHAIRPERSON PRICE: Okay. All right. Let's  
9 get back to our agenda. Next item on the agenda is  
10 the approval of the June 20th, 2024, meeting minutes.  
11 I don't recall receiving these, but I could be wrong.

12 MR. BABCOCK-STIENER: I wasn't here.

13 CHAIRPERSON PRICE: Do you recall receiving  
14 them?

15 MR. HAREMZA: Why don't we call those next  
16 month.

17 CHAIRPERSON PRICE: I don't recall having  
18 seen them, but sometimes I don't check.

19 MR. HAREMZA: I'll -- I'm not positive we've  
20 received them ourselves. So let me check on that.  
21 But I would recommend holding that until August.

22 MS. BARON: I checked the website today and  
23 it wasn't on.

24 CHAIRPERSON PRICE: Okay. We'll postpone  
25 the review and approval of the minutes until our

1 August meeting.

2 All right. That brings us to our public  
3 hearings for the night. Mr. Secretary, were tonight's  
4 public hearings properly advertised?

5 MR. HAREMZA: They were advertised in the  
6 Daily Record of July 11th, 2024.

7 CHAIRPERSON PRICE: All right. Let's start  
8 with -- well, I'm going to combine -- should I just  
9 combine all these?

10 MS. BARON: Yeah.

11 CHAIRPERSON PRICE: We're going to combine  
12 application 7P-01-24, application 6P-NB1-24. These  
13 are the applications of -- doesn't say over here does  
14 it?

15 This is Westfall Brighton SRE and BME  
16 Associates. This is going to be for preliminary and  
17 final subdivision approval, preliminary and final site  
18 plan approval, preliminary and final EPOD woodlot  
19 permit. And we are also going to review the  
20 conditional use permit.

21 I believe I've said it all there, Jerry.

22 **Application 7P-01-24**

23 Application of Westfall Brighton SRE, LLC,  
24 owner, and BME Associates, agent, for Final  
25 Subdivision Approval, Final Site Plan Approval and

1 Final EPOD (woodlot) Permit Approval to combine two  
2 lots into one and construct a 48,282 +/- square foot,  
3 two-story golf and entertainment venue (TopGolf) with  
4 an outfield hitting area and other associated site  
5 improvements, and Conditional Use Permit Approval to  
6 allow for extended hours of operation, on property  
7 located south of Westfall Road, east of East Henrietta  
8 Road (City Gate), known as Tax ID parcels  
9 149.06-1-3.11 and 149.06-1-3.12. All as described on  
10 application and plans on file.

11 **Application 6P-NB1-24**

12 Application of Westfall Brighton SRE, LLC,  
13 owner, and BME Associates, agent, for Preliminary  
14 Subdivision Approval, Preliminary Site Plan Approval  
15 and Preliminary EPOD (woodlot) Permit Approval to  
16 combine two lots into one and construct a 48,282 +/-  
17 square foot, two-story golf and entertainment venue  
18 (TopGolf) with an outfield hitting area and with other  
19 associated site improvements on property located south  
20 of Westfall Road, east of East Henrietta Road (City  
21 Gate), known as Tax ID parcels 149.06-1-3.11 and  
22 149.06-1-3.12. All as described on application and  
23 plans on file. **TABLED AT THE JUNE 20, 2024 MEETING -**  
24 **PUBLIC HEARING REMAINS OPEN**

25 MR. GOLDMAN: It's a mouthful, but you've

1 done very well.

2                   Thank you very much, Mr. Chairman, members  
3 of the Board. My name is Jerry Goldman, the attorney  
4 and agent for Westfall Brighton SRE LLC, who is the  
5 applicant for the TopGolf location to be located to  
6 the east of the existing City Gate development in the  
7 City.

8                   I'm going to try to answer some of the --  
9 well, first of all, let me introduce the rest of our  
10 group who will be available to answer questions. The  
11 primary site plan presenter on this is going to be  
12 Ryan Destro from BME Associates and just put up the  
13 board.

14                   In addition, the development team is  
15 represented by Matt Lester, who is a principal, as  
16 well as Anthony Gizzie who is a principal.

17                   Also with us is Kevin Nowak from  
18 ARCO/Murray, who is the development consultant for  
19 TopGolf and can answer questions relative to TopGolf.

20                   I guess one of the privileges or benefits or  
21 perhaps detriments now is I used to be the youngest  
22 member of the team. Now I'm the oldest member of the  
23 team. So I can explain and answer some of the  
24 questions that came up during the initial discussion  
25 before we commence our presentation.

1           One deals with the address of the property  
2 and dealing with it. This property was all part of  
3 the Iola Campus and because of that -- because of that  
4 and the fact that there is no frontage on Westfall  
5 Road for this parcel, it bears the address for tax  
6 purposes of Zero East Henrietta Road. It does not  
7 front on East Henrietta Road per se.

8           And one of the priorities of the Town Board  
9 in terms of the development of this parcel from the  
10 beginning and through the various iterations of  
11 development is they do not want to see direct access  
12 from the site onto Westfall Road thinking that it  
13 would be better for the Brighton road network if all  
14 traffic from the site were to be directed out to East  
15 Henrietta Road. And now with the improvements of East  
16 Henrietta Road, that was a pretty prescient concept on  
17 their part.

18           Primary access to this site will be coming  
19 from East Henrietta Road basically through an  
20 expansion of what's called now South City Gate Drive,  
21 which is a signalized intersection where REI is at  
22 this point.

23           In terms of SEQRA and how it's handled, in  
24 2008 this was considered as a coordinated review with  
25 the City and with the Town of Brighton in terms of the

1 overall City Gate for a generic environmental impact  
2 statement. Subsequently, when the Costco came in, a  
3 decision was made by the City and agreed to by the  
4 Town of Brighton that the City would run their  
5 individual site plan and SEQRA review and essentially  
6 separate out of the Brighton parcel.

7 That had carried over to the development  
8 that we have here. And in the matter of discussion  
9 with the Town, the Town was agreeable to a separation  
10 of those essentially and having the Brighton  
11 portion having Brighton be the lead agency and the  
12 City portion having the City be lead agency. Part of  
13 that had to do with the fact of coordination issues  
14 between two municipalities at that time. So right  
15 now, each of them have their own SEQRA which has gone  
16 on.

17 In terms of the Brighton piece, as you know,  
18 SEQRA was done as part of a coordinated review by the  
19 Town Board -- the Planning Board signed off on -- and  
20 a negative declaration was issued by the Town Board as  
21 part of their incentive zoning review.

22 I can comment briefly on the City's process.  
23 I'm not intimately familiar with it right now, but  
24 there has been in recent times a revision of their PD  
25 zoning, which is planned development zoning, which

1 City Gate is under. And that was accepted by City  
2 Council.

3 Now, it precedes going forward with  
4 individual site plan applications or incremental  
5 reviews. Those, unlike the Town of Brighton, are done  
6 administratively. They don't -- the City Planning  
7 Commission does not review site plans. It's done by  
8 the manager of zoning and by the zoning department.  
9 Karen's nodding. Knows it all too well.

10 The fact -- so the fact of the matter is  
11 that process is ongoing relative to the hotel and  
12 relative to going on the other potential uses in that  
13 area.

14 I should comment also on the conditional use  
15 permit application. Counsel rightly points out that,  
16 in fact, it was not part of the incentive zoning. It  
17 was applied for as part of the incentive zoning. To  
18 our surprise after reviewing the final resolution,  
19 that conditional use permit was not included.

20 But I can tell you in the course of the  
21 discussions and in the presentation, there was no  
22 objection to the extended hours from midnight to 2.  
23 It's just that somehow it didn't make it into the  
24 resolution.

25 So therefore, in order for us to have it

1       legal, rather than go back and try to amend or revisit  
2       the incentive zoning, it comes to this Board for a  
3       conditional use permit approval on that portion of the  
4       relief that we're seeking.

5               With regard to trees that Peter pointed out,  
6       they really -- that's really a more recent comment  
7       with regard to tree planting. And Ryan will be  
8       prepared to address that as part of his site plan  
9       discussion and presentation.

10              And again, the variances were brought to our  
11       attention very recently. And with the indulgence of  
12       Town staff, we were allowed to make application and to  
13       get on the agenda for the August meeting. And part of  
14       our effort to do that and part of our desire this  
15       evening is to try to see if we can get final approvals  
16       because we are well behind schedule right now based on  
17       what has gone on. It's a 24 -- excuse me. A 12-month  
18       construction process that we're dealing with and we  
19       need to have building plans signed off. And  
20       everything else being done, right now, we're fighting  
21       the clock and fighting the seasons in order to be able  
22       to do this and to accomplish this appropriately.

23              So we do ask for your indulgence in  
24       granting, as the Board has in the past, a conditional  
25       preliminary and final site plan approval subject to

1 the granting of, what are considered to both staff and  
2 us, relatively minor variances dealing with the site.

3 As has been pointed out, our application is  
4 actually fourfold. We're looking for preliminary and  
5 final site plan approval. We're looking for  
6 preliminary and final subdivision approval basically  
7 because the Brighton portion is composed of two lots  
8 and we're talking about combining those two lots. So  
9 that's what that is about.

10 As part of the site plan, a woodlot EPOD is  
11 necessary and we've gone through all the steps  
12 relative to the EPOD. And in addition to that, we're  
13 talking about the conditional use permit for which  
14 your staff report really does address these standards.

15 One of the benefits relative to the  
16 conditional use permit on the site is that we  
17 basically have no immediate residential neighbors.  
18 Everything is orientated more back toward the canal,  
19 the expressway. And everything else on the site, the  
20 building itself for which we would expect to see most  
21 of the activity is even further than 250 feet, which  
22 is called out on the staff report. It's quite a  
23 distance away.

24 With that introduction, I'd like to turn it  
25 back to Ryan to do his site plan discussion. If you

1 would like to address any questions based on what I've  
2 said right now, we'd be glad to entertain them. It's  
3 really how you want to deal with it.

4 CHAIRPERSON PRICE: Why don't we have Ryan  
5 come up and maybe we'll just focus on the questions  
6 rather than --

7 MR. GOLDMAN: Yeah. As they come up, our  
8 team will be glad to address them.

9 CHAIRPERSON PRICE: Yeah. Come on up, Ryan.

10 MR. DESTRO: Good evening. So I think Jerry  
11 took a lot of my notes on my presentation. I can  
12 certainly go through it or we can right into  
13 questions, however you'd like to handle it.

14 CHAIRPERSON PRICE: Why don't we handle it  
15 with the questions. It's a small crowd tonight.

16 So this is a question both for you and for  
17 staff. So Rick determined that there's a need for a  
18 variance on the east side for the driveway to --

19 MS. BARON: So it's two area variances. The  
20 location of the driveway that Monroe County is  
21 requiring to access the sewer is less than 10 feet  
22 away from the property line.

23 CHAIRPERSON PRICE: At that pinch point.

24 MS. BARON: And they need to construct a  
25 retaining wall that's higher than 6 and a half feet,

1 which also needs a variance. At the tallest point --  
2 I believe it's a retaining wall that's sort of like a  
3 bell curve.

4 MR. DESTRO: It's variable in height. So  
5 it's highest at the pinch point in the corner and then  
6 it tapers down as it transitions north and south.

7 MR. GOLDMAN: Let's talk about the drawing  
8 also, which is adjacent. It is not a driveway. It is  
9 not for public use. It is one which is mandated by  
10 Pure Waters to allow access for sewer purposes. It's  
11 actually a gravel drive and --

12 CHAIRPERSON PRICE: So it's impervious  
13 material.

14 MR. GOLDMAN: Although --

15 MR. DESTRO: It's not asphalt.

16 MR. GOLDMAN: Although we are considering  
17 going back to Pure Waters and saying if we grass it  
18 over and keep a stone base underneath it, would that  
19 work for their purpose. And I think in talking with  
20 Rick DiStefano, that may alleviate the need for the  
21 variance.

22 But as it stands right now, this is a spec  
23 which was provided to us by Pure Waters to allow  
24 purely for their access. It's not meant to -- for any  
25 public use.

1                   CHAIRPERSON PRICE: You'll recall we weren't  
2 happy about you having to put any more than you  
3 were --

4                   MR. GOLDMAN: Yup. Yup.

5                   CHAIRPERSON PRICE: But the question is if  
6 there's pavement within 10 feet of the property line,  
7 why is it -- why didn't they cash in on your loading  
8 dock area over on the west side? You got pavement  
9 going right up to the property line.

10                  MR. DESTRO: Yeah. That wasn't -- that  
11 wasn't raised. There -- and they're certainly in this  
12 cross-access easement between the City parcel and the  
13 TopGolf parcel. Obviously, we have the access roads  
14 that are extending --

15                  CHAIRPERSON PRICE: I just mean the area for  
16 your turnaround, you know, exiting and --

17                  MR. DESTRO: Yup.

18                  CHAIRPERSON PRICE: But it wasn't brought  
19 up. We'll leave it alone.

20                  MR. DESTRO: So I think the Code says  
21 parking lot or aisle basically. So loading dock  
22 would --

23                  MR. GOLDMAN: It doesn't talk about purely  
24 impervious surface. It talks about drive. It talks  
25 about access. It talks about pavement.

1                   And we always have the debate as to whether  
2 gravel really is pavement or not. And the discussion  
3 was going on as early as this morning.

4                   So you know, there could be an argument that  
5 we wouldn't even need it for a gravel surface, but the  
6 Town's interpretation is that they would prefer to see  
7 a variance and since we were going to go back for the  
8 wall anyway, we relented and made that application.

9                   MR. HAREMZA: If I may, Mr. Chair, I believe  
10 the rationale behind Mr. DiStefano's determination is  
11 in Section 205-18B the second sentence says "A waiver  
12 shall be granted in those cases where a cross-access  
13 easement is required for shared access within the  
14 adjoining parcel."

15                   And I think that's probably the  
16 consideration with what's happening on the west side  
17 of the site. But it's a fair question and --

18                   CHAIRPERSON PRICE: And this is the way it  
19 works, but -- okay. All right.

20                   MR. GRISEWOOD: I was just wondering, what's  
21 the -- and forgive me for being naive about the  
22 retaining wall, what's the purpose of the retaining  
23 wall?

24                   MR. DESTRO: So the TopGolf property is  
25 higher in elevation than the property -- to the

1 adjacent property to the east.

2 MR. GRISEWOOD: Okay.

3 MR. DESTRO: And one of the reasons for the  
4 height of the retaining wall is the sanitary sewer --  
5 Monroe County Pure Waters -- so Jason, actually on the  
6 conditions, it should be switched from the Monroe  
7 County Water Authority to Monroe County Pure Waters.

8 It's for the sanitary sewer that is being rerouted  
9 around the southeastern corner of the property.

10 It's lower in elevation there. And the  
11 ground had to be -- has to be brought up to have the  
12 proper cover over the sanitary sewer. Approximately 5  
13 feet of coverage is required over the sanitary sewer  
14 in this location. And that dictates, you know, the  
15 height of the retaining wall and the elevation that  
16 the TopGolf structure was set on.

17 MR. GRISEWOOD: So the neighbor's going to  
18 be looking at an elevated retaining wall basically.

19 MR. DESTRO: Yeah. But where the wall is,  
20 there really isn't anything there. There's a parking  
21 lot and there's a fenced-in area with the water tower.

22 So the actual retaining wall isn't next to  
23 anything. There's just parking lot.

24 MR. GRISEWOOD: Is there any requirement for  
25 a fence or anything? Or just a 6-foot drop-off?

1                   MR. DESTRO: So on the top of the wall there  
2 will be a railing for safety purposes.

3                   MR. GRISEWOOD: Okay. I'm good. Thank you.

4                   CHAIRPERSON PRICE: Thank you. Did you have  
5 some questions about the trees?

6                   MR. GRISEWOOD: Yeah. Just about the trees  
7 in general. And I know -- I understand it looks like  
8 you got plenty of trees down in the parking lot areas.  
9 But up to the northeast area or the northwest side  
10 where it was kind of identified there's 14 trees,  
11 there was some notes and some concern about the  
12 potential to add some more trees. But I don't see  
13 that's been addressed on the site plan. So I wonder  
14 if you can kind of speak to that.

15                  MR. DESTRO: So that Planning Board report  
16 was received last night. So we haven't had a chance  
17 to update the plans, but we can certainly look to  
18 accommodate the addition of a few extra trees in that  
19 northwestern corner.

20                  MR. GRISEWOOD: Do you have a sense for  
21 about how many more you'll be able to get in there? I  
22 mean, just spitballing.

23                  MR. DESTRO: I don't know. Five to six  
24 maybe.

25                  MR. GRISEWOOD: Okay. Fair enough. Thank

1 you.

2 MS. BARON: I have one question. In regards  
3 to the address, have you reached out to Monroe County  
4 911 about the zero? Or are you set on keeping it  
5 zero?

6 MR. GOLDMAN: When a building is  
7 constructed, they will assign a number to it. As  
8 vacant land, they won't assign a number to it no  
9 matter how much you ask them to.

10 MS. BARON: Gotcha.

11 MR. GOLDMAN: We've all lived that one way  
12 too much.

13 CHAIRPERSON PRICE: Clara, did you have  
14 questions about the --

15 MS. SANGUINETTI: I'm not sure if you  
16 addressed this in the beginning, but assuming the  
17 development gets completed and two years down the line  
18 the hotel starts construction, would there need to be  
19 anything written down somewhere to ensure that both  
20 parties work together to make that happen?

21 MR. GOLDMAN: Well, the master developer is  
22 our -- the two gentlemen back here, Matt and Anthony.  
23 So that coordination is occurring and ongoing as part  
24 of their agreements to either lease or sell  
25 properties.

1                   So to that extent, that coordination will be  
2 completed well before any conveyances or any  
3 agreements are made.

4                   MS. SANGUINETTI: So it will be on the side  
5 of the hotel developer to reach out.

6                   MR. GOLDMAN: Right. Well they are -- Matt,  
7 do you want to come up and explain? Because I'm not  
8 sure whether you're leasing or selling to the hotel.

9                   MR. LESTER: Good evening. My name's Matt  
10 Lester. I'm one of the owners.

11                  So the question -- I'm sorry -- if you don't  
12 mind just repeating it.

13                  MS. SANGUINETTI: So how will you ensure  
14 there's a connection between the hotel and TopGolf?

15                  MR. LESTER: So right now, there is an  
16 easement in place that provides for a connection. So  
17 that's already in place. It's part of the title.  
18 TopGolf needs that easement to be in place to get  
19 access.

20                  As far as -- is that adequate --

21                  MS. SANGUINETTI: So based on how the land  
22 works right now, the hotel will connect to that road  
23 that goes by REI?

24                  MR. DESTRO: This road right here is the  
25 road by REI. This is REI over here. Okay.

1                   So this is South City Gate Drive. This is  
2 the traffic signal. And it's going to be improved and  
3 continue to connect to the TopGolf property. The  
4 hotel is going to have direct access to that road.

5                   MR. LESTER: So for City Gate, we have a  
6 planned district development site approval, PDD, which  
7 shows where those roads will line up to the TopGolf  
8 access.

9                   The next step is we have the ability to go  
10 back for incremental site plan approval on each of  
11 those steps as they come because timing won't all be  
12 the same.

13                   So we'll be moving forward with this site  
14 plan approval, incremental site plan approval of the  
15 hotel. That's happening now. And the roads we can  
16 bring in for incremental site plan approval and that  
17 should move pretty swiftly. That's just a zoning  
18 manager meeting. We present the road. We're working  
19 on the landscape architectural plan to -- you know,  
20 the fence, trees, lighting and connection together and  
21 that should be a pretty swift process.

22                   MS. SANGUINETTI: I'm sorry. I might have  
23 misunderstood. So the hotel will have separate --  
24 well, the connection to the main entrance from East  
25 Henrietta Road. And then will it have a separate

1 connection?

2 MR. LESTER: So it'll be two connections.  
3 And that's shown on the PDD approval. We amended  
4 that. I think that was --

5 MR. DESTRO: Recently. Within the last  
6 year.

7 MR. LESTER: So that's already in place.  
8 And then we'll come back as incremental site plan  
9 approval provides on each parcel. We just came back  
10 in and got approved with the incremental site plan  
11 approval for that with the Del Monte crew. They're  
12 moving forward with the site plan approval. The roads  
13 will be part of that -- not tied to that, but  
14 separate -- but timeline-wise.

15 Then there will be an application presented  
16 for the project here. Then in the future, we'll have  
17 one here.

18 So right now, there is a legal easement in  
19 place and we have need to perform and build for that  
20 for TopGolf to open. That's hopefully making you feel  
21 confident. We can't open TopGolf without those roads.  
22 So we have the roads planned.

23 MR. HAREMZA: Excuse me. Let me just  
24 interject -- clarify. Are you asking about a  
25 vehicular connection or a pedestrian connection or

1 both?

2 MS. SANGUINETTI: Just both. Because I  
3 know --

4 MR. DESTRO: The roads have nothing to do  
5 with the hotel, if the question is about the hotel.

6 MS. SANGUINETTI: Will some of the people  
7 who are staying in the hotel have a pathway into  
8 TopGolf?

9 MR. LESTER: It's -- I would ask that that  
10 be completely separate. I mean, the roads for TopGolf  
11 will be in place. The hotel, as someone mentioned  
12 earlier, if financing falls through, if something  
13 happens, it's a completely separate process.

14 CHAIRPERSON PRICE: But if it does happen  
15 and another restaurant or another office building goes  
16 in, I think you're looking at a street network that  
17 includes sidewalks --

18 MR. LESTER: Yeah. Yeah. That's all going  
19 in with the City.

20 So there's a sidewalk here. We're looking  
21 to tie this -- you know, this will be tied in. You  
22 know, the sidewalk will continue. Yeah. The whole  
23 sidewalk network on City Gate is planned and moving  
24 forward and in place.

25 Should this hotel be built, we're going to

1 connect through to the canal walk. We're going to  
2 make a nice public space here. We intend on doing  
3 that here. The -- yeah. It's --

4 MS. SANGUINETTI: So the road that goes into  
5 the middle of the parking lot, that will have  
6 sidewalks?

7 MR. DESTRO: Yes. Correct.

8 MS. SANGUINETTI: Okay.

9 MR. LESTER: I mean, I'm not sure if this  
10 road will have it, but there will be sidewalks to  
11 connect pedestrian walks from -- to both parcels.  
12 Maybe on this sidewalk. We're working from the master  
13 plan with the sidewalk network on City Gate to tie  
14 into TopGolf.

15 MR. GRISEWOOD: Just so I am clear here, you  
16 don't have a set like cross-section to the road that's  
17 been approved. You're working on a master plan that  
18 includes the sidewalks.

19 MR. DESTRO: Marathon Engineering is the  
20 engineer. No offense, Ryan. This project, they have  
21 that cross-section developed. They're working with  
22 the landscape architect to do, you know, their plan.  
23 They have that. I should get it Friday. We're moving  
24 forward with that. Everything's all tied in.

25 MR. GRISEWOOD: I assume through -- the plan

1 has sidewalks as part of that cross-section.

2 MR. DESTRO: They're a part of the PDD. So  
3 the zoning plan requires the pedestrian network in  
4 place.

5 MR. GRISEWOOD: So it's all baked in.

6 MR. DESTRO: It's baked in, yeah.

7 MR. LESTER: So hopefully that answers your  
8 question.

9 MS. SANGUINETTI: Yup. Very thorough.

10 CHAIRPERSON PRICE: Questions? Karen?

11 MS. ALTMAN: I have a summary question,  
12 which is not really site plan. But could you remind  
13 us the total investment that's being made in the Town  
14 of Brighton by this project and approximately the  
15 number of new jobs that are going to be created?

16 (Simultaneous conversation.)

17 MR. LESTER: It's public record. Off the  
18 cuff --

19 MR. DESTRO: \$32 million.

20 MR. NOWAK: Kevin Nowak with ARCO/Murray.  
21 We're the general contractor. We'll be building it.  
22 So about a \$32 million build. And it's going to bring  
23 in 350 jobs.

24 MS. ALTMAN: Do you know the split between  
25 full and part-time jobs?

1                   MR. NOWAK: It's about a third of those jobs  
2 are full-time. Two-thirds would be part-time.

3                   MS. ALTMAN: Okay. Thank you.

4                   CHAIRPERSON PRICE: First time that's ever  
5 been asked.

6                   MS. ALTMAN: It's where my mind goes.

7                   MR. NOWAK: Economic development person.

8 That's a good question.

9                   CHAIRPERSON PRICE: Okay. So I think at  
10 this point -- I have reviewed the seed mixes that you  
11 propose for the various areas. They're adequate.

12                  MR. GRISEWOOD: Yeah, for the low-mow parts.  
13 Yeah.

14                  CHAIRPERSON PRICE: I personally think you  
15 can plant materials on environmental waste material  
16 and they will grow, but not going to say you have to  
17 do it. But I think there would be volunteer trees  
18 there within three to five years that will start to  
19 grow there quite well, despite what they're grown in.

20                  One thing that Laura -- Clara, sorry --  
21 Clara brought up was the pedestrian network. And I  
22 know that you are providing a pedestrian network to  
23 the TopGolf once the other development is built out.

24                  I think last time we talked about the trail  
25 connection to TopGolf either from the City Gate

1 portion -- but I'm thinking from the canal system to  
2 TopGolf. I'd like that not to go too many years  
3 without that being accomplished.

4 MR. LESTER: Are you referring to the --

5 CHAIRPERSON PRICE: It's either that or one  
6 actually closer to TopGolf. Something -- not there.

7 MR. DESTRO: Through City Gate.

8 MR. LESTER: Yeah. So there's two. You're  
9 correct. There will be two, this being required by  
10 the City.

11 The first one will go in with the hotel,  
12 should that be successful. And then the second one  
13 will go in when this building is built. So it'll be  
14 both sides of the hotel.

15 This one will be immediately. That's a  
16 requirement. And this one will be put together -- we  
17 anticipate this to be getting more momentum. So  
18 hopefully not too long.

19 MS. SANGUINETTI: I'm sorry. What building  
20 is going between the hotel and TopGolf?

21 MR. LESTER: There's nothing. It's a future  
22 building to be built. Hopefully, it's an office  
23 building. It's too early to say. If you know anyone.  
24 Great spot. New Town Hall maybe.

25 MR. HAREMZA: Except it's on the City side.

1                   CHAIRPERSON PRICE: Okay. Anybody else,  
2 other questions?

3                   Jerry, let's spend just a minute on the  
4 conditional use.

5                   MR. GOLDMAN: Okay.

6                   CHAIRPERSON PRICE: Just tell us, did the  
7 incentive zoning -- did either SEQRA contemplate it or  
8 did the incentive zoning report itself?

9                   MR. GOLDMAN: It was listed as a fully AF.  
10 It was called out in the engineering report.

11                  I think it was as much a clerical error as  
12 anything else that it didn't get carried over into the  
13 actual incentive zoning resolution. It was clearly  
14 talked about at all the public hearings. It was a  
15 part of all of our documents going in and everything  
16 else.

17                  And there wasn't anything that said, nope,  
18 we don't agree to 10 to 12 or we think the Planning  
19 Board should -- or 12 to 2 -- we think the Planning  
20 Board should take a look at it. There's none of that.

21                  It's just that -- we were kind of surprised  
22 when we took a look at the final iteration that we saw  
23 that it wasn't -- that it wasn't there.

24                  CHAIRPERSON PRICE: Is it itemized as an  
25 incentive?

1                   MR. GOLDMAN: It is. It was. It was on the  
2 incentive zoning application.

3                   CHAIRPERSON PRICE: On the application.

4                   So the amenities being considered that have  
5 been approved contemplated the conditional use as  
6 well.

7                   MR. GOLDMAN: The additional -- yes. The  
8 additional hour.

9                   CHAIRPERSON PRICE: This is not anything new  
10 in the way of incentive that needs to amend the  
11 incentive zoning resolution.

12                  MR. GOLDMAN: There's two ways to deal with  
13 these conditional uses. Sometimes we do them as part  
14 of the incentive zoning itself, like for example,  
15 Whole Foods Plaza, the square footage from 20,000 to  
16 50,000 in some of the restaurants. But I think we  
17 ultimately came back with conditional use permits  
18 independently to the Planning Board for like the  
19 Jersey Mike's and the other uses that weren't known at  
20 that time.

21                  So there's an either-way process which  
22 goes -- and since it wasn't done at the Town Board,  
23 rather than go back through their process, the thought  
24 process from the staff point of view and talking to  
25 Rick and coming back to the Town was to put it in with

1 the Planning Board package.

2 CHAIRPERSON PRICE: And a conditional use  
3 for the hours of midnight to 2 on two nights a week,  
4 I'm assuming includes, you know, outdoor lighting and  
5 music. That's part of the general operation. Parking  
6 lot is far south from residents.

7 Lighting, I'm sure the aspects of the  
8 lighting, the night lighting, music, all sound and  
9 traffic, you know, beyond peak hours were considered.

10 MR. GOLDMAN: Right. Right. The  
11 expectation is that 80 golf bays are not likely going  
12 to be utilized between 12 and 2.

13 CHAIRPERSON PRICE: It's those that are  
14 going to be there occupying between 12 and 2.

15 Questions, you guys? Concerns?

16 MR. BABCOCK-STIENER: I mean it's isolated.  
17 It's not in a residential area.

18 CHAIRPERSON PRICE: I mean, our residents  
19 are across Westfall.

20 MS. ALTMAN: And if additional trees are  
21 planted, it would mitigate any effects in terms of  
22 sound or lighting that occurs between the hours of 12  
23 and 2.

24 MR. BABCOCK-STIENER: Conditional use permit  
25 can be reviewed with the complaints; right?

1 CHAIRPERSON PRICE: Yeah.

2 MR. BABCOCK-STIENER: I mean, if enough  
3 people were to start complaining about the -- because  
4 it's a conditional use permit, is that renewed? How  
5 would that -- so if, for example, we said yes to it  
6 and then, you know, a year from now or whatever the  
7 neighborhood is just up at arms because it's too loud  
8 at 2 o'clock on a Saturday night, is there something  
9 that can be done after the effect because it's a  
10 conditional use permit?

11 MS. BARON: So that's an important question.  
12 You'd be approving their hours of operation until 2  
13 a.m. So I don't think it would be so much, oh, they  
14 have to address their hours of operation. It'd be  
15 more of oh, are they violating the noise ordinance or  
16 some other portion of the Code that could be  
17 separately enforced related to other business  
18 operations.

19 But I don't believe that if people were  
20 complaining about it's operating too late in the  
21 evening that that would be able to be --

22 MR. BABCOCK-STIENER: Well, no. It would be  
23 as a result of the late operations.

24 MS. BARON: Yup. So if they were violating  
25 the noise ordinance and staff receive a bunch of

1 neighbor complaints, that certainly would be something  
2 that could be looked into as a separate enforcement  
3 issue.

4 MR. BABCOCK-STIENER: There's a mechanism.

5 MS. SANGUINETTI: I'm asking, you need to  
6 push it to 2 a.m. -- I also wouldn't be going out at  
7 that time -- is it to accommodate for the bachelor,  
8 bachelorette, wedding, things like that are supposed  
9 to be taking place? Is that the --

10 MR. GOLDMAN: That's part of it, but --  
11 yeah. In essence, on the weekends there's more of a  
12 demand to get together, I think more for the bar and  
13 restaurant operation than it is for the golfing.

14 MS. SANGUINETTI: But it's all open, the  
15 golf included?

16 MR. GOLDMAN: Right. Right.

17 MR. HAREMZA: Given that this functions as a  
18 bar/restaurant, is there an age restriction on -- at  
19 any point in the day as to who can golf?

20 MR. GOLDMAN: No, there's no age  
21 restriction. As a matter of fact, we encourage  
22 younger golfers. They have a Play-It-Forward program,  
23 which actually allows for students to come in at a  
24 reduced rate or free to be able to utilize the  
25 facilities.

1                   So in essence, it's -- yeah. It's  
2 controlled and it's regulated as you would in any  
3 other type of business that's a hybrid use.

4                   MR. HAREMZA: Those are the people going  
5 golfing at 1 a.m. People much younger than us.

6                   MS. SANGUINETTI: We were all young at some  
7 point.

8                   MR. HAREMZA: Clarification question for  
9 Lauren. If the Board approves this extension of  
10 hours, is it limited to certain days of the week or is  
11 it all seven?

12                  MS. BARON: They applied only for Friday and  
13 Saturday. The rest of the days were all midnight,  
14 which they have the right to operate until midnight  
15 any other day in this zoning district.

16                  MR. GOLDMAN: Right. Without getting into  
17 some recent case law, there may be a question of  
18 whether a restaurant can be limited -- that serves  
19 alcohol can be limited to hours less than 2 in the  
20 morning. But we aren't going there. We're only  
21 asking for Friday and Saturday.

22                  MR. GRISEWOOD: So just for purposes of  
23 illustration, on that map the restaurant where the  
24 people will be is -- if you could point where that is.  
25 Is there any -- there's no one allowed to go down to

1 the --

2 MR. GOLDMAN: No.

3 MR. GRIEWOOD: -- the fairway. There's  
4 nobody going over there.

5 So the only place that there will be actual  
6 people partying at 2 in the morning is going to be in  
7 that area, maybe out in the parking lot; right?

8 MS. ALTMAN: There's a patio; right?

9 MR. GRIEWOOD: But no further north.

10 MR. NOWAK: Correct.

11 MR. LESTER: I'd just like to point out this  
12 type of unique use oftentimes has a wait due to the  
13 high level of interest.

14 So it's not uncharacteristic for someone to  
15 want to play and they have a four-hour wait before  
16 they can get access to a bay.

17 With that said, the extended hours on  
18 Fridays and Saturdays, it's not just for the "who  
19 wants to do shots" crowd. It's people who just want  
20 to play golf and hit out of the bay. The older  
21 groups, you know, may just simply want to play golf  
22 longer and not have access due to the high demand and  
23 they have to play later when the kids go to bed to get  
24 their access.

25 So I wouldn't want to falsely say anyone

1 there after, you know, midnight is going to be  
2 hammered.

3 MR. GOLDMAN: That's a good point. I've  
4 literally shopped at every supermarket one hour before  
5 closing because by that time, everyone's going to be  
6 gone.

7 MR. LESTER: Yeah. So that's -- I just want  
8 to make sure that's being considered in this operating  
9 hours.

10 You know, there's a huge demand. Will be --  
11 it's going to be awesome. I'm quite excited for it.  
12 But even when we -- you know, I bring my son for a  
13 hockey tournament, we take the team there, we have a  
14 three-, four-hour wait. It's -- that's been open for  
15 10 years.

16 So it's -- there's a huge demand to get  
17 access to these 80 bays. They only have 80 bays. So  
18 that will push the ability to play -- and you know,  
19 sometimes you just got to get your fix. You'll play  
20 at midnight. Jerry will be there an hour before they  
21 close.

22 But it's not always just the bar. People  
23 may just want to play golf when it slows down.

24 MS. ALTMAN: Thanks.

25 MS. SANGUINETTI: Jason, do we have any

1 other businesses in Brighton that are open until 2  
2 a.m.?

3 MR. HAREMZA: Off the top of my head --

4 MS. BARON: Couple bars are. The  
5 restaurants.

6 MR. HAREMZA: I'm sure Sheffield is open  
7 until 2. Yeah.

8 CHAIRPERSON PRICE: The Visana Lodge. They  
9 may have been open.

10 MR. LESTER: I can confirm.

11 MS. SANGUINETTI: Maybe that would fix  
12 the -- what's the term? The bleeding issue is to have  
13 some place in Brighton so kids don't have to go to  
14 Park Avenue.

15 MR. HAREMZA: Jines Diner used to be open 24  
16 hours, but I don't think it is anymore, on West  
17 Henrietta Road.

18 MR. GOLDMAN: The younger folks,  
19 interestingly enough, they're saying that they're  
20 going away from the east end. They're going to  
21 Fairport.

22 MS. SANGUINETTI: There's a scene in  
23 Fairport, but this will be better.

24 MR. HAREMZA: Just because I'm just sort of  
25 nit-picky -- detail -- I guess I want to clarify for

1 the record that technically the extended hours -- it's  
2 extending the hours on Friday night into Saturday  
3 morning and Saturday night into Sunday morning.

4 MR. GOLDMAN: Correct.

5 MR. HAREMZA: So the two-hour extension is  
6 actually midnight to 2 on Saturday and midnight to 2  
7 on Sunday.

8 CHAIRPERSON PRICE: And one final question  
9 is when the 2 o'clock hits -- when 2 a.m. hits, does  
10 staff still have to have lights on, music on to clean  
11 the place up, to shag balls? I mean what is staff  
12 doing from 2 a.m. 'til they leave?

13 MR. NOWAK: Yeah. So the lights are all  
14 dimmed, especially in the outfield. There's no real  
15 need. There's a ball picker who's going to be out  
16 there picking up balls.

17 So staff will typically be there for one to  
18 two hours afterwards. The noise is going to be cut  
19 off, lights will be dimmed, but it still will be on.

20 CHAIRPERSON PRICE: Okay. Is that  
21 considered part of operations? I mean, that should --

22 MR. LESTER: They're not serving. They  
23 wouldn't be serving to the public. It's --

24 CHAIRPERSON PRICE: Right. So the only  
25 thing I'm wondering is the definition of hours of

1 operation based on serving to the public or does it  
2 include --

3 MR. GOLDMAN: That's a great question. I  
4 think traditionally there's always -- the hours of  
5 operation generally have always dealt with the time  
6 that it was open to the public for --

7 CHAIRPERSON PRICE: I'm sure that's the  
8 intent of the --

9 MR. GOLDMAN: Right. Right. I mean, the  
10 operations that occur after very often occur during  
11 off hours on almost any use. You know, in terms of  
12 cleaning up, stocking shelves in cases of supermarkets  
13 and stuff like that.

14 CHAIRPERSON PRICE: Okay.

15 MS. BARON: Hours of operation is not a  
16 defined term.

17 CHAIRPERSON PRICE: Any other questions,  
18 guys?

19 MR. HAREMZA: Just a point to go back to  
20 something Clara mentioned with regard to the  
21 connection and some of the discussion on that, there  
22 is the ability for this Board to comment on the City's  
23 site plan review process just as the City commented on  
24 this process. They provided a formal letter through a  
25 little-known part of state law called General

1       Municipal Law § 239-n, as in Nancy: Projects within  
2       500 feet of a municipal boundary, the adjoining  
3       municipality has the right to comment and be heard.

4           CHAIRPERSON PRICE: I thought that was a  
5       requirement, not a right. I could be wrong, but --

6           MR. HAREMZA: Requirement, right.

7           CHAIRPERSON PRICE: Well, no. A requirement  
8       being that they have to consider comments.

9           MR. HAREMZA: Correct. They have to notify  
10      us and we have to notify them, but you also have the  
11      right to be heard as a --

12           CHAIRPERSON PRICE: Okay.

13           MS. BARON: So back to the hours of  
14      operation. The section specifically says no use  
15      except approved automatic teller machines may operate  
16      or accept deliveries, nor may a truck or other  
17      machinery be operated on the premises of any use  
18      earlier than 6 a.m. or later than 12 p.m. midnight,  
19      except that they may apply for a conditional use  
20      permit to operate until 2 a.m.

21           So the provision is geared more towards, I  
22      think, activity on the site, which would be the  
23      delivery people coming and going, that type of  
24      operation.

25           CHAIRPERSON PRICE: Any questions?

1                   MR. GRISEWOOD: No, I'm good.

2                   CHAIRPERSON PRICE: Good? Good? Lauren?

3                   MS. BARON: I'm good.

4                   CHAIRPERSON PRICE: Okay. Thank you. So  
5 we've heard two of the -- well, is there anything --  
6 the subdivision is to consolidate two into one.

7                   MR. GOLDMAN: Right. Woodlot EPOD is  
8 dealing with -- you want to point out where the  
9 woodlot is? Ryan?

10                  MR. DESTRO: It's basically in this area. I  
11 mean, it's just a large portion of the site has trees  
12 on it. As I mentioned at the last meeting, the site  
13 isn't actually listed on the Town's woodlot EPOD map  
14 as being in the woodlot protection district. However,  
15 there are a continuous area greater than one acre of  
16 trees on the site, which, as I mentioned in the  
17 previous meeting, weren't intentional.

18                  MR. GOLDMAN: So those three things are  
19 considered together, right, subdivision, site plan and  
20 woodlot. And separate consideration is a conditional  
21 use permit.

22                  CHAIRPERSON PRICE: Okay. Subdivision -- we  
23 have two sign applications. And second, I believe, is  
24 yours; right?

25                  MR. GOLDMAN: Right.

1                   CHAIRPERSON PRICE: So is there anyone here  
2 representing Flower City Medical Group?

3                   MR. GOLDMAN: Your public hearing is still  
4 open. I think she's here to speak on our application.

5                   CHAIRPERSON PRICE: Okay. How about if I  
6 ask if there's any comments on what's been discussed  
7 so far? And then we'll look at your sign.

8                   MR. GOLDMAN: Okay. Well, I mean, if you  
9 can get to your decision on the primary application,  
10 then do the sign application after, because they are  
11 separate.

12                  CHAIRPERSON PRICE: Okay. Then you two guys  
13 sit down for a second.

14                  MR. GOLDMAN: I will. It will be my  
15 pleasure.

16                  CHAIRPERSON PRICE: Take your coat off,  
17 would you? You're making me hot.

18                  All right. This is a public hearing. Would  
19 you like to address this application?

20                  UNIDENTIFIED SPEAKER: No. I'm representing  
21 the library and Roselawn, the neighborhood, for the  
22 last --

23                  CHAIRPERSON PRICE: For the last  
24 application. Okay. We're going to have a robust  
25 conversation about that.

1                   UNIDENTIFIED SPEAKER: Do you want me to  
2 come up now?

3                   CHAIRPERSON PRICE: No. We get to hear it  
4 as you do. All right.

5                   Let's go on to sign application -- this is  
6 SN-24-14. I guess you present this to us; right?

7                   MR. HAREMZA: Typically, yes. The sign  
8 applicants are welcome to be present, but they are not  
9 required to be present.

10                  Application SN-24-14:

11                  Zero Henrietta Rd

12                  Acrylic channel letters with an aluminum  
13 back and internal LED lights for 'TOPGOLF'. The shield  
14 logo sign is aluminum with an internal LED light. ARB  
15 recommended approval.

16                  MS. BARON: So as a reminder for this one,  
17 the incentive zoning by the Town Board did approve the  
18 general sign package including the location of several  
19 signs and the size. And I have those details. If you  
20 want more details about that, Jerry can speak to that.

21                  MR. GOLDMAN: I can speak to the fact that  
22 all of the signs that are here were part of the  
23 original incentive zoning and called out specifically  
24 in terms of size and location.

25                  They're some pretty large signs. They

1 aren't facing the residential neighbors, the large  
2 ones. But those have been approved. ARB has taken a  
3 look at them and they've also recommended approval to  
4 this Board.

5 CHAIRPERSON PRICE: Jerry, just wanted to  
6 ask, why so big? Why were you -- 390 I assume.

7 MR. GOLDMAN: 390's part of it.

8 MR. NOWAK: Yeah. This is, honestly, the  
9 standard sign package for this venue.

10 So a lot of times on the wing walls, if you  
11 can't see one from one of the facades, we'll remove  
12 it. But the big shield logo, the TopGolf, that's just  
13 brand standard. There have been some copycats. So we  
14 want to make sure TopGolf is prominent. I know the  
15 net poles are tall. It seems like signage itself.

16 But in the -- you know, Upstate New York  
17 market, we want to make sure everyone knows this is  
18 TopGolf and not a PinSeekers or something of the like.

19 CHAIRPERSON PRICE: What's the competition?

20 MR. NOWAK: There are a few big shots,  
21 PinSeekers.

22 CHAIRPERSON PRICE: PinSeekers. Doesn't one  
23 of them make a golf ball?

24 MR. GOLDMAN: We've got a club and a ball.

25 CHAIRPERSON PRICE: Does this have the

1 freestanding sign?

2 MR. NOWAK: No. We're not doing a  
3 freestanding.

4 MR. GOLDMAN: There was an original -- it  
5 was originally --

6 CHAIRPERSON PRICE: That's not part of this?

7 MR. NOWAK: Those are examples of other  
8 venues just to show the size of the building. Yeah.  
9 No freestanding sign proposed.

10 CHAIRPERSON PRICE: Okay. How's the font,  
11 Jason?

12 MR. BABCOCK-STIENER: It's their font. I  
13 don't mess with other people's font.

14 CHAIRPERSON PRICE: All right. Let's -- I'm  
15 going to move on the sign. Application SN-24-14, I  
16 move approval based on the recommendation of the ARB.

17 MS. ALTMAN: I'll second.

18 CHAIRPERSON PRICE: Moved and seconded. All  
19 in favor?

20 ALL BOARD MEMBERS: Aye.

21 CHAIRPERSON PRICE: Okay. Your sign is  
22 done. Now we'll go back and do the heavy lifting.

23 That was the last of our public hearings for  
24 the evening.

25 (End of public hearings.)

1 (Begin of deliberations and decisions.)

2 **Application 7P-01-24**

3 Application of Westfall Brighton SRE, LLC,  
4 owner, and BME Associates, agent, for Final  
5 Subdivision Approval, Final Site Plan Approval and  
6 Final EPOD (woodlot) Permit Approval to combine two  
7 lots into one and construct a 48,282 +/- square foot,  
8 two-story golf and entertainment venue (TopGolf) with  
9 an outfield hitting area and other associated site  
10 improvements, and Conditional Use Permit Approval to  
11 allow for extended hours of operation, on property  
12 located south of Westfall Road, east of East Henrietta  
13 Road (City Gate), known as Tax ID parcels  
14 149.06-1-3.11 and 149.06-1-3.12. All as described on  
15 application and plans on file.

16 **Application 6P-NB1-24**

17 Application of Westfall Brighton SRE, LLC,  
18 owner, and BME Associates, agent, for Preliminary  
19 Subdivision Approval, Preliminary Site Plan Approval  
20 and Preliminary EPOD (woodlot) Permit Approval to  
21 combine two lots into one and construct a 48,282 +/-  
22 square foot, two-story golf and entertainment venue  
23 (TopGolf) with an outfield hitting area and with other  
24 associated site improvements on property located south  
25 of Westfall Road, east of East Henrietta Road (City

1 Gate), known as Tax ID parcels 149.06-1-3.11 and  
2 149.06-1-3.12. All as described on application and  
3 plans on file.

4 CHAIRPERSON PRICE: Let's go back. And  
5 Jason, I'm going -- I'm hoping you got this covered.

6 MR. BABCOCK-STINER: We'll find out. All  
7 right. Well, I move the public hearings be closed for  
8 applications 6P-NB1-24 and 7P-01-24.

9 CHAIRPERSON PRICE: I'll second.

10 Moved and seconded. Any discussion to close  
11 the public hearings? Jason, please call the roll.

12 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;  
13 Mr. Grisewood, aye; Mr. Price, aye;  
14 Ms. Sanguinetti, aye.)

15 (Upon roll motion to close the public  
16 hearing carries.)

17 CHAIRPERSON PRICE: Thank you.

18 MR. BABCOCK-STINER: I move that the  
19 Planning Board adopts the negative declaration adopted  
20 by the Town Board on 4/24/2024 and that the Planning  
21 Board grants conditional use approval for the extended  
22 hours of operation and adopts the four conditional use  
23 findings outlined in the Planning Board report.

24 I also move that the Planning Board approves  
25 application 6P-NB1-24 and 7P-01-24 for preliminary and

1 final subdivision approval, preliminary and final site  
2 plan approval, and preliminary and final EPOD woodlot  
3 permit approval based on the testimony given, plans  
4 submitted and the 13 conditions outlined in the  
5 Planning Board report.

6 MS. SANGUINETTI: Second.

7 CHAIRPERSON PRICE: Sanguinetti seconds.

8 Moved and seconded. Any discussion? All the  
9 conditions --

10 MR. HAREMZA: Just a comment that we will  
11 make the correction to all references of Monroe County  
12 Water Authority to correct that to Monroe County Pure  
13 Waters.

14 CHAIRPERSON PRICE: So you okay with the  
15 amendment?

16 MR. BABCOCK-STIENER: Yeah. I'm fine.

17 MS. SANGUINETTI: Sang second.

18 CHAIRPERSON PRICE: You second. You're good  
19 with it too.

20 All right. Moved and seconded as amended.  
21 Please call the roll.

22 **Conditional Use Findings:**

23 1. The impacts of noise generated by such operation,  
24 both during hours of operation and from activities  
25 which normally take place prior to or following normal

1 operating hours, such as cleaning, setup activities,  
2 trash disposal or bottle sorting; and/or

3 2. The impacts of light generated by the operation  
4 itself or the vehicles of customers or employees.

5 3. The proximity of the use to adjacent residential  
6 structures. The nearest residential area is  
7 approximately 250 feet to the north of the TopGolf  
8 site, on the north side of Westfall Road in the City  
9 of Rochester.

10 4. The methods proposed by the applicant to mitigate  
11 the adverse effects of noise, litter, lighting and  
12 traffic upon the residential area. Additional tall  
13 trees (upon maturity) at the north end of the site may  
14 mitigate adverse effects of noise and lighting upon  
15 the residential area. The 14 trees currently proposed  
16 (red oaks, white oaks, and maples) will reach heights  
17 of 40-60 feet upon maturity. Additional native trees  
18 that would grow to taller heights may be especially  
19 desirable.

20 **Conditions:**

21 1. Applicant shall respond in writing to all comments  
22 of the Planning Board, Department of Public Works  
23 (Sewer Department), Town Engineer, and Building and  
24 Planning Department.

25 2. The applicant shall provide retaining wall design

1 and easement documentation to the satisfaction of the  
2 Town Engineer prior to the issuance of any permit  
3 (including but not limited to an Excavation and  
4 Clearing Permit) these issues are of a minor nature  
5 and do not present an impediment to Planning Board  
6 approval of the project.

7 3. The applicant shall provide lighting details to  
8 the satisfaction of the Town Engineer prior to the  
9 issuance of a *building permit*.

10 4. The applicant shall provide a revised landscaping  
11 plan that provides for additional trees at the  
12 northern end of the site that will grow to the same  
13 size or larger as the 14 trees currently proposed.

14 5. The applicant shall provide a revised bicycle rack  
15 detail to the satisfaction of the Commissioner of  
16 Public Works or their designee.

17 6. The applicant shall provide a revised site plan  
18 that shows adequate width and/or setback of the  
19 north-south sidewalk on the west side of the parking  
20 lot to the satisfaction of the Commissioner of Public  
21 Works or their designee.

22 7. The applicant shall provide documentation of  
23 review and approval by the Fire Marshal.

24 8. Monroe County comments shall be addressed.

25 9. The applicant shall provide documentation of the

1       parcel address as approved by the Monroe County 911  
2       Office prior to the issuance of a Certificate of  
3       Occupancy.

4 10. The applicant shall apply for and obtain required  
5 area variances from the Town of Brighton Zoning Board  
6 of Appeals (ZBA) related to the Monroe County Pure  
7 Waters access drive and associated retaining wall.

8       11. The entire project shall comply with the most  
9       current New York State Fire Prevention and Building  
10      Code and the Town of Brighton sprinkler requirements.

11       12. All Town codes shall be met that relate directly  
12       or indirectly to the applicant's request.

13       13. The project shall be constructed in accordance  
14       with the ARB approved design and the final site plan  
15       drawing set to be submitted for the review of Building  
16       and Planning Department staff and the signatures of  
17       the Town Engineer and Commissioner of Public Works.

18 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;  
19 Mr. Grisewood, aye; Mr. Price, aye;  
20 Ms. Sanguinetti, aye.)

21 (Upon roll motion to approve with corrected  
22 conditions carries.)

23 MR. GOLDMAN: Thank you very much.

24 CHAIRPERSON PRICE: Let's get one more sign  
25 out of the way.

1        **Application SN-24-09:**

2        1815 S. Clinton Ave, Suite 620

3                Carved painted HDU non-illuminated 24 square  
4                foot eggplant sign for 'Flower City Medical Group' ARB  
5                recommended approval.6                CHAIRPERSON PRICE: Regarding Application  
7                SN-24-09, 1850 South Clinton Avenue, Suite 620, I move  
8                approval based on the recommendation of the ARB.

9                MS. ALTMAN: I will second.

10               CHAIRPERSON PRICE: Moved and seconded. Any  
11               discussion? All in favor?

12               ALL BOARD MEMBERS: Aye.

13               (Upon roll motion to approve carries.)

14        **Application 7P-NB1-24:**15               Review an advisory report regarding the Town  
16               of Brighton's proposal to renovate Town Hall,  
17               construct a small addition at the rear of the  
18               building, and reconfigure and improve pedestrian  
19               access and circulation, parking, landscaping and other  
20               site amenities on property located at 2300 Elmwood  
21               Avenue.

22               CHAIRPERSON PRICE: All right. Thank you.

23               Please introduce yourself.

24               MR. LUTZ: Sounds good. My name is John  
25               Lutz. I'm here representing both IN/EX Architecture

1 and EDR.

2                   We have been teamed -- have been fortunate  
3 to be teamed to work on this wonderful venerable  
4 building here in Brighton. It's more than just a  
5 architectural project. I mean, we do have an  
6 architectural project, but a lot of that is spurring  
7 other things involving the site.

8                   And I assume that this group is mostly  
9 concerned with the site; is that correct?

10                  CHAIRPERSON PRICE: We are, but, John I'll  
11 tell you, if there's significant changes in the  
12 building that affects why people might use certain  
13 entrances --

14                  MR. LUTZ: Certainly.

15                  CHAIRPERSON PRICE: -- versus the way we do  
16 today, we'd be interested in hearing.

17                  MR. LUTZ: Let's start -- I'm going to start  
18 from the inside and work my way out very briefly.

19                  So one of the desires -- and this has been  
20 something brewing, I think, for a very long time -- is  
21 the desire to really have the primary public interest  
22 of this building being this front door, which in its  
23 current state is not accessible.

24                  So right off the bat one of the things  
25 that's going to be done with this project is to

1       improve this entrance sequence so that people with  
2       disabilities can get into the building. So let me  
3       just start with that.

4               There is a need to put in a ramp system.  
5       And if you look at our plan, you'll see two for mainly  
6       two reasons; we have people coming from two different  
7       parking lots. We have people coming from the east and  
8       potentially from the west. We feel like a Polanian  
9       design is very complementary to this wonderful  
10      building.

11               Another thing though we want to do to really  
12       accommodate the ramp but also to accommodate other  
13       things is to push the landing out. So if you look at  
14       where the top of the steps are today, this will be  
15       projecting out closer to Elmwood, not by a lot, but by  
16       a little.

17               Why? Because if we try to keep the landing  
18       in this current configuration, even if we were to make  
19       the top completely ADA so that you didn't have that  
20       little mini step that you still step up to get into  
21       the front door, then we have a situation where we  
22       potentially can have a person coming up to the top of  
23       the ramp with their wheelchair being run over by  
24       somebody coming out the door.

25               So we feel like by pushing it out a little

1       bit, we give that response time for both the person in  
2       the wheelchair at the top of the ramp, someone coming  
3       out the door. So really it yields a safer condition.

4           We also see that, you know, there is a need  
5       to use this landing for more than just egress and --  
6       you know, from the building and getting into the  
7       building. Apparently, the Town likes to make  
8       proclamations where people can gather here at the top  
9       of the landing and make announcements to those  
10      standing below. There's also maybe just a desire for  
11      this just to make it a little bit more of an enjoyable  
12      space where you actually walk out the door and stop  
13      and stand on the landing and have a conversation and  
14      not really be right in the way of traffic. So we feel  
15      like this is a really good addition to this.

16           Beyond the landing, once you get down to the  
17      bottom of the ramps or the bottom of the stairs, we  
18      also will have an expanded pavement area just to kind  
19      of, I think, play upon the wonderful park space we  
20      kind of have right here.

21           There's a very small sidewalk currently  
22      leading from the sidewalk system along Elmwood right  
23      up to that stairs. It's just very small. It's not  
24      really, I think, in scale with what this grand  
25      building is and, you know, the grand width of the

1 landing. So we'd like to expand that a little bit as  
2 well.

3                   With anything, we're looking at  
4 accessibility not just from the front door out but all  
5 the way to the parking lots. We have learned that the  
6 two sidewalks running to the west and to the east do  
7 not meet ADA code. They're too steep.

8                   The one that's running out to the west is  
9 actually fine 'til right before the parking lot. You  
10 may be within 10 or 12 feet, it nosedives. If you  
11 walk out there, you will see it. The other one's a  
12 little more subtle and you may not pick up on it, but  
13 it too slightly exceeds 5 percent.

14                   So in our design, after we get past this  
15 schematic design, we're going to be looking at grading  
16 that and having an entirely accessible walkway network  
17 from the front door going out.

18                   A couple other things that have really come  
19 up with the building is that we have some situations.  
20 We've gotten a lot of feedback with a lot of near-miss  
21 situations. And I'll point those out to you using the  
22 very first sheet, which is just an aerial of the  
23 existing building as it is.

24                   So if we start -- and we're just going to go  
25 counterclockwise here, but if you look in front of the

1 courtroom building, you will see the parking spot --  
2 the ADA parking spots. Because those are at an angle,  
3 when people back out of those, they cannot look at  
4 their rear-view and see a car coming in off of  
5 Elmwood. So apparently there have been near-misses of  
6 people backing out and not seeing a car pulling into  
7 this drive off of Elmwood.

8 Another condition where we've had  
9 near-misses, if we kind of keep going around, is right  
10 here in the dock area or the service area. We have a  
11 bad conflict. We have an area that's both parking for  
12 ADA and it's a service area. So apparently we have  
13 gotten feedback from the library, people do  
14 occasionally back out of their ADA spaces and hit the  
15 library building. Not good.

24 A final really issue of concern is where the  
25 vehicular book drop is to the library. Right now,

1 it's like a car pops out from nowhere around this  
2 corner on the very northeast side of the building.  
3 And if you're just not ready for it, you're not  
4 already conditioned to look for it because you haven't  
5 had the near-miss experience yourself three weeks ago,  
6 then you very likely cannot see this car coming until  
7 it is in front of you because the building is there,  
8 the building's corner's there. They don't have the  
9 time to pull out and see.

10 So we were asked to do something to elongate  
11 this drive in terms of the book drop for the library,  
12 get the ADA spaces out from the service area and let's  
13 work on a better alignment here in front of the  
14 courtroom. So really we're not looking to expand  
15 parking. We're looking to make the parking better.

16 We also have a condition that we do have to  
17 address the parking lot. The parking lot asphalt is  
18 in very, very poor shape. We've had basic failure of  
19 the storm drainage system in the parking lot. So all  
20 this water has been backing up. It's been causing  
21 damage to the pavement. So we know that this is going  
22 to unfortunately have to be a complete redo.

23 So if we're going to redo it, we can put it  
24 back the way it is, but the way it is has issues. So  
25 we're looking to actually improve it. And that's what

1 you will see when you go to the second page showing  
2 our proposed improvements here.

3                   We are adding some parking. We're not  
4 adding a living ton. But here's some of the other  
5 things that this is addressing: So by taking the two  
6 bays of parking that were formerly furthest to the  
7 west in the parking area and moving them closer to the  
8 parking, which is the desire, we kind of now provide  
9 that longer area for the car to come out from the book  
10 drop and to hopefully avoid those near-miss  
11 situations.

12                   We've removed ADA parking from the service  
13 area, but we put it directly right behind the parking  
14 lot. So you still have sidewalk access to get into  
15 the doorways and the proper elevators of the Town  
16 Hall, but also to get into the Public Safety Building.

17                   The final thing we have done is we have made  
18 this a 90-degree angle, pulling it off of Elmwood here  
19 to get it to the farthest east drive area. So the car  
20 has to come in, turn, make a 90-degree turn, make  
21 another turn just to kind of slow it down a little  
22 bit. But when cars are backing out of these ADA  
23 spaces, they're better able to look in the rearview  
24 mirror to see that a car is pulling in.

25                   Another thing that we did at the request of

1 the library is add some additional parking closer to  
2 the library, which you can see north of the library  
3 building. So we've gotten feedback that the  
4 playground is at the end of its lifetime. There is a  
5 walker play piece of equipment that will be preserved,  
6 removed and salvaged and then replaced into the new  
7 playground.

8 So what will happen is the spray ground and  
9 playground -- this was not spoken about before, but we  
10 will have a spray play area just across the sidewalk  
11 from the pool house.

12 So I think in all, this is the site plan  
13 that's going to yield more logical, more sensible  
14 circulation. It's going to be greener because there  
15 we will certainly have trees that you can see planted  
16 that provide shade. And I think at the end of the day  
17 also coming back to the front of Town Hall, we're  
18 going to really take advantage of this and make this a  
19 place for people to gather and really kind of even  
20 heighten the public space that it is.

21 Now with that, those are the things that we  
22 were doing to make changes where the architecture is  
23 impacting the site, but also talking a little bit  
24 about the site itself. So what I'd like to do is stop  
25 and see if there are questions.

1 CHAIRPERSON PRICE: Okay. Thank you. I  
2 have a unique situation where I happen to be the house  
3 that is right next to the gazebo. So I know exactly  
4 what goes on here for the past 25 years.

5 And John, to you and any steering committee,  
6 no offense, but it seems like a lot of effort has gone  
7 into paying attention to cars. And I don't know that  
8 I heard you talk much about -- I heard a little bit  
9 about pedestrian circulation, but the plan to me does  
10 not prioritize pedestrians and bikes over vehicles.

11 MR. LUTZ: Well, let me speak to that  
12 because I certainly did not hit on that enough.

13                   We are looking at -- you can tell that we  
14 are taking and connecting with crosswalks so that  
15 people have a safer route to get into the buildings  
16 from the back. You can see these in a number of  
17 places, especially like from the ADA spaces especially  
18 to get back over into the building as necessary.

19                   We also are going to be taking a look and,  
20                   you know, still keeping the -- maintaining the width  
21                   of the walkway that's going into the courthouse -- the  
22                   courtroom I should say from -- you know, from the  
23                   front entrance.

24                           In terms of other bike -- again, these are  
25                           too small to show, but we do have a bike station area

1 in the front. That's number 14. So we will have that  
2 to play out. And keep in mind when we get to the  
3 design, we can choose to make that bigger.

4 The final thing I think just to talk about I  
5 guess the pedestrian use of this is that we will have  
6 and maintain a connection -- you know, still maintain  
7 the connection. We see 18 going back over to Seminole  
8 Way in that neighborhood as well. So you know, that's  
9 an existing walkway that's there and we're not going  
10 to interfere with it. In fact, we've taken and put a  
11 crosswalk in to get from that walkway safely over to  
12 the sidewalk more into the interior -- you know,  
13 around the building complex itself.

14 CHAIRPERSON PRICE: Okay. Okay.

15 MS. SANGUINETTI: Can I add something to  
16 that?

17 CHAIRPERSON PRICE: Yeah.

18 MS. SANGUINETTI: You know, I bring my kids  
19 to the playground all the time. I notice something  
20 that's sometimes a little bit challenging is taking  
21 the kids from the playground to the library because  
22 cars going around, coming to the library, dropping --  
23 it's right next to the drop-off for the books.  
24 There's a lot of cars right next to the playground.  
25 So families come in and out, you know, take the kids

1 to the library and back to the playground, keeping  
2 them busy. So I agree with Bill. It would be nice to  
3 see, maybe its plan is not reflected here, but a  
4 pathway between the playground and where I imagine the  
5 splash pad will go to the actual facility.

6 CHAIRPERSON PRICE: Yeah. That's a very  
7 strong movement from the playground and the sidewalk  
8 coming from Sylvan through the current parking lot  
9 around the side. Whether you're going to the library  
10 or you're going over to the Brickyard Trail, that's  
11 a -- that's not the safest sequence. I don't disagree  
12 that the book drop-off could be better, but I don't  
13 see that as the primary problem.

14 The other thing is I don't know why we're  
15 expanding parking. That is contrary to the Town  
16 Comprehensive Plan. There is no need for additional  
17 parking because of the library or because of a splash  
18 pad that might come some day. I would -- if this was  
19 coming for site plan, that would not be approved, any  
20 extension of parking.

21 MR. LUTZ: So let's see. We're going from  
22 245 spaces today to 256, which isn't a large increase.  
23 And I think the reason for that is really it is the  
24 splash pad. It was mentioned that the splash pad  
25 would bring additional visits and just avoid those

1 times when those visits would overlap.

2 CHAIRPERSON PRICE: Wrong philosophy.

3 Sorry. Wrong philosophy. We are -- we have a comp  
4 plan that was written with sustainability specifically  
5 in mind, reduction of vehicle trip miles and try to  
6 reduce the amount of driving that's going on.

7 If we put more parking here, we put more  
8 parking in the public high school because it proves  
9 we're only encouraging people to drive more. No  
10 additional parking.

11 MR. LUTZ: Well, this plan can certainly be  
12 modified to take parking out.

13 CHAIRPERSON PRICE: I'm sorry you're the one  
14 to make the presentation. I don't know who this site  
15 steering committee is. I don't know how this plan got  
16 to the point where the vehicle parking -- the vehicle  
17 circulation is damn near 100 percent designed and the  
18 public amenities have zero design.

19 MR. LUTZ: I think the piece also that could  
20 be missing that's not part of this process is in phase  
21 one, the amenities in the front were designed, were  
22 presented and were -- you know, presented to the Town.  
23 So this presentation is just about the rest of the  
24 site. So I think that's probably the reason why  
25 you're not seeing as much of that here.

1                   CHAIRPERSON PRICE: So I've designed --  
2        okay. I haven't designed a hundred splash pads in my  
3        life, but I've designed enough and never added a  
4        parking space because of a splash pad. Never. Not to  
5        the Buffalo park system, not to the Syracuse park  
6        system, not to the City of Rochester park system. You  
7        don't need additional parking.

8                   So let's first start with that and then  
9        let's look at where the -- I'm not sure anybody on  
10       your team has actually sat out here and watched the  
11       number of people, bikes, the number of people with  
12       kids in strollers, the number of people, you know,  
13       walking their dogs that come from the neighborhoods to  
14       the north, neighborhoods to the east and use this  
15       site. Those are the people that should be paid  
16       attention to first, not people coming here in a  
17       vehicle.

18                   And I am surprised that a landscape  
19        architecture firm of your stature and of IN/EX  
20       Architecture is actually presenting this to a Planning  
21       Board. I'm surprised.

22                   MR. LUTZ: Well if I may, the grand total  
23        additional parking spots, since that is --

24                   CHAIRPERSON PRICE: That's --

25                   MR. LUTZ: Go ahead. I'm sorry.

1                   CHAIRPERSON PRICE: Don't even bother with  
2 the term parking spots. You have failed the comp plan  
3 from the start by adding one parking spot. You are  
4 adding impervious surface. You are contradicting the  
5 sustainability practices that this Town purports to --  
6 and I don't know what staff allowed you to put this on  
7 a plan, but they should be the ones reading the Town  
8 comp plan as well.

9                   MR. LUTZ: So again, if I may say, this plan  
10 can be modified. We have only added spaces for 11  
11 additional cars. That can easily go away to get back  
12 to --

13                   CHAIRPERSON PRICE: You say 11 additional  
14 cars. I look at the amount of asphalt and that looks  
15 like you're adding one, two, three, four, five, six,  
16 seven, eight, nine, ten, eleven, twelve, thirteen,  
17 fourteen, fifteen, sixteen, seventeen, eighteen,  
18 nineteen, twenty, times two, where the current  
19 playground is.

20                   MR. LUTZ: So --

21                   CHAIRPERSON PRICE: And I guess you're  
22 taking some away somewhere. I don't know where.

23                   MR. LUTZ: We are.

24                   CHAIRPERSON PRICE: I don't know where  
25 you're taking it.

1                   MR. LUTZ: We're taking away -- there was a  
2 good number that --

3                   CHAIRPERSON PRICE: I mean, you're adding  
4 asphalt in front of the public safety building. It's  
5 currently at an angle and you're tearing down trees  
6 and greenspace to put all of that at a right angle.  
7 That's not half -- that's not even halfway decent  
8 design.

9                   Has anybody ever had a problem backing out  
10 of a handicap space in front of the -- in any handicap  
11 space. Have we had accident reports, Jason, of ever  
12 having a problem here?

13                  MR. HAREMZA: I don't have any knowledge of  
14 that. I am not on the steering committee for this  
15 project.

16                  MR. LUTZ: So let's first introduce the  
17 steering committee to this group because I've heard,  
18 "Who's on the steering committee?" The steering  
19 committee was comprised of, you know, Rick, was  
20 comprised of the police chief, was comprised of  
21 members from the library, was comprised of Ken Hurley,  
22 the gentleman that is the maintenance head here for  
23 this property. So it also -- you know, the Town  
24 supervisor also headed it.

25                  MR. HAREMZA: Just to clarify, Ken Hurley is

1 the Town Engineer and Gary Donofrio is the head of  
2 facilities.

3 MR. LUTZ: Correct. So this was a group --  
4 because even though all of the architecture project  
5 was just about the Town Hall, the greater site  
6 involved the other users as well. So we had  
7 representatives from the other users to come in to  
8 talk about the plan. And we kind of came to this  
9 plan.

10 The plan was based on -- again, we wanted to  
11 have really more logical locations of where this --  
12 how this layout was working. So when you ask where do  
13 the parking spaces come from, well, they came from  
14 many, many places.

15 We were also tasked to provide areas for  
16 like operations or maintenance so that snow could be  
17 piled in certain areas.

18 One thing also about this project that's  
19 going to be something that may be missed here is that  
20 this stormwater system for this project is going to be  
21 a little unique. This Town property is actually  
22 located too low to connect to the Town or the County  
23 storm system. So what we're going to have is we're  
24 going to continue the infiltration dry well system  
25 that we see here. We're just going to rebuild it and

1 get it back to working again.

2                   So from that standpoint, we're not putting  
3 water in the sewer. We're not putting water into the  
4 creek. We're putting water here -- we're taking the  
5 water that falls on the site and keeping it on the  
6 site. So I think that's also a very positive thing  
7 that you're not going to see in a lot of your projects  
8 like this.

9                   MR. BABCOCK-STIENER: Real quick, this is a  
10 question for Jason. Who -- the steering committee --  
11 because this -- it's -- what am I trying to say? It  
12 sounds like the steering committee is only represented  
13 by people that actually work on the site and which  
14 isn't a full representation of the --

15                   CHAIRPERSON PRICE: There's no users.

16                   MR. BABCOCK-STIENER: I mean, the point that  
17 Carla brought up -- I haven't used that parking lot in  
18 years, but that was an issue. I haven't thought about  
19 it. But it seems like something that would have been  
20 caught had the steering committee actually consisted  
21 of full -- had full user representation. Right?

22                   So if the steering committee actually had a  
23 parent or somebody who uses the park, not just the  
24 librarians and people that run the facilities. Right?  
25 They are a portion of the users of the site, but we

1 have a park facility. So they're not the only users.

2 So it seems like a comment needs to be -- is  
3 the steering committee needs to expand because they  
4 are not taking into account all of the users of the  
5 site when they're deciding what the site needs to be.

6 MR. HAREMZA: I think that's a fair point.  
7 I clearly was not part of putting together the  
8 steering committee.

9 MR. BABCOCK-STIENER: I understand. How do  
10 we -- how do we move that forward? Because I think  
11 that is probably a -- causing a lot of potential  
12 issues.

13 MR. HAREMZA: So this project is a bit of a,  
14 you know, unusual review process for the Board. As  
15 we've mentioned I think when you came in -- I'm not  
16 sure, Bill, if we had a chance to chat -- but, you  
17 know, this is an advisory report akin to what Planning  
18 Board typically does for incentive zoning. So it's  
19 not -- it's not an approval. You know, you can't put  
20 conditions on this.

21 Certainly you can -- you know, the goal is I  
22 believe to, you know, provide your input, which, you  
23 know, the draft report attempts to. We can certainly  
24 modify that. The minutes will reflect that.

25 MS. BARON: So speaking to that, going off

1 that, number 3 in the draft specifically speaks to  
2 parking. And you can certainly strengthen the  
3 language in that saying you recommend that there be no  
4 additional parking spots added to this as part of this  
5 project and explaining why that is.

6 MR. BABCOCK-STIENER: Well, then maybe  
7 adding something that -- and again, I don't know  
8 where -- how far this is in the process. Again, you  
9 know, is altering the makeup of the steering committee  
10 at this point, is even suggesting that worth it  
11 because they're so far along that it's not going to  
12 matter? Or is it -- you know, do we say we really  
13 wish you would have done that? You know, you got to  
14 think of all your users. And, you know, suggest  
15 something for next time. I don't know what that --  
16 because I do think that that's a big problem.

17 CHAIRPERSON PRICE: We've got to make a big  
18 enough stink about this because, you know, we ended up  
19 building this library back in 1992. That library was  
20 under no review by the Architectural Review Board or  
21 site plan approval and look what we got. Okay? That  
22 building went completely unchecked by any professional  
23 body, any regulatory body. And look what we've had  
24 for, what, over 30 years.

25 So this site can function the way it has

1 with crappy pavement for the last 30 years just fine  
2 the way it is. And they can do their building  
3 renovations, but I'll chain myself to a bulldozer  
4 before this plan gets advanced. And I hope that's on  
5 the record.

6 MR. HAREMZA: So Jason, to your point, I  
7 think, you know, the -- in the draft report the five  
8 items does not specifically mention the steering  
9 committee. So perhaps you would want to add a point.  
10 And I actually just added it in, made it number one.  
11 Start off with the Planning Board has concerns about  
12 the makeup of the steering committee and the process  
13 to date.

14 MR. BABCOCK-STIENER: Yeah. That may not be  
15 fully representative. While it may represent the  
16 employee users of the site, it does not represent the  
17 Town's full users of the site.

18 CHAIRPERSON PRICE: Again, going against the  
19 recommendations of the comp plan where there's no  
20 public engagement whatsoever.

21 I think you stop this at one comment and you  
22 say start this process over. And you add -- you add  
23 to the steering committee either members of --  
24 certainly members of the Planning Board, members of  
25 the Conservation Board, members of, you know,

1 appointed citizens and you have a public design  
2 workshop with the users that use this thing every  
3 single day. And you ask these guys that are a town  
4 engineer, a town police guy and a town whatever to go  
5 stand out back there and watch the way this is used.  
6 Because it's not reflected in this plan.

7 You got a sidewalk coming from Sylvan that  
8 you think is connected to the library, but it's asking  
9 people to cross two aisles of traffic, four stalls of  
10 parking. You think somebody with their dog that  
11 they're jogging with and their kid in a stroller is  
12 going to navigate that?

13 MR. LUTZ: Again, that is something we can  
14 add to the plan going forward. This is not --

15 CHAIRPERSON PRICE: Start over. Take the  
16 message back, start over. Clear the slate. Start  
17 over. And put me on the committee so I can tell all  
18 of you how you've missed the boat. But I think you've  
19 gotten that loud and clear.

20 MR. HAREMZA: So if I may suggest a couple  
21 paths forward. You can choose to advance the draft  
22 report that you've received as edited as revised or  
23 perhaps if you want to send a bit of a stronger  
24 message, not get into some of the details that are  
25 laid out in the report but simply send the message the

1 process needs to start over and that what has been  
2 done to date is unacceptable.

3 CHAIRPERSON PRICE: I think I made an ass of  
4 myself tonight. Does anybody -- I mean, am I way off  
5 base?

6 MR. GRISEWOOD: No. I think you've very  
7 clearly made the case that's pretty obvious to --  
8 whether from the landscape design or a site use  
9 perspective or any type of following the comprehensive  
10 plan, the strategic plan has just completely not been  
11 taken into account in the layout of this proposal.

12 So I think, you know, everything you said is  
13 justified and your anger about being asked to look at  
14 this. So I'm with you. I think they go back to the  
15 drawing board, start over. We can't move forward with  
16 this.

17 MS. ALTMAN: I'm fine with a simple, strong  
18 statement in line with what you're saying.

19 MS. SANGUINETTI: Same.

20 MR. BABCOCK-STIENER: Yeah. I think -- I  
21 think that the -- just saying that we disagree with  
22 the process is -- I think it is the way to go because  
23 I don't -- I mean, honestly, looking at this front --  
24 the front does -- I'm less concerned about that.  
25 It's --

1 CHAIRPERSON PRICE: Me too. For sure.

2 MR. BABCOCK-STIENER: It's that back half.

3 And again, so maybe it's -- you know, it's not -- they  
4 just need more work on the back half. And it needs to  
5 take into account -- and you're right. I don't think  
6 we provide individual comments on it.

7 CHAIRPERSON PRICE: No. We can't get into  
8 the weeds, you know.

9 MR. BABCOCK-STINER: You got -- especially  
10 just that back half because that's -- the users that  
11 use that have not had input.

12 MS. SANGUINETTI: I'm just thinking someone  
13 in a wheelchair, how they get from point one to point  
14 ten.

15 CHAIRPERSON PRICE: I dare say that sidewalk  
16 coming out of Sylvan Road probably carries as many  
17 people as visit by car.

18 MR. BABCOCK-STIENER: That's also -- I mean,  
19 I will say I do like the treatment of the book drive  
20 because that's a freaking nightmare. But that corner  
21 presents an entire challenge if you're thinking about  
22 the pedestrian access. So I think you need to have  
23 better input from folks.

24 MR. HAREMZA: Two things: Is it -- would it  
25 be fair to characterize the Board that you are

1       supportive of the effort to update and renovate Town  
2       Hall?

3                   CHAIRPERSON PRICE: Absolutely. This place  
4       is falling apart.

5                   MR. HAREMZA: You know, in terms of  
6       messaging, kiss and a slap. So you start with a kiss.  
7       The second --

8                   CHAIRPERSON PRICE: Honey and vinegar.

9                   MR. HAREMZA: Exactly. Second point,  
10       Mr. Chair, we have a member of the public here. I  
11       don't know if you would like to entertain --

12                  CHAIRPERSON PRICE: I'd love to entertain.  
13       Louise, would you like to --

14                  MS. NOVROS: Can I come up?

15                  CHAIRPERSON PRICE: Please.

16                  MS. NOVROS: The first thing you have to do  
17       I think -- my name is Louise Novros, N-O-V-R-O-S.

18                  The first thing you have to do is fix your  
19       thing. I can hardly understand what anybody was  
20       saying.

21                  And initially we were told that this whole  
22       project was going to be -- to remove asbestos from the  
23       Town Hall. Now all of sudden, it's a parking lot  
24       issue. It's a library issue. It's a neighborhood  
25       issue. It's getting very complicated and I don't

1 think it has to be.

2 I'm a member -- I'm a new member of the  
3 friends of the Brighton Memorial Library. I've only  
4 been in it for two meetings. And I haven't done  
5 anything really with them, but I can understand the  
6 concern about removing or relocating the dropbox. I  
7 think that's stupid. Excuse me. But I think that --  
8 I use it all the time. It's never a problem with  
9 near-misses. There's no -- the only thing -- the  
10 sucky part is that you have to get out if you're  
11 driving. You usually have to get out to reach to put  
12 it in, but otherwise it's great.

13 And I think that it's -- another stupid  
14 thing is to -- lower the number of parking spots. I  
15 agree with you. I think that -- we moved into  
16 Brighton in 1980 and there hasn't been one time when  
17 I've driven to the library on my way home from the  
18 market or wherever that I couldn't find a spot and if  
19 it was filled, all you had to do was wait a few  
20 minutes because people usually don't go into the  
21 library and stay there for an hour. They're in and  
22 they're out.

23 And I am -- it -- I also started the  
24 Roselawn Neighborhood Association in 1982 and it's  
25 still going very, very strong. And the people are

1 just irate about the idea of a -- what do you call it?  
2 Getting rid of the pool and having a spray park or  
3 whatever. Especially the people on Seminole. I live  
4 on Seminole, but fortunately, I'm on the other side of  
5 the street. But my daughter and a whole bunch of  
6 people that have their backyards to Town Hall property  
7 are furious. They don't want -- they don't want --  
8 the swimming pool used to be over there when it was an  
9 aboveground pool before they built this one. But a  
10 spray park is much noisier. It's much more  
11 uncontrollable than a swimming pool.

12 Now, I'm also -- was also on the Town Board  
13 for 12 years. And I put -- I had them I guess put  
14 in -- the muddy path, make it into a paved path.  
15 There's never been a problem with bicycles and people  
16 walking their dog and people just strolling from  
17 Sylvan to the Town Hall property. Even if it's  
18 narrow, people are just so happy that it's not mud  
19 anymore that I don't see why that it has to be  
20 widened.

21 And another thing about the spray park, if  
22 Bill is so insistent on the spray park, put it at  
23 Meridian or put it at Buckland. Don't put it in  
24 peoples' backyards.

25 And I talked to Bill Price. He's the first

1 house near the pool.

2 CHAIRPERSON PRICE: That's me.

3 MS. NOVROS: That's you. Hi, Bill. And,  
4 you know, I don't think he's been that bothered by the  
5 pool because it's a very short duration that it's  
6 open. And the lifeguards are there and the kids are,  
7 you know, more well-behaved. You see them in a spray  
8 park and they're all over the place.

9 I also was -- what was my next point? I  
10 think that's it. Wait a minute. I had -- okay. I  
11 just -- I just think everybody I've spoken to in  
12 Roselawn, which is the neighborhood, they say, a spray  
13 park in our backyards? Are you crazy?

14 And, you know -- oh. About six months  
15 before I left the Town Board, I got a developer to  
16 okay redoing the pool area. Jim Vogel and I talked to  
17 him. He had a project before the Town and I guess we  
18 thought if he did this, he'd get the project past.  
19 But it was to -- it was to help get some tables and  
20 umbrellas areas and just to spiff it up because  
21 parents are always complaining there's no place for  
22 them to sit, there's no place to get some shade. The  
23 bathroom is a mess. They need a new bathroom. And  
24 these people decided they would do it and they  
25 committed to it. And Bill and the attorney to the

1 Town at the time turned it down.

2           If it's not his idea, he won't let you do  
3 it. But that's just my own interpretation. But  
4 anyway, I said, "What's wrong with the plan?" He  
5 said, "Well, you want umbrellas that you can spin  
6 around and kind of focus where the sun is and people  
7 are careless and they'll break the umbrellas."

8           I said, "So you get a new umbrella." Nope,  
9 nope. Stupid won't do it.

10           Anyway, that's my take on this whole thing.  
11 I think that it's gotten out of control. I don't  
12 think that most of the stuff that's being proposed is  
13 necessary. Thank you.

14           CHAIRPERSON PRICE: Thank you. Appreciate  
15 you coming out.

16           MS. NOVROS: And I think I'll go home now.

17           CHAIRPERSON PRICE: Okay. So this should be  
18 a short and sweet letter. I was trying to draft  
19 something.

20           MR. HAREMZA: I think, if I may and if  
21 Lauren can concur, that the vote that you take now is  
22 to direct the executive secretary to draft a letter to  
23 the applicant that expresses your concerns with the  
24 project.

25           MS. BARON: And the process.

1                   MR. HAREMZA: And the process.

2                   MS. BARON: Yup.

3                   CHAIRPERSON PRICE: So it's really -- it's  
4 is -- we applaud the Town for making the effort to  
5 improving both the buildings and the site. They  
6 are -- they're needed and overdue.

7                   But we want to -- with regard to the  
8 conceptual site plan that was presented at the July  
9 17th meeting, we have the following concerns: The  
10 steering committee did not consist of any  
11 representatives of the public or users of the pool,  
12 the playground, the library or the site in general for  
13 pedestrian, bicycle and dog walking activities.

14                  To our knowledge the committee held no  
15 public information meetings regarding the programming,  
16 existing conditions and potential concepts for the  
17 design.

18                  Third, the plan fails to consider the  
19 significant points of sustainability made in the 2018  
20 Envision Brighton Comprehensive Plan with regard to  
21 climate change and sustainability and continuous  
22 public engagement in the process for improvements.

23                  MR. LUTZ: Is that in spite of how the  
24 stormwater is being handled in a very non-gray matter.

25                  CHAIRPERSON PRICE: Couldn't care less.

1                   MR. LUTZ: You don't care about --

2                   CHAIRPERSON PRICE: Don't care about it.

3                   We've existed for way more than 70 years without one  
4                   bit of stormwater management here. You guys will  
5                   solve the stormwater issue. That is so  
6                   inconsequential.

7                   And last thing, we just say we welcome the  
8                   opportunity to have a representative join the steering  
9                   committee and look forward to public engagement so  
10                   that the steering committee can better understand how  
11                   the site is used by the public, not Town staff -- and  
12                   not just Town staff. I'm sorry.

13                   MS. BARON: Did you want to also mention  
14                   just about parking in general and design?

15                   CHAIRPERSON PRICE: Well, okay. So parking  
16                   in general comes under a sustainability issue. So you  
17                   know, if you want to put a bullet point in, it's --  
18                   you know, any increase in impervious surface, anything  
19                   that actually stands to generate traffic is  
20                   inconsistent with -- and the fact that we have a  
21                   bike/ped master plan that -- John never mentioned a  
22                   bike/ped master plan. I think it's implied there's a  
23                   connection to Sylvan, but this site should be a hub of  
24                   where bike/ped activities not only originate but this  
25                   is a major destination.

1                   MR. BABCOCK-STIENER: What about saying  
2 something too along the lines of, you know, we need --  
3 we're asking other people to live by these rules. We  
4 need to set an example for the rest of the community.  
5 We shouldn't expect other people to live by rules that  
6 we can't live by ourselves.

7                   CHAIRPERSON PRICE: Absolutely. Best point.  
8 That was my whole reason for being miffed in the first  
9 place was the school district wants to put in two  
10 athletic fields that are impervious surface and they  
11 want to expand the parking at the high school. What  
12 are we saying to the kids about sustainability if we  
13 go and expand the parking lot so more of them can  
14 drive to school? But I can't go bitch at them --

15                  MR. BABCOCK-STIENER: They may like that.

16                  CHAIRPERSON PRICE: I mean --

17                  MR. BABCOCK-STIENER: But it's not the right  
18 thing.

19                  CHAIRPERSON PRICE: I can't go bitch at the  
20 school district if the Town doesn't follow any rules  
21 either.

22                  MR. BABCOCK-STIENER: Exactly. Exactly.

23                  MR. HAREMZA: They should vote; correct?

24                  MS. BARON: Yeah. If you all feel -- unless  
25 you want to table and see like a new draft of the

1 letter based on the comments that we received tonight.

2 MR. HAREMZA: I feel comfortable. If the  
3 Board feels comfortable delegating to the executive  
4 secretary --

5 MR. BABCOCK-STINER: I'm good.

6 CHAIRPERSON PRICE: Are you two guys okay?  
7 Are you comfortable? I mean, you have to work in this  
8 building. I'm happy to sign it.

9 MR. HAREMZA: Off the record.

10 (There was a discussion off the record.)

11 MS. BARON: I don't work here every day, but  
12 I think if you want to take the position that you've  
13 discussed tonight, that's up -- the Board's decision  
14 how you want to respond to the plan. If you think it  
15 needed to go to square one, that's your purview to  
16 make that comment.

17 CHAIRPERSON PRICE: All right. I'll make a  
18 motion that we authorize the secretary of the Board to  
19 prepare and submit a referral letter back to the  
20 applicant regarding site plan improvements to the Town  
21 Hall at 2300 Elmwood Avenue.

22 MR. BABCOCK-STIENER: Second.

23 CHAIRPERSON PRICE: Moved and seconded. Any  
24 discussion? All in favor?

25 ALL BOARD MEMBERS: Aye.

1                   MR. HAREMZA: We're adjourned.

2                   (Proceedings concluded at 9:10 p.m.)

3                                   \*        \*        \*

4                                   REPORTER CERTIFICATE

5

6                   I, Holly E. Castleman, do hereby certify  
7                   that I did report the foregoing proceeding, which was  
8                   taken down by me in a verbatim manner by means of  
9                   machine shorthand.

10                  Further, that the foregoing transcript is a  
11                  true and accurate transcription of my said  
12                  stenographic notes taken at the time and place  
13                  hereinbefore set forth.

14

15                  Dated this 17th day of July, 2024  
16                  at Brighton, New York.

17

18

19

20

21

*Holly E. Castleman*

22

23

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Holly E. Castleman ACR,  
Official Court Reporter

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