

B R I G H T O N
P L A N N I N G
B O A R D

June 20th, 2024
At approximately 7:00 p.m.
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

WILLIAM PRICE, CHAIRPERSON

KAREN ALTMAN)
DAVID FADER)
JOHN J. OSOWSKI) BOARD MEMBERS
CLARA SANGUINETTI)

LAUREN BARON, ESQ.
Town Attorney

JASON HAREMZA
Town Planner

NOT PRESENT:

JASON BABCOCK-STEINER
PETER GRISEWOOD

REPORTED BY: RHODA COLLINS, Court Reporter
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, New York 14020

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 (Whereupon there is a pause in the proceedings.)

4 CHAIRPERSON PRICE: Please note Member David
5 Fader has joined us.

6 (Whereupon there is a pause in the proceedings.)

7 CHAIRPERSON PRICE: Back to the agenda.

8 Meeting minutes for our May 15th, meeting.
9 Does anybody have any comments or want to make a motion to
10 accept the May meeting minutes?

11 MS. ALTMAN: I move to accept the May meeting
12 minutes.

13 CHAIRPERSON PRICE: I will second.

14 Moved and seconded, please call the roll.

15 MR. HAREMZA: Altman?

16 MS. ALTMAN: Aye.

17 MR. HAREMZA: Fader?

18 MR. FADER: Aye.

19 MR. HAREMZA: Price?

20 CHAIRPERSON PRICE: Aye.

21 MR. HAREMZA: Osowski?

22 MR. OSOWSKI: Aye.

23 CHAIRPERSON PRICE: I would like to know if
24 tonight's Public Hearings were advertised prior to tonight's
25 hearings?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

MR. HAREMZA: The meetings were advertised in
the Daily Record of June 13, 2024.

5

6

CHAIRPERSON PRICE: We will now hold those
Public Hearings.

7

APPLICATION 5P-02-24

8

9

10

11

12

13

14

15

16

17

5P-02-24 Application of Stephen Artim and
Tricia Shalka, owners, and Jerry Serafine, agent, for EPOD
(watercourse) Permit Approval to allow for the construction
of 462 +/- sf building addition within Zone AE of the 100
year floodplain on property located at 55 Stonybrook Drive.
All as described on application and plans on file.

18

19

20

21

22

23

24

25

LARRY HEININGER: Larry Heininger, Vice
President, Marques & Associates. Offices are located at 930
East Avenue, Suite 1000, in the Hutchison mansion, next to
the Eastman House.

Good? Okay.

A year ago we got into the theme stuff and we
mentioned letter map change, which is either an amendment,
meaning give you more data, you don't do any physical, or
it's a revision where you do something physical.

So, we went through a very long amenity
process and we got the flood elevation lowered by one-tenth
of a foot, one and a quarter inches. How FEMA does this is

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 when you go a half mile up the creek to the bend, it
4 overflows not at 468, which is what was on the map, but
5 467.9, so 7.9. And they take that elevation and they go
6 through backyards, which is actually the historical,
7 physically for you, John. The historical channel of Allens
8 Creek ran through the backyards, and then came around to the
9 neighbor immediately to the east and out.

10 And in 1946-ish after the war, they
11 rechannelled the stream so they could rebuild the road. You
12 could do those things in those days. And also what is
13 interesting, when you looked at the water record plate, there
14 was a two-inch service that went all the way back to the
15 cul-de-sac where there's a much bigger home than the ones
16 there.

17 So, anyway, what we tried to show FEMA was,
18 the elevation of the creek, -- and that's what those little
19 lines are -- in front of us is 4661, that's the base flood
20 elevation. That was 1.9 feet below their hundred feet, their
21 hundred year storm. The centerline of the road was 66.5, 1.5
22 feet lower than what they were saying the flood elevation
23 was.

24 And the side of the house was 67.45 or .55,
25 six and a half inches lower. So, I sent the labs and all

3 this stuff in an e-mail to FEMA, Joe already predicted they
4 wouldn't do anything, and they didn't. They don't recognize
5 that water flows downhill. Water stays at that same level
6 until it gets to the creek, and then a waterfall of 1.9 feet.

7 So, basically, they think we are in an A zone
8 and we -- why all this analysis? It is the area of our
9 foundation in the zone FEMA says is below the base flood,
10 displaces 99.4 cubic feet of water. When you take that over
11 the 4.5 acres in the backyard, our displacement in the 99
12 cubic feet would raise the water surface elevation by 13
13 thousands of an inch. Pretty infinitesimal.

14 However, it was pointed out to us that you
15 could be greater than zero. So, that's why there's this
16 two-by-two grid where we're going to be stripping off the
17 turf and cutting the grade down in some cases three/four
18 inches, and now we have a net cut of 295 cubic feet to
19 compensate for the increase of 99.

20 So, we are about 200 cubic feet to the good of
21 additional flood storage. End of story.

22 Jerry received a variance from the Department
23 of State to be 1.5 feet above the base flood, rather than
24 two. Jerry has the permit for the highway department for the
25 construction entrance. And, any questions?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

CHAIRPERSON PRICE: So the condensed storage
area is in the swales?

5

LARRY HEININGER: Good question. We
originally were counting the area in the front yard and the
town pointed out that they didn't want any area that was
outside the footprint of what FEMA defined as the A zone.
So, we had to go back and shave off a few more inches of dirt
only in the backyard. That's why that grid is only shown in
the area that FEMA has for the base flood area.

12

Make sense?

13

CHAIRPERSON PRICE: Does to me.

14

LARRY HEININGER: Kind of crazy, but here we
are a year later.

16

CHAIRPERSON PRICE: Has it been a year?

17

LARRY HEININGER: It's been a year.

18

MR. OSOWSKI: So, basically, you're picking up
a dump truck load of earth to compensate for the difference
the foundation makes to the floodplain area?

21

LARRY HEININGER: Yes. We're taking out
that three hundred -- well, cubic feet so, you got to divide
by 27, so you're taking out about 10 yards, so, yeah, you're
taking out one dump truck.

25

CHAIRPERSON PRICE: All right. Did Jerry have

3 anything to add?

LARRY HEININGER: Unless there are questions.

CHAIRPERSON PRICE: Everybody good with this?

MS. BARON: I would also like to note for the record, they also received their area variance from the Town. They need both one from the State and Town for the 1.5 level. They received that the last Zoning Board meeting.

CHAIRPERSON PRICE: Is that part of your water course? What caused that, the variance?

LARRY HEININGER: The one point, instead of two feet above base flood, we're 1.5. We had to go to the Department of State in Albany, and then Brighton concurred with their finding. And what I'm pointing out to you is, it's never going to get that high because the water's going to go downhill and over the road into the creek. But, if your decision for FEMA is, this is the elevation, we don't care.

CHAIRPERSON PRICE: Okay. I don't think we have any other questions.

Thank you.

This is a Public Hearing. Is there anyone in the audience who cares to address the application?

Very good. Thank you.

4P-01-24 Application of C and K Real Estate Ventures LLC, owner, and McMahon LaRue Associates, agent, for Preliminary/Final Site Plan Approval to construct a 2,415 +/- sf single family home on property located at 1402 Blossom Road. All as described on application and plans on file.

6 TABLED 4-17-2024; PUBLIC HEARING REMAINS OPEN.

IAN KUCHMAN: Good evening. I'm Ian Kuchman

8 of McMahon LaRue, address is 822 Holt Road in Webster.

CHANCE EATON: I'm Chance Eaton, the owner.

IAN KUCHMAN: So, the main issues that we addressed since our last time here in April was, we removed a retaining walling along the eastern alignment of the lot. Chance got an authorization letter from his neighbor, it turns out there's a net benefit to cutting some of that material and sharing a common slope, because they also have a walkout basement next door.

Then reallocating some of that material in his neighbor's backyard, which turns out to be a good fill material for the rear turnaround area, so it's a net benefit to both Chance and his neighbor. That was a main comment we were able to address in particular from the town engineer.

In addition, we addressed all of the

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 engineer's comments of his revised set, so Ken should be good
4 to go with the plans. And most importantly, we have obtained
5 New York State DOT driveway permit, so DOT has reviewed and
6 we paid the application fee so, we have the permit.

7 I feel like at this point we have addressed
8 many of the town's pressing issues and are here to address
9 any further comments you may have.

10 CHAIRPERSON PRICE: What was the secret to
11 getting cooperation from the neighbor?

12 CHANCE EATON: He did not like the retaining
13 wall.

14 CHAIRPERSON PRICE: Have you seen the
15 Architectural Review Board?

16 CHANCE EATON: Yes, been approved.

17 CHAIRPERSON PRICE: Okay. We don't have any
18 variance on this?

19 MR. HAREMZA: No.

20 CHAIRPERSON PRICE: This is, as I recall it,
21 with the modifications, the draining on the east side of the
22 driveway.

23 I don't have anything else.

24 Everybody good?

25 MR. OSOWSKI: Did you have an opportunity to

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 have the universally acceptable steps in the front of the
4 this house? I can't tell from the plans. It appears to be
5 there might be a step up into the house; is that correct?

6 IAN KUCHMAN: Yes. There should be steps that
7 bisects that retaining wall that still remains. There will
8 be a walkway that goes from the driveway up to the front
9 entrance of the house.

10 MR. OSOWSKI: So there's steps from the
11 driveway and the walkway; is that right?

12 IAN KUCHMAN: That's what is being proposed,
13 yes.

14 MR. OSOWSKI: Okay. Just asking to look at
15 the opportunity to have a grade level entrance into the house
16 rather than having another step to go into the house, for
17 your consideration.

18 IAN KUCHMAN: The site's challenging because
19 we have to grade the driveway down not more than ten percent
20 and it's a sliver, so we don't have a whole lot of room to
21 play with.

22 MR. OSOWSKI: A piece of your neighbor's
23 driveway appears to be on your property?

24 IAN KUCHMAN: Correct.

25 MR. OSOWSKI: Is that an issue with --

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 IAN KUCHMAN: No. DOT reviewed that and we
4 prepared the plans with sight distances and driveway location
5 up and down 500 feet from the road, and they were accepting
6 of the proposed driveway location. We considered sharing a
7 driveway, but I don't think that would work out well with the
8 grading and everything.

9 MR. OSOWSKI: Okay.

10 CHAIRPERSON PRICE: All set?

11 MR. OSOWSKI: Yes.

12 CHAIRPERSON PRICE: Thank you.

13 Lauren, do you have questions?

14 MS. BARON: I thought the letter from the
15 neighbor -- are you planning on entering into some kind of a
16 formal agreement with them related to the grading if you are
17 doing work on their property, for example?

18 IAN KUCHMAN: I think that they're okay with
19 the authorization letter that's been issued. We don't see
20 any long term need to get onto the site for maintenance
21 reasons. Once it's done, it's done. And, you know, they
22 destabilize the erosion of the plan and should not have to
23 revisit that area.

24 MS. BARON: Okay.

25 CHAIRPERSON PRICE: Jason, any questions?

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 MR. HAREMZA: No.

4 CHAIRPERSON PRICE: Thank you.

5 This is a Public Hearing, is there anyone in
6 the audience that would like to speak regarding this
7 application? There being none, then the Public Hearing is
8 closed.

9 APPLICATION 6P-NB1-24

10 6P-NB1-24 Application of Westfall Brighton
11 SRE, LLC, owner, and BME Associates, agent, for Preliminary
12 Subdivision Approval, Preliminary Site Plan Approval and
13 Preliminary EPOD (woodlot) Permit Approval to combine two
14 lots into one and construct a 48,282 +/- sf, 2-story golf and
15 entertainment venue (TopGolf) with an outfield hitting area
16 and with other associated site improvements on property
17 located south of Westfall Road, east of East Henrietta Road
18 (CityGate), known as Tax ID parcels 149.06-1-3.11 and
19 149.06-1-3.12. All as described on application and plans on
20 file.

21 BETSY BRUGG: Good evening. Betsy Brugg, I'm
22 an attorney with Woods Oviatt, it is a pleasure to be here
23 tonight with the TopGolf project.

24 We have one new Board member, but the rest of
25 the Board has at least seen this project a number of months

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 ago, back in October. We had just started working on this
4 project last spring, summer. We were able to work with town
5 staff, started the application process at the end of the
6 summer, early fall on the rezoning and incentive zoning.

7 That process started in August/September, so
8 this Board have seen this project early on, back in October
9 when you issued a favorable report back for the incentive
10 zoning since that time as part of the approval process in
11 order to get the approval from the Town Board. We had to
12 kind of address a lot of the issues and refine the project
13 and really put it into shape to get it here in time for site
14 plan approval.

15 The Town Board has acted as the lead agency or
16 coordinated the SEQR review and did issue a negative
17 declaration prior to granting an approval of the rezoning and
18 incentive zoning.

19 So, there's part of that process we went
20 through to all of the issues, I'm sure you've seen these.
21 It's pretty detailed incentives in your package covering
22 everything from community character, the drainage to the fact
23 that the landfill material management plan. So, we are happy
24 to go through all of that. There's quite a bit of
25 information.

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 Let me back up a second. And I will turn it
4 over to BME shortly to Ryan Destro, but we have our whole
5 team here tonight. We have Kevin Nowak from Arco/Murray here
6 tonight. Ryan Destro from BME is here tonight. So, I think
7 we have our whole team here to answer any questions that you
8 might have and provide you with any information you might
9 need thing.

10 Just to recap a little bit, since we have one
11 new Board member. So, the Town Board did hold a Public
12 Hearing, there was the communication, where the Town of
13 Brighton is very unique in requiring us to contact an
14 extensive number of neighbors, very unusual. So we went
15 through a pretty extensive public notification process,
16 honestly it was immediate attention, so there's been a lot of
17 opportunity for public input into the project.

18 Also, through that process we were able to
19 kind of address the priorities of the project and deal with
20 many of the, kind of issues, SEQRA-related issues before
21 getting here tonight.

22 If you look at the incentive zoning
23 application there were quite a few amenities to the Town to
24 approval of the application. And you will see there are a
25 number of amenities to the Town and incentives to the

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 project. So, all of those dimensional types of things are
4 addressed in the approval, which I am sure you have had the
5 chance to look it over and we are happy to answer any
6 questions about it.

7 Ken had the opportunity to go to the
8 Architectural Review Board a couple times, so he will speak
9 to that a little bit. They looked at the signage.

10 And I think at this point I am going to turn
11 it over to Ryan to kind of walk you through the site plan.

12 RYAN DESTRO: Thank you, Betsy.

13 Good evening. I'm Ryan Destro, of BME
14 Associates. We are here tonight seeking preliminary
15 subdivision approval, preliminary site plan approval, and
16 then also approval for a woodlot EPOD application.

17 This proposal is for the development of the
18 TopGolf Sports Entertainment Venue on two tax parcels
19 totaling 17.8 acres. The subdivision application is for the
20 consolidation of two tax parcels into one overall tax parcel
21 for the development.

22 For the site plan application, the TopGolf
23 venue features approximately 48 thousand square foot,
24 two-story structure, with a 26 thousand square foot print.
25 It features a full service restaurant and bar, as well as

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 event space and entertainment space.

4 But most importantly it includes a
5 technologically advanced golf driving range, including two
6 climate controlled levels consisting of 80 golf hitting bays
7 and an outfield with targets. The preliminary site plan
8 application submitted is in conformance with the approved
9 Town Board rezoning resolution and local law number one of
10 2024.

11 This proposal includes a maximum building
12 height of 45 feet for a two-story structure and also includes
13 a sign package which includes an 816-square foot, 20-foot
14 high, freestanding grand logo sign, which is located on the
15 north end of the outfield facing towards Rochester.

16 There is also a 900-square foot wall sign in
17 the front or south building elevation. Followed by a
18 65-square foot wall sign on the east elevation of the
19 building, and then also a 65-square foot sign on the south
20 side of the building.

21 There are barrier net poles proposed for the
22 project having a maximum height of 156 feet. They would be
23 surrounding the outfield area of the project.

24 The site layout does comply with the setbacks
25 of the BF2 zoning district, and this proposal also includes a

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 lot coverage of 49 percent, where a maximum of 65 percent is
4 allowed for the BF2 zoning district.

5 Site access will be provided from offsite to
6 the west of the existing CityGate driveways, which include
7 connections to both East Henrietta Road and Westfall Road.
8 And it is important to note that with this project there are
9 no new curb cuts proposed to any public highways for this
10 development.

11 Some additional site amenities include a
12 parking lot for up to 375 vehicles. This is based on
13 TopGolf's operational command and experience being from their
14 other facilities, which total approximately, at this point,
15 around 90 in the US and 100-plus worldwide. And an internal
16 pedestrian concrete sidewalk system is also proposed with
17 connections to be adjacent CityGate development and
18 ultimately the canal pathway. Bike racks are also proposed
19 at the entrance of the TopGolf structure.

20 For site lighting, full cutoff dark sky
21 compliant fixtures are proposed around the building and in
22 the parking lot area as required by the Town of Brighton.

23 The lighting of the golf outfield area will be
24 from the building only and the light will be displayed within
25 the limits of the outfield only during the approved hours of

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 operation. They will be dimmed slightly for maintenance for
4 a short period of time. But, the approved hours of operation
5 include Monday through Thursday 9:00 a.m. to midnight, Friday
6 and Saturday from 9:00 a.m. to 2:00 a.m., and then Sundays
7 and holidays from 9:00 a.m. to midnight.

8 Landscaping is also proposed in the parking
9 areas. There's building foundation plantings proposed as
10 well and also a supplemental tree buffer in the northwestern
11 corner of the development.

12 For utilities, the development will be served
13 by both public water and the public sanitary sewers, and the
14 private storm sewer system will convey and runoff in the
15 proposed development to an on site storm water management
16 facility which include a bio retention area, and the storm
17 water management pond which have been designed to meet both
18 the Town of Brighton and the New York State DEC storm water
19 management design manual guidelines for water quality volume,
20 water quantity volume and runoff production volume.

21 The subject property does contain two inactive
22 historic landfill areas. They were previously owned and
23 operated by Monroe County. The landfill areas consist of
24 construction and demolition degree C and D and ash and sludge
25 respectively. ENSOL, Inc, environmental consultants prepared

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 the materials management plan which was dated January 20, 24,
4 which identified --

5 CHAIRPERSON PRICE: Who is that?

6 RYAN DESTRO: ENSOL, E-N-S-O-L.

7 CHAIRPERSON PRICE: Thank you.

8 RYAN DESTRO: The material management plan
9 identifies the mitigation measures to be implemented from the
10 disturbances to the proposed landfill -- or to the existing
11 landfill areas during construction. The primary mitigation
12 measures include either capping in place or relocation to
13 another on site area within the limits of the existing
14 landfill area, and then capping.

15 The materials management plan was submitted to
16 the DEC in January of 2024 and on March 11, 2024, the DEC
17 issued an approval letter for the materials management plan.
18 It's important to note that both the material management
19 plan, as well as the New York State DEC approval letter were
20 previously provided and reviewed by the Town of Brighton
21 during the SEQRA process.

22 The final component of this application as
23 mentioned was the woodlot EPOD application, per
24 section 203-115D of the Town Code, we're requesting a permit
25 to allow for the development within an EPOD woodlot

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 protection district.

4 Now, while a woodlot protection district is
5 not identified on the subject property for the Town of
6 Brighton official woodlot EPOD and wetland areas map, one or
7 more contiguous acres of woodland are present on the site.
8 Therefore, per Section 203-122 of the Town Code the site
9 technically contains the EPOD protection district. However,
10 the woodlot area located on the site represents successional
11 growth. This is following the previous disturbance to the
12 site by Monroe County and trees are not recommended over or
13 near capped landfill areas.

14 Therefore, it is assumed that the current tree
15 growth occurred naturally over time by chance rather than
16 being intentionally planted.

17 As part of this application, a tree survey map
18 was designed per Section 203-125 per Town Code, and that was
19 enclosed in this application.

20 There are also two small internal wetland
21 areas that exist on the site. They were field delineated by
22 BME Associates on February 2023. The approved jurisdictional
23 determination verifying the limits of the wetlands was issued
24 by the Army Corps of Engineers on November 16, 2023.

25 Wetland A is located in the southern portion

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 the site along the east property line. This is not proposed

4 to be disturbed by the proposed development.

5 Wetland B, another one is centrally located

6 along the east property line and includes a small proposed

7 disturbance of 0.7 acres. The Army Corps of Engineers did

8 issue a nationwide permit for this action and issued permit

9 number 39 on January 16, 2024. This authorizes the proposed

10 disturbance to that wetland area.

11 As I mentioned, we did appear twice recently

12 before the Architectural Review Board. On May 21st, the

13 Architectural Review Board approved the building

14 architectural design, and then on Tuesday of this week the

15 Architectural Review Board made recommendations to the

16 Planning Board to approve content of the building signage.

17 We anticipate the sign package will be further

18 reviewed at the next Planning Board meeting of July 17th.

19 We also appeared last week to the Conservation

20 Board for their review, and then for the next steps of this

21 project we look forward to continuing the Public Hearing at

22 the July 17th, Planning Board meeting.

23 However, we will also review the final site

24 plan that was submitted on Tuesday of this week.

25 So, with that being said, I am happy to answer

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 any questions.

4

CHAIRPERSON PRICE: Okay, thank you.

5

6

Ryan, I'm not sure where to begin. On your plan, including your cover sheet, it's not clear that the work related to the landfill portion of the application -- I look at sheet 14, and I think the site plan, this to me doesn't imply that that work is going on. It's just a graphic thing, because on your grading plan it's in other places, but it's not easy to understand.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

That's a significant enough piece of work that it should be delineated on the site plan. And I think even your other sheets shows the storm water management, shows everything else. I would just indicate that on the plan.

RYAN DESTRO: Sure.

CHAIRPERSON PRICE: The, you said there was a sign, that was going to be on the net poles in the kind of a main center field, way out, facing in?

RYAN DESTRO: Facing in. It's not on the net poles itself.

CHAIRPERSON PRICE: Yeah. It's not on the drawings.

RYAN DESTRO: This one is illuminated, but the one that is proposed would be on the outfield wall facing --

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 CHAIRPERSON PRICE: It's not in there.

4 RYAN DESTRO: But it's not on the net pole it
5 is below the net poles on the base of the outfield lawn.

6 CHAIRPERSON PRICE: I suspect it's showing a
7 rear elevation.

8 RYAN DESTRO: We do have a label on the site
9 plan. I believe there's a leader on the label at the north
10 end of the outfield wall.

11 CHAIRPERSON PRICE: Okay, outfield wall.

12 I'd like to get a sense as to why there's so
13 much clearing going on from the end of the driving range out
14 to Westfall, from that netting out, it appears to be you're
15 doing some mitigation planting and quite a bit of vegetation
16 is being removed.

17 RYAN DESTRO: Yeah. A portion of that is
18 being removed. There's a water main being installed through
19 that area. There also needs an access area around to serve
20 the net poles, and then finally, there is a substantial earth
21 piles located currently on the site and that is near anywhere
22 you can balance the site out by providing storage for that
23 area, north of the outfield.

24 CHAIRPERSON PRICE: Okay. It's just, I want
25 to go back to the area that you are storing the material.

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 This material, where is it coming from? I do see some areas
4 online, but where is this material coming from?

5 RYAN DESTRO: So, the two landfill areas, one
6 is the C and D construction debris. That is primarily in the
7 central portion of the site, the northern part of the parking
8 area and the southern part of the building and outfield area.

9 Then, below that there's a separate ash and
10 sludge existing landfill area and it really composes the
11 southern portion of the property. So, it is in the area of
12 our proposed storm water management pond.

13 Part of the material management plan includes
14 excavating all of the ash material within the pond limits and
15 placing it south. But it still has to be placed within the
16 existing landfill and it can't be placed somewhere else on
17 site outside of the current limits of the landfill area,
18 because that's really the only place that --

19 CHAIRPERSON PRICE: So, the only option is to
20 export this material. How are you getting across the stream
21 to deposit this material? You can see -- I didn't see a
22 typical crossing. I may have missed it.

23 RYAN DESTRO: Yeah. I believe that is
24 identified on the actual material management plan itself and
25 it will be worked out in the field with the town and the DEC

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 for that crossing.

4 CHAIRPERSON PRICE: Did you change the water
5 course or anything?

6 RYAN DESTRO: We are not proposing any
7 disturbance per se to the alignment of that.

8 CHAIRPERSON PRICE: Okay. I'm not a big fan
9 of the road going down the east side of the netting. I take
10 it you have no control over that?

11 RYAN DESTRO: Correct.

12 CHAIRPERSON PRICE: Who is saying you have to
13 do that, County or water authority?

14 MR. HAREMZA: You're talking about that end
15 road on the east side of the outfield wall there?

16 CHAIRPERSON PRICE: Yes.

17 MR. HAREMZA: I actually assumed that was for
18 TopGolf maintenance myself, but did not discuss it in great
19 detail.

20 CHAIRPERSON PRICE: What's it for?

21 RYAN DESTRO: Monroe County Pure Water
22 dictated it, that they have a sewer access drive to maintain
23 their sewer, which will be located, currently the Pure Water
24 sewer main runs directly where our building is. Relocating
25 it along the east side of the building, and then it connects

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 further down stream at the existing alignment.

4 This is the only place it could be, and there
5 was a comment from Monroe County Pure Water. So they have an
6 access drive for the vehicle to be able to flush those
7 manholes along the east side of the road.

8 CHAIRPERSON PRICE: Push back on that?

9 RYAN DESTRO: We did. We tried not to have a
10 hard surface, but they specifically requested that for the
11 trucks.12 CHAIRPERSON PRICE: Okay. That's nonsense,
13 but that's not in our control.

14 Okay.

15 Is that in our control?

16 MR. HAREMZA: Have you had some experience
17 dealing with the Monroe County Water Authority and their
18 sewer easements? I will get back to you on that. Some of
19 the other Board members may remember projects involving sewer
20 easements.

21 CHAIRPERSON PRICE: Yes, we might.

22 Okay.

23 If the contractor happened to leave it out?

24 I think my last two questions are kind of
25 formalizing bike/ped access to the entire complex in

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 Brighton. See if they're talking about the other old layout
4 question is: Why is the loading dock on the entrance side of
5 the building? Why isn't that on the exact opposite side?

6

7 RYAN DESTRO: There is a steep slope area and
8 a wetland area that's present along the eastern limits, and
9 we're trying to minimize that disturbance. If we have
10 anymore disturbance to that wetland, we'd have to get into a
much larger equipment situation.

11

12 CHAIRPERSON PRICE: You realize you're putting
the back door at your front door?

13

14 RYAN DESTRO: Correct. It will be hidden
15 behind TopGolf -- or behind Costco, and then also to buffer
it.

16

17 CHAIRPERSON PRICE: It's still at your front
door.

18

RYAN DESTRO: Yes.

19

20 CHAIRPERSON PRICE: What kind of trucks are
21 coming in and out of there a lot of? Do you have 18 wheelers
coming in?

22

23 KEVIN NOWAK: Hi. This is Kevin Nowak, I'm
with ARCO/Murray Construction, the general contractor for
24 TopGolf 500 West Monroe, Chicago.

25

Yes. There are going to be some WB six and

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 sevens coming in one day of the week. Mostly it's just box
4 trucks, and then garage trucks.

5 So, a little bit more on that. The loading on
6 the west side, we did evaluate on the east side, right at
7 that wetland. We also have such a big grade change from the
8 Costco, that lot of the truck dock is shielded because we're
9 on the low side from the Costco retaining wall.

10 CHAIRPERSON PRICE: Not from your entrance
11 drive.

12 KEVIN NOWAK: That's right.

13 CHAIRPERSON PRICE: That's too bad. That's
14 all.

15 It should have been flipped.

16 I guess, you know, guys, sharpen your pencils
17 and see what the truck turning is like. A once a week WB six
18 and seven seems excessive for food and napkins, but.

19 MR. HAREMZA: Unfortunately, I think most get
20 that, the nature of it.

21 CHAIRPERSON PRICE: You don't have to have a
22 loading dock for a WB67, just through the parking lot.
23 You've got three ways and you can make those loading docks
24 for the smaller step vans and stuff.

25 That's just a lot of asphalt, and asking you

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 to take a hard look at it. Technically, expanding green
4 space. Try not to accommodate a big 18 wheeler pull through
5 there. That's all I have to say.

6

Karen?

7

8 MS. ALTMAN: I'm not sure I heard the material
9 you were talking about. Can you repeat what you stated about
10 the field material on the siding and whether after it is
11 moved if it's on the side or whether it is exported off the
site?

12

13 RYAN DESTRO: All of the landfill material
14 that is currently on site that is going to be disturbed will
have to remain on site per the DEC.

15

And the primary --

16

17 MS. ALTMAN: What about the ash and sludge,
the same thing?

18

19 RYAN DESTRO: Correct. The ash and sludge
20 area encompasses, say we do a circle around the storm water
management pond and the southern limits of the property in
21 this area. So, we are going to excavate and completely
22 remove the ash landfill from the limits of the bio retention
23 area and the storm water pond, and then we're going to
24 relocate it south in the existing limits of the ash landfill
25 area.

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 MS. ALTMAN: Thank you.

4 MR. FADER: What are you going to cover that
5 with?6 RYAN DESTRO: Soil. So, it needs to be
7 covered, but it's either 18 to 24 inches of soil.

8 MR. FADER: What type of vegetation?

9 RYAN DESTRO: It would be grasses.

10 MR. FADER: Would it be native grasses?

11 RYAN DESTRO: Certainly.

12 MR. FADER: Also, a question on the green
13 spaces to the north of Westfall, what is the plans for that?
14 I know Bill mentioned he wondered.15 RYAN DESTRO: Are you talking about that area
16 here?

17 MR. FADER: Yes.

18 RYAN DESTRO: So, a couple things. As I
19 mentioned, there's a water main coming in off Westfall Road
20 and it traverses along the north and then the west side of
21 the building. There is also grade change and then also
22 there's substantial fill soil material that is currently
23 piled on the site. And, in order to -- as part of our earth
24 work analysis, balancing the material on the site, trying to
25 minimize any export off the site that was the area that was

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 available to place that soil as well.

4 MR. FADER: I still think you have to clear
5 that area. What are you going to put there when you're all
6 done?

7 RYAN DESTRO: That will be planted with grass
8 and then we're also enhancing the buffer with proposed trees
9 and landscaping in the northwest corner of the property as
10 mentioned.

11 MR. FADER: Okay. So, you will also be
12 willing to consider something other than grass in that area?

13 CHAIRPERSON PRICE: Native grasses?

14 RYAN DESTRO: Yes, not a problem.

15 CHAIRPERSON PRICE: Something you wouldn't
16 have to mow once or twice a season.

17 MR. FADER: The lawn grass like we have been
18 using, most people use in their lawn, is really sort of an
19 ecological wasteland.

20 RYAN DESTRO: Certainly. Outside of the
21 perimeter maintenance area from the net poles, and then
22 outside of the water mains that could certainly be native
23 grasses.

24 CHAIRPERSON PRICE: On the landscape plants,
25 just that one sheet that covers that northern portion? It

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 shows the trees but it doesn't say the seed mix.

4 RYAN DESTRO: Yes. We will clarify that.

5 CHAIRPERSON PRICE: Thank you.

6 MR. OSOWSKI: What's the surface material of
7 the outfield where you hit the golf ball?

8 KEVIN NOWAK: Yes. So, the outfield itself is
9 actually just a thin layer of asphalt, and then Astroturf on
10 top of that.

11 MR. OSOWSKI: Okay. Wanted to make sure when
12 you hit the golf ball it doesn't hit a car path and just take
13 off.

14 KEVIN NOWAK: No.

15 MR. OSOWSKI: That material management plan
16 with the ash and sludge, were there any hazardous materials
17 or heavy metals that exceeded the threshold limits that
18 required any extraordinary treatment or handling?

19 RYAN DESTRO: No. There was none of that
20 reported in the earth work investigations. It's
21 non-hazardous material and it is part of the landfill areas.

22 MR. OSOWSKI: Do you know when that ash and
23 sludge dates from? Any idea?

24 RYAN DESTRO: I don't.

25 CHAIRPERSON PRICE: Who dumped it out there?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

4

RYAN DESTRO: It was Monroe County operations decades ago.

5

6

MR. OSOWSKI: It is the kind of stuff that comes from a sewer treatment plant.

7

8

MS. SANGUINETTI: I have a question. Could you show us on the picture there where the bus stops are?

9

10

11

12

13

14

15

RYAN DESTRO: There are no bus stops, per se. There's a drop off area in the front of the building. We have the two access roads from East Henrietta Road here and here, that will be able to serve this site. And then, we will have connections to the two proposed connection points. There's a loop connection for busses to drop off patrons to the TopGolf facility.

16

MR. HAREMZA: The RTS stops are here, Clara.

17

RYAN DESTRO: The public ones, correct.

18

19

CHAIRPERSON PRICE: Is there a bus route down Westfall Road?

20

MR. HAREMZA: East Henrietta Road.

21

CHAIRPERSON PRICE: Okay.

22

23

24

MS. SANGUINETTI: There's a clear way for them, like a path for them to get from the bus stop? Those will have to go around Westfall to walk?

25

RYAN DESTRO: There's a development plan in

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 place for the CityGate parcel in the City of Rochester which
4 includes the reorganizing of the roadways to improve the
5 boulevard access points. They would have sidewalks along
6 them as well, so there would be a sidewalk continuity between
7 from East Henrietta Road to CityGate to the TopGolf
8 development.

9 MS. SANGUINETTI: Okay.

10 MR. OSOWSKI: The site plan also says about
11 the monitoring wells, will leave them in place unless the DEC
12 says you can remove them or abandon them.

13 RYAN DESTRO: Yeah. So, during the
14 disturbance operations and relocation of the landfill
15 materials, the DEC will be on site, the environmental
16 consultant will be on site. And during the earth work
17 operations that will be determined at that point for whether
18 those monitoring wells are to remain in place or to be
19 abandoned.

20 MR. OSOWSKI: Thank you.

21 CHAIRPERSON PRICE: Clara, have you asked
22 everything?

23 MS. SANGUINETTI: Yes.

24 CHAIRPERSON PRICE: We good?

25 MS. ALTMAN: I have one more question. What

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 are the typical hours? I see it is open very late on the
4 weekends and what are the normal hours based on the
5 experiences of other sites? I'm not a golfer, so I don't
6 know.

7

RYAN DESTRO: So, the standard hours of
8 operation include Monday through Thursday 9:00 a.m. to
9 midnight.

10

MS. ALTMAN: What I am asking is, when is the
11 building most heavily used in terms of those hours?

12

KEVIN NOWAK: Yeah. It is going to be
13 weekday, evening, so really it is going to be 4:30 to
14 8:00 p.m., and then weekends will be really most of the day.
15 Maybe not so much 9:00 a.m. but most of the day it's very
16 busy.

17

CHAIRPERSON PRICE: How man golfers, let's say
18 every bay is full, I don't know what an average group is.
19 What is the number of people that would accommodate, this
20 size facility?

21

KEVIN NOWAK: So, just the hitting bays alone,
22 they hold up to six people per hitting and have 80 hitting
23 bays, a little bit under 500.

24

CHAIRPERSON PRICE: I guess that kind of gets
25 to the parking issue. You know, I'm sure you can justify the

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 375, but it gets hard to justify sometimes a walking
4 distance, you know. No matter what you do, you see those
5 outer perimeter spaces never used or very infrequently.

6

7 How much of this is, you know, just
8 absolutely, necessary but -- I will just get to the chase.
9 Is there any part of that parking that you can land bank and
10 not build day one, until you understood what your use
patterns were?

11

12 KEVIN NOWAK: It is something we can talk to
13 TopGolf about. I will say, a lot of times the rule of thumb
14 is five stalls per hitting bay. So, we are a little bit
15 under that even, with the 375. But it is something I can
bring up to TopGolf.

16

17 CHAIRPERSON PRICE: I would have expected more
ride sharing than that. It's interesting.

18

19 I did look at a lot of your sites on Google
20 and you never know what day they're taken, you never know
21 what time of day. You don't know if it is a holiday or
22 weekend or whatever, but there wasn't one of them on Google
23 that's remotely close to the parking capacity that parking
lots have.

24

25 So it's, you know, I think it's -- I'm going
to ask you to consider. Not asking you to reduce the number,

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 but consider whether some of them can be banked. My guess
4 is, you're going to have additional properties built out, you
5 know, adjacent to this in the city and guessing the patron,
6 TopGolf, is going to park wherever is closest. Even if that
7 means another tenant's site before parking over 300 feet
8 away. Please consider it. That's all.

9

Anybody else have any other questions?

10

11

MR. OSOWSKI: Is the town okay with 9:00 a.m.
to 2:00 a.m. on Friday and Saturday nights?

12

13

14

15

16

17

18

MS. BARON: Having some serious ecological
issues. I'll double check on the zoning approvals to see if
the hours of operation hours were discussed as part of the
approval, which I would be working on in the next 20 minutes.

19

20

21

22

23

24

25

RYAN DESTRO: And the hours of operation were
included on the EAF provided as part of the incentive zoning
and SEQRA concepts.

19

20

21

22

23

24

25

BETSY BRUGG: Yeah. I believe the general
business -- correct me if I'm wrong, Jason -- allows
24 hours?

MR. HAREMZA: You would think I would know
that. I don't recall.

BETSY BRUGG: And it stated there will be a
hotel that is going to operate, you know, longer hours. This

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 is really a -- we are really excited about this TopGolf. I
4 will speak for Matt a little bit, this is part of the -- this
5 will really become a regional destination. This is the only
6 TopGolf in New York outside of the one in Long Island. The
7 closest ones are in Pittsburgh and Cleveland. We're
8 expecting a huge draw.

9

10 Regionally, Kevin can speak to their
11 experience. And we're expecting a lot of exciting
12 neighboring uses in the city that will also have longer
13 hours. It's an event venue as well, so it's not just an
14 opportunity to come in and play a bay, but there will be
15 corporate events, parties, a lot of -- there will be outdoor
16 seating, outdoor entertainment, indoor. It's a full
17 indoor/outdoor entertainment experience. So, just to give
you kind of some context for how this works.

18

CHAIRPERSON PRICE: Thank you.

19

Jason, did you have a question or comment?

20

MR. HAREMZA: A question. I guess, for the
21 TopGolf folks, will the food service, the bar/restaurant
22 operate the same hours as the rest of the facility?

23

KEVIN NOWAK: I believe that closes earlier.
24 I would have to go back and check with operations exactly
25 what time.

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

MR. HAREMZA: In your experience, can you estimate a percentage of -- are there people that just go for the bar/restaurant and not use the hitting bay?

6

KEVIN NOWAK: I don't know what that percentage is, but, yes, absolutely. There's a two-story atrium with a big video wall. I know Upstate New York, you guys are very big into your sporting teams, very passionate, so I imagine the Bills games get pretty rowdy there.

11

So, yes, a lot of the people will come just for food and beverage. Honestly, people will go during lunch hours and not hit at all. I do imagine, I don't know the percentage. I could find this for you though.

15

MR. HAREMZA: That's all.

16

CHAIRPERSON PRICE: Okay. Betsy, I want to -- I'm not trying to throw water over your excitement, these are just questions we have to ask.

19

BETSY BRUGG: I didn't realize that not everybody is a golfer.

21

CHAIRPERSON PRICE: Okay. Let me see if I can recap. Make sure the plans identify this area to be receive the spoils from your excavation. Does -- do we have any indication of engineering that storm waters at least in the right direction on this?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

MR. HAREMZA: Yes. The town engineer has taken a preliminary look at it, and so far has not seen any issues. But it's, as you can imagine, pretty detailed.

6

CHAIRPERSON PRICE: Okay. So we are not going to come back and need to clear the rest of the trees for storm water, for far enough along.

9

Okay.

10

The sign in the outfield wall, if that can somehow make, I guess, maybe it doesn't need to be -- if it gets on the site plan and the elevations it wasn't clear where that is.

14

Please take a look at the truck circulation, truck access and exactly which trucks based on number of times per week they come into the site and need to go in to the actual loading dock. If we can somehow forget that the county asked us for a road on the east side of the property? I'll take it away.

20

Really, the amount of parking I really ask you to consider it. Not going to deny you the number of spaces if you need it, but, you know, parking is not going to end up out on East Henrietta Road. We are not afraid of that. But, any amount of pavement we can lose would be helpful.

25

Anyone else on this?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

Thank you very much.

4

5

RYAN DESTRO: Thank you for your time. We appreciate that.

6

7

8

9

CHAIRPERSON PRICE: This is a Public Hearing. Is there anyone in the audience that would like to speak regarding this application? There being none, then the Public Hearing is closed.

10

11

12

We will move on to our last application, the last Public Hearing of the night.

13

APPLICATION 6P-NB2-24

14

15

16

17

18

19

20

21

22

23

24

25

6P-NB2-24 Application review an advisory report regarding Home Leasing and Providence Housing's Incentive Zoning proposal to construct 120 units of affordable housing (40 townhouses and an 80 unit multifamily building) and other site improvements on property located on Elmwood Avenue (Tax parcels 136.14-1-1.2 and 136.14-1-1.3).

BETSY BRUGG: I'm here again.

20

21

22

23

24

25

Good evening. My name is Betsy Brugg. I'm an attorney with Woods Oviatt Gilman. I'm happy to be here tonight with Home Leasing. We have the whole team here. Adam Driscoll is here, we have Brian Burri of Bergmann, now we got SWBR involved and Angela Eicholtz from Home Leasing, so we have our whole team here.

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 We are actually here on a referral of
4 incentive zoning for an affordable housing project. Really
5 excited to be here on this particular project.

6

7 Again, the Board should have some familiarity
8 with this project. You actually saw an early original
9 version back in 2017. You had some variable comments on it.
10 Some of you will remember Ralph Atucci who has since passed
11 was here with this project, worked really hard on this
12 project for several years.

13

14 This 9.88 acres approximately, the property is
15 really a part of what was the campus of the Rochester
16 Psychiatric Center, the New York State hospital that big
17 giant building on Elmwood Avenue that has been empty since
18 1990s, I think, 1997. So, this is like the Brighton piece of
19 that.

20

21 The city portion went through a rezoning
22 process a number of years ago. It is rezoned for
23 redevelopment, I think Jason was involved with that in his
24 previous iteration in life.

25

25 The Brighton portion always been proposed to
26 be developed this way. It's changed a little bit, but not in
27 any type of material way. Back in 2017, there was a
28 coordinated SEQRA review conducted and I believe that is when

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 this Board had an opportunity to comment on the plan.

4 I think at that time it was, correct me if I'm
5 wrong, it was 22 townhomes and an affordable housing.

6 I should back up. The site itself is a narrow
7 flag, which we have here, off of Elmwood Avenue. It's
8 between Brickstone and the psychiatric center carriage
9 building site in the city. So, it's right along the
10 municipal boundary line. It comes and it's a flag. It is
11 two parcels.

12 We're proposing an apartment building in the
13 back here and townhomes here, a total of 120. And that's --
14 and I know I'm totally stepping on people here, I'm jumping
15 ahead of myself.

16 So, we did come in, we met with the Public
17 Works committee, we met with the Town Board, the project was
18 required a rezoning, which is consistent with the
19 comprehensive plan. We put in a pretty thorough application.
20 The Town of Brighton received this well and did make the
21 referral to the Planning Board, specifically on the incentive
22 zoning.

23 Just to kind of summarize what is in the
24 application that came your way, again, we followed the Town
25 Code with respect with what's required under requirements for

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 incentive zoning. We think this project very much meets all
4 of the requirements for incentive zoning. We do need a
5 rezoning from low density residential to high density
6 residential in order to then apply the incentive zoning.

7

8 The amenities to the town, probably the
9 biggest, is affordable housing itself. If you look through
10 the package there's pretty substantial amenities the town
11 will receive as part of this application. They're outlined
12 here, affordable housing, supportive housing, for frail,
13 elderly and people who deal with AIDS. It is a fantastic
14 model for the grade building, the intent there is to have a
15 kind of a target net zero. It's a great project. There's a
16 lot of details to it. I'm going to let Brian talk about
that.

17

18 You know, pilot, this property has never
19 generated any tax revenue, so there's a need for a pilot.

20

21 So, open space, that conservation easement to
22 contribute to the town's goal of connecting, kind of the
23 green area up off of Westfall, all the way down, a green way
24 basically, extending down to Highland Park. So, there's a
25 lot of great stuff in here, but we do need some relief from
the Town Code, which we're going to be asking for -- which we
are asking for as part of the incentive zoning.

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 the property management company during operations.

4

5 Betsy touched on this, and I apologize for
6 being repetitive, but this development site is just under 10
7 acres of vacant land located here in the Town of Brighton,
8 obviously. And is part of a larger former New York State
9 hospital campus in the City of Rochester that we are not part
of.

10

11 So, we do not own the land we are discussing
12 tonight. It is under a contract and if we were to get all
13 the approvals requested and continue to move forward, we
14 think closing on construction financing would be some time in
2026, with construction ranging from 20 to 24 months.

15

16 We are proposing 40 townhome units, 34 of the
17 will be three bedrooms and six will be two bedrooms. And as
18 Betsy mentioned, a multifamily building with 80 units; 72
units will be one bedrooms and eight two bedrooms.

19

20 While we will continue to utilize the main
21 entrance with the traffic light at Elmwood, and also the
22 entrances at Sawgrass and Westfall would be available, and
23 the egress at Science Parkway would obviously still be an
24 option as well. We will be adding a fourth egress option
25 which will be located where the road ends from St. John's
entrance, which is right up here. There's an easement that

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 will be part of the overall project.

4 The entire community will be all electric.

5 The multifamily building will also be built under the pass of
6 house program which strives to be a net zero building with
7 high levels of insulation and mechanicals that are extremely
8 highly efficient. There is a small area, small solar panel
9 area next to the multifamily building portion which would be
10 right about down here to the bottom.

11 We did bring some renderings and I think
12 provided those as well of the architectural of the townhomes
13 and the multifamily building just to share and get feedback
14 and some of your thoughts. And the finishes are similar to
15 Market Way Apartments, beautiful cabinets, central air,
16 dishwashers, LVP flooring. There will be a community room in
17 the multifamily building, which would also be available to
18 our neighbors, just on a reserved-type basis.

19 There will be fitness room, a laundry room,
20 and laundry hookup within the townhomes and the units will
21 also be pet friendly.

22 Just to touch on the Envision Brighton 2028
23 plan, under sense of community, policy statement objective C,
24 provided balance in the type and affordability of housing for
25 Brighton residents. Employing smart growth principles that

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 strategically encourage density and diversity of housing

4 options in the areas with ready access to local goods,

5 services and mass transit.

6 Additionally, Westgate Apartments advances the

7 Envision Brighton 2028 plans stated vision and commitment to

8 promote our sense of community and social equity, preserve

9 and protect our environmental assets, support a vibrant

10 economic climate and ensure the public health, safety, and

11 welfare for all.

12 Just some of the points that we felt our

13 proposed community would compliment the Brighton plan.

14 As Betsy mentioned, we have met with the town

15 staff and the Department of Public Works, and just recently

16 with the Town Board, we were able to be here tonight to

17 submit and review and discuss our application. And two weeks

18 ago, I believe, we had a Friday morning session with our

19 neighbors at Brickstone at St. John's and had a nice 45

20 minute information session just answering a lot of the

21 questions and talking and walking through the renderings and

22 the site plan.

23 So with that, unless there's any questions for

24 me, I was going to pass it along to Brian Burri with Culliers

25 to talk about more of the technical aspects of the site plan.

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 CHAIRPERSON PRICE: Thank you.

4 BRIAN BURRI: Good evening. Brian Burri, with
5 Bergmann/Culliers Engineering. Fortunately, everyone kind of
6 stole my thunder on the principal, but I will touch base on
7 the city portion of it, because I know that kind of came up.

8 So, all of the infrastructure for both parcels
9 will be in the city proper, and that will be developed by a
10 separate entity and that has gone through the approval
11 process with the city and hasn't been permitted. It's not
12 slated for construction yet. They are working on trying to
13 get the tower to come down at some point. So, they're
14 hopping to do both at once, basically, but the infrastructure
15 will be in prior to the development of Home Leasing.

16 And, like I said, all of the utilities will be
17 via the city portion, and then this project will just tie
18 into those as needed. There are three access points like
19 Adam mentioned. The main one will be at the signal at the
20 current entrance into the Terrance property that signalized
21 we're going to connect to Science Parkway. That will be the
22 second, and then also the connection into the Brickstone,
23 that will be a third means of egress and ingress.

24 CHAIRPERSON PRICE: Brian, the Science Parkway
25 connection is not complete right now?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

BRIAN BURRI: Correct. This whole section
will be brand new. It will be private. This road system
will be private, and that will be under easement with the
city.

7

8

9

MR. FADER: I have a question about existing
conditions. The red square at the bottom you call parcel
two?

10

BRIAN BURRI: Yes.

11

12

13

MR. FADER: One of the things I've noticed is,
I don't see on any of your plans is, is that a wood lot or
not?

14

15

16

BRIAN BURRI: It is wooded. The woods kind of
start at about the fourth building, and then this is wooded.
There's a wetland with a buffer.

17

18

19

MR. FADER: That was one of my questions when
I saw Jason's preliminary advise letter and some talk about
100-foot buffer on the wetlands.

20

BRIAN BURRI: Yes.

21

22

23

24

25

MR. FADER: But, on the wooded area I was
curious, is there any attempt to preserve any of the woods
out beyond that the apartment building itself or should the
assumption be that anything not in the hundred foot buffer is
getting cut down?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 BRIAN BURRI: There could be a potential in
4 the -- I don't know if you can see it -- in this corner in
5 here, but it's going to depend on where we put the storm
6 water also.

7

 MR. FADER: Okay.

8

 BRIAN BURRI: That would be probably the only
9 place to preserve.

10

 MR. FADER: So, then the assumption would be
11 that that entire area will not be wooded when you are done?

12

 BRIAN BURRI: Well, minus the buffer to the
13 wetland which is almost half of that property.

14

 MR. FADER: Is it really?

15

 BRIAN BURRI: Yeah. So, the buffer is like
16 through here.

17

 MR. FADER: Oh, that's the buffer there?

18

 BRIAN BURRI: Yes.

19

 MR. FADER: Never mind.

20

 MR. HAREMZA: Just a reminder, this is an
21 incentive zoning advisor report, this will return to the
22 Board --

23

 MR. FADER: I was just having trouble figuring
24 out -- well, I will be quit.

25

 BRIAN BURRI: I don't know if we labelled it

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 very well for this application.

4

5 CHAIRPERSON PRICE: So, I just -- with regards
6 to the 80-unit building, I know what you are going to tell
7 me, but is there -- what is the reason we have to have the
8 parking in the front? We can't have it in the back?
Utility easements are there?

9

10 BRIAN BURRI: We do have utility easements
11 there, and we really can't push the building closer to the
12 road. The building is pretty set here because there's -- the
13 utility hookup runs almost parallel with that building
frontage.

14

15 CHAIRPERSON PRICE: Just out of curiosity what
kind of easement is it?

16

17 MR. HAREMZA: Monroe County Water Authority.

18

19 BRIAN BURRI: It actually could be a water
easement that runs from DDSO over to RPC. The trunk sewer
20 will be through here, through the front, and then back behind
the townhouses.

21

22 CHAIRPERSON PRICE: Well, at least you are
paving over it.

23

24 We know for a fact we can't move the building,
the building configuration kind of dictated by the parking
25 and -- do you have to have -- why do we have to have a ring

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 going around, fire access?

4

BRIAN BURRI: Yes.

5

CHAIRPERSON PRICE: How many stories is this?

6

BRIAN BURRI: Four.

7

CHAIRPERSON PRICE: Okay. How about any
8 amenities on the site? Is there outdoor spaces, any kind of
9 gazebos?

10

11

12

13

ADAM DRISCOLL: There's a, in the multifamily
building, there's a rooftop terrace and will also be
providing a playground on the multifamily building site
portion.

14

15

16

17

18

19

20

21

22

MR. OSOWSKI: A question about the existing
Highland Crossing Trail. The plan says it is a ten-foot wide
asphalt trail. Do you plan to, under this project, put
asphalt on it? Right now it's some boardwalk and stone dust.
If you do, I would loved it. Because it needs some series
rework in some areas closer to Elmwood Avenue. There is some
really bad areas where the drainage is terrible, it's muddy
and wet and there's several hundred yards in really rough
condition.

23

24

25

So, if you are going to asphalt that and
regrade areas, that's fine. I won't worry about it. But,
other than that, we will talk with Jason about making some

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 adjustments to his letter so we get some serious tender
4 loving care that it needs to be put back into good condition.

5 CHAIRPERSON PRICE: Whose property is it on?

6 BRIAN BURRI: It's off of our property.

7 CHAIRPERSON PRICE: And --

8 BRIAN BURRI: Isn't it the town's trail?

9

10 MR. HAREMZA: It's an easement on Brickstone's
 property.

11

12 CHAIRPERSON PRICE: Okay. And but, you do
 intend to buy the property once you have your approval?

13

 BRIAN BURRI: Correct.

14

15 CHAIRPERSON PRICE: You will take title to the
 property?

16

 BRIAN BURRI: Yes.

17

18 CHAIRPERSON PRICE: Do you mind just telling
 me, clarify the schedules here? It sounds like the city19 project is a little ways out and this project may not go to
 construction until 2026. I think our approvals, once you

20 come back for site plans, they're good for a year. Are you

21 going to consider that?

22

23 ADAM DRISCOLL: Yes. Our schedule will be in
 a lot of ways dictated by our funder, our funding source from

24 New York State. And we typically have heard there's an

25

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 18 month pipeline already, so it's not as -- it's a little
4 bit different where we can't just close with a bank within --
5 yeah, it's a little bit of a waiting process.

6 I want to make sure I said that, we won't
7 purchase the property until we close, so I didn't want you to
8 think --

9 CHAIRPERSON PRICE: No.

10 ADAM DRISCOLL: I just wanted to clarify.

11 CHAIRPERSON PRICE: But you are going to take
12 ownership of the property. I will assume you're going to get
13 CH funding or --

14 ADAM DRISCOLL: Yes. New York State, HFA
15 money. We would take --

16 CHAIRPERSON PRICE: H?

17 ADAM DRISCOLL: Yes, correct.

18 CHAIRPERSON PRICE: Okay. I'm not sure if I'm
19 clear on what is happening in the city. Is there --

20 BRIAN BURRI: So, the infrastructure is set to
21 go in right now. We did do an application for a parcel along
22 Elmwood, but that has been kind of put on hold because of the
23 road and the tower is kind of taking precedence. So, they
24 want to get that installed with the road, the utilities, and
25 hopefully bring the tower down and open everything up so then

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 they can just go to town with all of that. But that probably
4 going to start hopefully in early 25, the infrastructure, is
5 the hope right now.

6

7 CHAIRPERSON PRICE: Okay. I see the

8

9 BETSY BRUGG: So, we have several amenities.

10 So, we have about 30 incentives as well, if you like. There
11 are many substantial amenities in this application. The sent
12 affordable housing itself is an amenity. It is a pretty
13 significant amenity. The code requires you to kind of
14 quantify the value of an amenity, so the number that we've
15 included in the application I think is 600. Let me pull it
16 up.

17

18 So we basically took the difference between
19 market rate housing and affordable housing, which is a
20 30 percent difference and taken that number and quantify it
21 over 30 years we have it at.

22

23 CHAIRPERSON PRICE: So, you don't have to be
24 terribly precise.

25

26 BETSY BRUGG: Like, \$20 million dollars over
27 30 years. It's a big one. The supportive housing is also
28 significant. The supportive housing is valued at about
29 \$900,000 a year and in 30 years, about \$36 million in

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 supportive housing.

4 The green building amenity, to build this to
5 the high standards that Home Leasing is seeking to meet,
6 we're looking at an amenity of about \$4.5 million. The open
7 space playground amenity is about \$300,000. And the pilot
8 amenity currently proposed is a shelter rent pilot where the
9 tax is going to generate over 40 years, another \$780 per unit
10 per year.

11 MS. ALTMAN: Around \$100,000 a year.

12 BETSY BRUGG: \$90,000, yeah, I think it's a
13 pretty significant amenity package. And essentially, this
14 rezoning incentive zoning would be consistent with what's
15 been done at Brickstone. We are in an area, the property
16 comprehensive plan calls for the property to be rezoned to
17 medium or high density residential.

18 And then, on top of that, half of the amenity
19 incentives are related to this little flag thing here. So,
20 we have this little pole part of the flag which is not code
21 compliant. It is the size of the parcel, it's configuration.
22 There's utilities and limitations on what can fit there.

23 I don't know, Brian, if you want to go through
24 the whole list, but I think they're pretty well described but
25 we are happy to go through them all.

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

CHAIRPERSON PRICE: No.

4

5

MR. FADER: Too bad you couldn't have the removal of the Terrance building.

6

7

8

9

BETSY BRUGG: We are working on that. If you can find us some money, that would be great. They're working hard to try to deal with that Terrance building. It is definitely an issue.

10

11

CHAIRPERSON PRICE: Okay. Board members, any other questions?

12

13

14

15

16

MR. OSOWSKI: One other. So, you have the ground mount as solar panels, are there any opportunity to put some of them on the roof? I know you have a terrace on part of the roof, but --

17

18

19

20

21

22

23

ADAM DRISCOLL: I believe the reason why we have some on the ground is, we're planning to put some on the roof and other mechanicals might be up there, it was just running out of room and based off of the program that we're -- for the building of the envelope, it required us to have a little bit more and that is why we were placing them on the ground there.

24

25

MR. OSOWSKI: Thank you.

MS. SANGUINETTI: The solar panels, will we be

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 leasing the space or how is the financing for that?

4

5 ADAM DRISCOLL: Through the solar panels,
6 they'll be on our land that we will be purchasing. So, it
7 will be basically building the infrastructure to hold the
8 panels and we would own the panels.

9

CHAIRPERSON PRICE: Lauren?

10

Jason?

11

12 MR. HAREMZA: Just going back to that access
13 point issues, you mentioned a third access point sort of
14 through -- I don't even know what it is now, but the State
15 property to the southeast that ends up at Sawgrass and
16 Westfall, has that been agreed to or is that?

17

18 ADAM DRISCOLL: That was, yes, long story
19 short. Yes, that was agreed to, it took quite some time for
20 the easement with the City of Rochester to allow to connect
21 to the point, the Science Parkway. But, yes, that has
22 been --

23

24 MR. HAREMZA: But, I'm talking about the one
25 going down to Westfall Road.

26

ADAM DRISCOLL: Yes, that's the one.

27

28 MR. HAREMZA: The last time I was back there
29 was years ago and it was gated.

30

BRIAN BURRI: That's not really meant for this

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 development. If somebody uses it, they do, but there's three
4 primary: Science Parkway, the main at Elmwood, and then the
5 connection to Brickstone.

6

7 ADAM DRISCOLL: Before our meeting with
8 Brickstone, I'd actually driven through it and it was
completely open.

9

10 MR. HAREMZA: Okay. And then, related to
11 that, because all but one are access points, so it depends on
12 a separate entity, as you've described it to construct the
13 infrastructure. Is there any possibility that that wouldn't
14 happen and are there any implications to this site if the
sole access point is through Brickstone?

15

16 ADAM DRISCOLL: Our agreement with purchasing
17 the property is that we provide -- well, it's shared, but to
18 have access from the Elmwood exit where the traffic light is
as part of our development, yes.

19

20 MR. HAREMZA: And David, just to answer your
21 question, there are some mapped woodlot EPODs on the southern
22 property. So, that will be addressed as part of the site
plan application.

23

24 MR. FADER: I've gotten a better understanding
of the plans and I kind of, my concerns went down.

25

CHAIRPERSON PRICE: Thank you, Brian.

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 Betsy, thank you.

4

5 This is a Public Hearing, is there anyone who
cares to address this, please introduce yourself.

6

7 DAVID FREEDMAN: Sure. I'm David Freedman. I
have a bungalow along the back of the Brickstone property
8 about here, with me about five units down. I am not
9 officially representing Brickstone, I'm representing myself.
10 Though, my understanding is Brickstone administration has
11 just received a list of 15 or 20 questions and concerns of
12 the residents that hope to get resolved.

13

14 What question I have, you know, a lot of
15 people sitting there back kicking and they look out, what we
16 see is maybe 15 feet along the trail and a few feet in the
17 trees. Now, I know they don't have much space to work with,
18 so I'm sure they're going to come up within a couple of feet
of the Triton line.

19

20 And so, one question is, from the map it is a
21 little difficult. Can we find out exactly where the Brighton
22 town line is relative? Is it four foot from the path? Is it
23 two-foot from the, you know? It would be helpful to know
that.

24

25 The other thing I would like to mention is,
you know, we currently have the woods as a barrier, a visual

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 barrier. And visual barrier is kind of important to
4 residents, so we're wondering if something could be
5 constructed, a berm or something maybe to hide in that
6 petition there or something along those lines. That would
7 give -- which would be good for their property too because it
8 would prevent the few stray dogs that are off leashes, kids
9 on bikes and entering on their property.

10

I can tell you, I have only been there since
11 October, and I can tell you that there are times when the
12 deer and the turkeys use the path because it's easier than
13 walking through the woods and maybe they would prefer they
14 did not wander through onto their properties.

15

So, that would be our thoughts. If we can
16 address some way of satisfying a visual separation and also
17 understanding where, exactly where that line is because I
18 assume their lawns will come right up to pretty much the edge
19 of your property because of the limited space.

20

CHAIRPERSON PRICE: Good assumption. Thank
21 you. Appreciate you coming out.

22

Please introduce yourself.

23

TOM SLAUGHTER: Tom Slaughter, I live at 21
24 Brickstone Circle. And, my questions very much overlap with
25 Dave's and they're about things that are not clear to me from

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 the map.

4

5 Did I hear correctly at the beginning of the
6 presentation that the original plan in 2017 was for 22
7 townhouses and now it's for 40? That's significantly -- that
doubles the density.

8

BETSY BRUGG: It had a commercial component.

9

10 CHAIRPERSON PRICE: It was commercial. It's
11 no longer in the application. I don't think you're seeing
12 any less footprint of the buildings, I think the buildings
were anticipated to be commercial buildings.

13

14 TOM SLAUGHTER: It sounds more dense to me and
15 it looks significantly more dense than the Brickstone side of
the path, which wasn't when I was here.

16

17 CHAIRPERSON PRICE: Okay.

18

19 TOM SLAUGHTER: It also seems kind of vague on
20 how much of the habitat is going to be lost. That seems
21 significant, because as Dave was saying, a lot of animals and
22 that's a connecting space between Highland Park, the canal
23 and other green spaces around there. And it looks to me from
24 the map that there's going to be a significant loss of wooded
25 area south of Brickstone, much of which is actually flooded
right now.

CHAIRPERSON PRICE: I think we'll ask Brian

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 and his team to make sure that the wetland delineation and a
4 buffer associated with the wetland is a little bit more easy
5 to read. We're seeing a pink flag here, and that would
6 imply -- there's going to be removal of trees, but it's not
7 as extensive as all the pink.

8

TOM SLAUGHTER: Okay. It's not as extensive
9 as all that.

10

CHAIRPERSON PRICE: If you see the road, it
11 goes around the back of the building, the other side, the
12 back? Yeah. There, the one that wraps around. There is a
13 buffer line drawn, it is a dash line that is running kind of
14 behind the building. That line, all those trees will remain.

15

TOM SLAUGHTER: The playground up here?

16

BRIAN BURRI: There's something in this
17 building too.

18

TOM SLAUGHTER: Okay. So, did you understand
19 that? The playground is all the way -- is much closer to
20 Elmwood, not down, it is up here. It's right behind the
21 first two bungalows and where Regene lives. And that's a lot
22 of this. We understood that the playground was down here
23 with this building. Okay.

24

CHAIRPERSON PRICE: I wasn't clear about that
25 and it is a good question. I knew probably it wasn't going

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 around the large building.

4

5 TOM SLAUGHTER: There was a concern at a
6 meeting we had at Brickstone several days ago about the
7 density of the buildings and the noise. And noise traffic
8 generally speaking, landscaping can help with a lot of that,
9 but it didn't appear to us from the map that there's space
for landscaping?

10

11 CHAIRPERSON PRICE: There's space for it.
12 There's isn't a landscape plan ready. This is actually, --
13 you're going to see that number of buildings, but there's
14 other amenities including landscaping that is going to have
to be put on the plan and we will get to review it.

15

TOM SLAUGHTER: So, that comes later.

16

17 CHAIRPERSON PRICE: That comes after the
18 incentive zoning is adopted by the Town Board. When it gets
19 adopted, there's a, I don't know, an agreement as to the
20 incentive zoning amenities. And then, the whole project
21 comes back to this Board for final site plan approval. So,
22 whenever that happens we will be looking at where the storm
23 water management is, where the plantings are, what fencing
24 there is, you know, things like driveways and sidewalks and
25 street lighting, playground lay-outs, that all comes back to
us. You probably won't see that level of detail through the

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 incentive zoning process. So.

4

5 TOM SLAUGHTER: But we will see it before the
construction starts two years from now?

6

7 CHAIRPERSON PRICE: Yes, you will.

8

9 TOM SLAUGHTER: I am almost done.

10

11 Mr. Oslowski asked a question about the path. It's not an
12 asphalt path, that is absolutely correct. And I run on that
path every day, and there are these areas that you talk
about. There's actually after it rains there is always a
pond there. Again, and the animals.

13

14 So, wouldn't an amenity be an upgrading of the
15 path or repair the path somehow, and improvements to the
path? I'm not sure I agree that asphalt would be an
16 improvement. It would be harder on my legs.

17

18 And I think given the multiple uses of the
19 path, the stone is pretty good, but the grading is
significantly bad at the Elmwood end of it.

20

21 And then the last part of --

22

I'm sorry, go ahead.

23

24 MS. BARON: No. I'm just going to answer and
make a comment to a question. That's certainly something the
Town Board would be considering as part of the incentive
25 zoning approval. And something that this Board is, if

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 chosen, add into the recommendation letter as something for
4 the Town Board to consider as part of the incentive zoning.

5 MR. FADER: I would support stone, crushed
6 stone done correctly.

7 TOM SLAUGHTER: And there are other parts of
8 the same path that goes down to the Canal.

9 CHAIRPERSON PRICE: It's fine.

10 MR. OSOWSKI: The south end you could.

11 TOM SLAUGHTER: Now, at the Elmwood end of the
12 path we're talking about that easement. That's going to
13 create two-way traffic parallel to Elmwood, and I'm wondering
14 how significantly that is going to change traffic patterns
15 and congestion within Brickstone. If that seems to be at the
16 easiest exit for people who live in this 40 townhouses, at
17 the north end of the development, at this point it's not
18 clear to me what those patterns will be. It may take longer.
19 After work, you want the shorter path to go down to the
20 traffic light and exit there, that may be slower. I don't
21 know.

22 CHAIRPERSON PRICE: I would just be giving you
23 my personal opinion on this. I do know when they come back
24 we will look at what the trip generation would do. It's the
25 number of vehicles coming and going, and where they are

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 going. Are they headed into the city or headed in another
4 direction. What is the easiest path? What percentage of
5 those trips would actually use the Brickstone entrance versus
6 the signal light entrance, versus going out through the
7 Science Parkway.

8

9 So, I'm telling you from a principle
10 standpoint, the design standpoint we endorse, this Board
11 endorses interconnecting communities, tying them together;
12 vehicular, pedestrian, bike, everything. We promote that
13 principle rather than having a project that constantly have
separate curb cuts out onto streets.

14

15 So, I would really not want to see that go
16 right into Elmwood and have a separate curb cut a hundred
feet or less from your current curb cut.

17

18 TOM SLAUGHTER: You realize this is precisely
19 at a place on Elmwood that is now a new traffic problem since
20 Brighton finished the bike path. Because we have two lanes
21 coming east on Elmwood from the city, narrows down to one and
22 if you take a chair and sit out there sometime, it's quite an
adventure to see the way people do or do not handle that.

23

24 Now we're going to develop that area right
25 exactly at that spot that is already an issue between the two
municipalities -- well, in the space between the two

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 municipalities, that's a county or state road.

4

CHAIRPERSON PRICE: County, I think.

5

6 TOM SLAUGHTER: So, that's not something
necessarily this Board can address, but can that somehow be

7 part of the whole conversation?

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CHAIRPERSON PRICE: County, I think.

TOM SLAUGHTER: So, that's not something

necessarily this Board can address, but can that somehow be

part of the whole conversation?

CHAIRPERSON PRICE: That will be part of the

conversation. Because as a Board that doesn't mean that

inner connection is. That's the gateway to the trail. And

now we're introducing vehicles crossing it. So, it would

have to be done very, quite well.

TOM SLAUGHTER: So, my last point about

considering amenities would be creating easier access across

Elmwood to Highland Park. We are dealing, if you are talking

Brickstone, we're talking about elderly people crossing

Elmwood. That part of the park is greatly underutilized.

This is really the least dense usage of the park.

If there were a lighted crosswalk there, right

now what happens is, the path goes up the south side of

Elmwood, crosses farther up in the Highland Park and the

possible to consider it going straight across Elmwood as a

part of the access to Highland Park on it's enhanced, rather

than diminished by changing the traffic pattern as a result

of greater density.

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

CHAIRPERSON PRICE: Good point.

4

5

6

7

8

9

TOM SLAUGHTER: I think that's it. I am worried about the animals losing their places there. The timing, it sounds like nobody is confident planning any timing for anything, when it involves the city. But this construction is not going to start until that building comes down? Is that what I heard?

10

11

12

13

14

15

CHAIRPERSON PRICE: I heard it was more advantageous to get the building down, so you're not trying to haul demolition materials out when you've got completed access drive utilities. That would be my guess.

16

17

18

But they're trying to -- I mean, how long has the building been empty? 40 years? My adult lifetime.

19

20

21

22

23

24

25

TOM SLAUGHTER: People tell me don't hold your breath waiting for that building to come down; is that your position too?

CHAIRPERSON PRICE: Yes.

TOM SLAUGHTER: Thank you.

CHAIRPERSON PRICE: Thank you for coming out.

We have two more.

DAVID SMITH: David Smith, I'm one of the inmates at Brickstone. I spoke with planning and building this afternoon and they point out that the -- from the path

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 to the -- according to their maps, which are impressively
4 incomplete it seemed to me, from the path to the Rochester
5 City line is a hundred feet, is their best estimate. I am
6 sure that's close.

7

8 So, that has to accommodate, well I guess,
9 accommodate the path. It also has to accommodate the front
10 to back distance of the building and a roadway in front of
it? I am a little unclear about that.

11

12 CHAIRPERSON PRICE: Not the roadway, just
13 driveways. The road servicing the driveways is outside the
14 Town of Brighton. It is actually in the City of Rochester.

15

16 DAVID SMITH: Okay. That's what was unclear
17 to me, whether this would move into Rochester.

18

19 CHAIRPERSON PRICE: There's they are showing
20 there is a green strip -- and then there is a sidewalk. Does
21 appear to be a tree lawn area, and then the actual street
22 itself.

23

24 DAVID SMITH: Okay. That will be a two-lane
25 street?

26

27 CHAIRPERSON PRICE: I am guessing 24-foot
28 wide. Looks like there's some on-street parking, parallel
29 parking, but it is proposed to be on the west side of the
30 road. So, it will accommodate some on-street parking, but

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 that portion is to the less of the Town of Brighton property.

4 DAVID SMITH: Okay. That is obviously
5 something that has been agreed to by the city to have?

6 CHAIRPERSON PRICE: It's been discussed for
7 sure. These plans have all been in front of the city for at
8 least 2017, possibly even earlier than that.

9 DAVID SMITH: Sounds like almost enough time.

10 Okay. So, then is that a private road then or
11 is it a city street?

12 CHAIRPERSON PRICE: That will probably be
13 dedicated, won't it, Brian?

14 BRIAN BURRI: It will be private.

15 CHAIRPERSON PRICE: Okay, private street.
16 Built to city standards though.

17 DAVID SMITH: So, that land was purchased from
18 the city for them?

19 CHAIRPERSON PRICE: No. It just won't be
20 dedicated to the city for maintenance purposes once it's
21 built.

22 DAVID SMITH: Okay. I guess I sort of
23 understand that.

24 CHAIRPERSON PRICE: Typically, a developer
25 takes their own property, develops a road network, with the

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 utility infrastructure that's about a 66-foot wide swath of
4 road needed for utility. That ultimately gets dedicated back
5 to the municipality for them to maintain long term. This will
6 never be maintained by the city. This will be a private road
7 maintained by the private entity.

8

DAVID SMITH: So, its construction then, as
9 you say maintenance, will not depend on the fate of the
10 Terrance building? It will be completed independent of that?

11

CHAIRPERSON PRICE: That part is true, yes.

12

DAVID SMITH: Okay. And the --

13

CHAIRPERSON PRICE: I'm -- the only reason I
14 sound hesitant is just the timing of everything. That's all.
15 But, as it is drawn on these plans and as it has been
16 proposed, this road and the utilities associated or the
17 utilities needed for what is in pink, is provided by the --
18 through the city by another developer to this development.
19 Does that make sense?

20

DAVID SMITH: I think so. That was what was
21 referred to as the infrastructure part?

22

CHAIRPERSON PRICE: Yes. So, road, water,
23 sewer. I am not sure where electricity and there is no gas
24 associated with this, no natural gas. It will all be
25 electric.

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

DAVID SMITH: Okay. Thank you.

4

CHAIRPERSON PRICE: Thank you for coming out.

5

ANTHONY ZACCAGLINO: Yes. I will be quick.

6

I'm Tony Zaccaglino, vice president of housing for St. John's. So, first thing to add, they've been great with our residents. I know we plan another meeting in a couple weeks. I have a list of our residents which I will share with them and a lot of that was addressed here tonight.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

But, I wanted to reiterate the one comment that was kind of brought up kind of separate to this, tied to the issue with the two lanes going into one right in front of our property it really needs to be addressed. If anybody has been there, there's just, nobody really has an idea what to do when it goes from two to one. There's just no transition.

We have had cars slowing down to try to pull in to Brickstone and cars passing on the right as they're trying to turn right into Brickstone. Because there's just no clear direction where to go. So, they added another entrance right there where you're going to be slowing down to turn in when there's just, again, there's no clear direction, no merging into one. It's just the center lane meets the two lanes. So I just can't fathom how that happened that way. There is one sign that shows merging, but we have had

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 situations where cars are passing on the right while people
4 were trying to turn right into Brickstone because they're
5 slowing down and confused as to what is going on.

6 So I just wanted to kind of reiterate. That's
7 been brought up from the residents multiple times, so I kind
8 of wanted to tie that into this and that is something that
9 needs to be looked at. Especially if there's going to be
10 another entrance that's going to be more utilized than it's
11 been utilized in 30 years right there in that area.

12 So, that's all I really have again.

13 It's an issue that has been brought up. I
14 will meet with anyone and go over those in the project
15 itself. Thank you.

16 BRIAN BURRI: If I could add to that third
17 entrance, third egress is also going to benefit Brickstone,
18 because now they will be able to make a safe left movement
19 onto Elmwood at a signalize intersection. They will be able
20 to come through here and go to the light instead of waiting
21 to turn left or right.

22 CHAIRPERSON PRICE: Any other questions?

23 MR. FADER: I have a question now, after
24 hearing the different people. Is it possible along the flag
25 there to put some small buffer against the trail?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

BRIAN BURRI: Along this point?

4

MR. FADER: Yes.

5

6

7

8

9

10

We will be putting some kind of landscaping, but there is the Pure Water sewer runs back through here that we have to provide a 30-foot easement for because currently there is no easement for that. So, we are kind of limited what we can put in the easement.

11

MR. FADER: Is the --

12

13

BRIAN BURRI: But, there are provisions to do some landscaping.

14

15

MR. FADER: Well, Pure Water is it an easement or an actual waterline there?

16

17

BRIAN BURRI: There's a sewer, the isle, a trunk sewer runs through there.

18

19

MR. FADER: So, what's growing on top of the trunk sewer now?

20

21

BRIAN BURRI: Well, in half there's nothing and in the other half there's trees.

22

23

MR. FADER: Okay. So can those trees stay?

24

BRIAN BURRI: If we are not touching them, we will try to keep them.

25

MR. FADER: Okay.

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

BRIAN BURRI: We have to provide a new easement for that, so that's why we kind of have to stay off of that. We are kind of limited, basically.

6

MR. FADER: So, in the place where there aren't trees, you can't start adding them because they will question it?

9

BRIAN BURRI: They may, but we will work with them and we will work with Pure Waters to help put up some kind of visual barrier.

12

MR. FADER: It would be kind of nice if the trail was in one or two lawns. Of course, on the other hand, you could argue that Brickstone should have put a buffer there. It may be shortsighted.

16

CHAIRPERSON PRICE: The trail came after Brickstone. The easement came from Brickstone, the trail itself took several years to get built.

19

MR. FADER: Okay.

20

BETSY BRUGG: I am going to add for Home Leasing, they always try to do a great quality product. So, you don't have the landscaping plan yet, you don't have the detail. We are at the beginning of this process. We are actually just here on the referral of the incentive zoning for a report from this Board on incentive zoning. We don't

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 have a full site plan package in, as the Chairman pointed
4 out. We have had quite a bit of communication over the years
5 and will continue to maintain the engagement with Brickstone
6 neighbors.

7

I know from having been to meetings in the
8 past, the previous developer had a great relationship and we
9 will continue to maintain an open dialogue with the
10 neighbors.

11

CHAIRPERSON PRICE: All right. Thank you.

12

So, we have had the public comments, we've
13 talked.

14

I am going to recommend a five-minute break.

15

(There is a short pause in the proceedings.)

16

CHAIRPERSON PRICE: Let's go back to the first
17 application.

18

APPLICATION 5P-02-24

19

5P-02-24 Application of Stephen Artim and
20 Tricia Shalka, owners, and Jerry Serafine, agent, for EPOD
21 (watercourse) Permit Approval to allow for the construction
22 of 462 +/- sf building addition within Zone AE of the 100
23 year floodplain on property located at 55 Stonybrook Drive.
24 All as described on application and plans on file.

25

CHAIRPERSON PRICE: A motion to close the

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 Public Hearing.

4

5 MS. ALTMAN: I move to close the Public

6 Hearing.

7

8 MR. FADER: Second.

9 CHAIRPERSON PRICE: Moved and seconded to

10 close the Public Hearing.

11

12 Jason, please call the roll.

13

14 MR. HAREMZA: Ms. Altman?

15

16 MS. ALTMAN: Aye.

17

18 MR. HAREMZA: Mr. Fader?

19

20 MR. FADER: Aye.

21

22 MR. HAREMZA: Mr. Price?

23

24 CHAIRPERSON PRICE: Aye.

25

MR. HAREMZA: Mr. Osowski?

1

2 MR. OSOWSKI: Aye.

3

4 MR. HAREMZA: Ms. Sanguinetti?

5

6 MS. SANGUINETTI: Aye.

7

8 CHAIRPERSON PRICE: Hearing is closed.

9

10 Recommendation was approval from town staff.

11

12 MS. BARON: This is also an unlisted action.

13

14 CHAIRPERSON PRICE: Unlisted, I agree.

15

16 MR. FADER: I move that the Planning Board

17

18 adopt the negative declaration prepared by staff and approve

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 the watercourse EPOD permit for application 5P-02-24, based
4 on the testimony given and plans submitted with the five
5 conditions outlined in the Planning Board report.

6 1. Applicant shall respond in writing to all comments of the
7 Planning Board, Department of Public Works, Building and
8 Planning Department, and Fire Marshal.

9 2. Monroe County comments, if any, shall be addressed.

10 3. The entire project shall comply with the most current New
11 York State Fire Prevention and Building Code (except as
12 waived by the State Variance) and the Town of Brighton
13 sprinkler requirements.

14 4. All Town codes shall be met that relate directly or
15 indirectly to the applicant's request.

16 5. The project shall be constructed in accordance with the
17 final site plan drawing set.

18 MS. ALTMAN: Second.

19 CHAIRPERSON PRICE: Second by Altman.

20 CHAIRPERSON PRICE: Moved and seconded.

21 Any further discussion?

22 Jason, call the roll.

23 MR. HAREMZA: Ms. Altman?

24 MS. ALTMAN: Aye.

25 MR. HAREMZA: Mr. Fader?

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 MR. FADER: Aye.

4 MR. HAREMZA: Mr. Price?

5 CHAIRPERSON PRICE: Aye.

6 MR. HAREMZA: Mr. Osowski?

7 MR. OSOWSKI: Aye.

8 MR. HAREMZA: Ms. Sanguinetti?

9 MS. SANGUINETTI: Aye.

10 MR. HAREMZA: Approved with conditions.

11 CHAIRPERSON PRICE: Thank you.

12 Our next application is 4P-01-24 for

13 1402 Blossom Road.

14 APPLICATION 4P-01-24.

15 4P-01-24 Application of C and K Real Estate
16 Ventures LLC, owner, and McMahon LaRue Associates, agent, for
17 Preliminary/Final Site Plan Approval to construct a 2,415
18 +/- sf single family home on property located at 1402 Blossom
19 Road. All as described on application and plans on file.

20 TABLED 4-17-2024; PUBLIC HEARING REMAINS OPEN.

21 MR. FADER: I move to close the Public Hearing.

22 CHAIRPERSON PRICE: I will second.

23 Moved and seconded, to close the Public
24 Hearing.

25 Any conversation?

1 BRIGHTON PLANNING BOARD 06/20/24
2

3 Please call the roll.

4 MR. HAREMZA: Ms. Altman?

5 MS. ALTMAN: Aye.

6 MR. HAREMZA: Mr. Fader?

7 MR. FADER: Aye.

8 MR. HAREMZA: Mr. Price?

9 CHAIRPERSON PRICE: Aye.

10 MR. HAREMZA: Mr. Osowski?

11 MR. OSOWSKI: Aye.

12 MR. HAREMZA: Ms. Sanguinetti?

13 MS. SANGUINETTI: Aye.

14 MR. HAREMZA: Hearing closed.

15 MR. FADER: I move the Planning Board find the
16 proposed action requires no further environmental review
17 based on staff review, and the Planning Board grants
18 preliminary and final site plan approval for application
19 4P-01-24, based on the testimony given, plans submitted, with
20 the five condition outlined in the Planning Board report.

- 21 1. Applicant shall respond in writing to all comments of the
22 Planning Board, Department of Public Works, Building and
23 Planning Department, and Fire Marshal.
- 24 2. Monroe County comments, if any, shall be addressed.
- 25 3. The entire project shall comply with the most current New

1 BRIGHTON PLANNING BOARD 06/20/24
23 York State Fire Prevention and Building Code and the Town of
4 Brighton sprinkler requirements.5 4. All Town codes shall be met that relate directly or
6 indirectly to the applicant's request.7 5. The project shall be constructed in accordance with the
8 Architectural Review Board approved design and the final
9 Site plan drawing set.

10 MS. ALTMAN: I'll second.

11 CHAIRPERSON PRICE: Moved and seconded.

12 Any conversation?

13 Curious, why was this a type two action?

14 MS. BARON: It's an addition to a
15 single-family home, which is for us, listed --16 CHAIRPERSON PRICE: This is a single-family
17 home.18 MS. BARON: Yes, it is construction of a
19 single family home.20 MR. HAREMZA: Stoneybrook was unlisted because
21 it's the EPOD permit.22 CHAIRPERSON PRICE: Okay. We have a motion
23 and a second.

24 Please call the roll.

25 MR. HAREMZA: Ms. Altman?

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

MS. ALTMAN: Aye.

4

MR. HAREMZA: Mr. Fader?

5

MR. FADER: Aye.

6

MR. HAREMZA: Mr. Price?

7

CHAIRPERSON PRICE: Aye.

8

MR. HAREMZA: Mr. Osowski?

9

MR. OSOWSKI: Aye.

10

MR. HAREMZA: Ms. Sanguinetti?

11

MS. SANGUINETTI: Aye.

12

MR. HAREMZA: Approved with conditions.

13

CHAIRPERSON PRICE: Okay. Next application is

14

6P-NB1-24.

15

APPLICATION 6P-NB1-24

16

6P-NB1-24 Application of Westfall Brighton SRE, LLC, owner, and BME Associates, agent, for Preliminary Subdivision Approval, Preliminary Site Plan Approval and Preliminary EPOD (woodlot) Permit Approval to combine two lots into one and construct a 48,282 +/- sf, 2-story golf and entertainment venue (TopGolf) with an outfield hitting area and with other associated site improvements on property located south of Westfall Road, east of East Henrietta Road (CityGate), known as Tax ID parcels 149.06-1-3.11 and 149.06-1-3.12. All as described on application and plans on

1

BRIGHTON PLANNING BOARD 06/20/24

2

3 file.

4

5 MR. FADER: I move the application 6P-NB1-24 be
6 tabled based on the testimony given and plans submitted.
7 Additional information is requested in order to make a
8 determination and have a complete application.

9

10 The two items outlined in the Planning Board
11 report are required to be submitted no later than two weeks
12 prior to the next Planning Board meeting.

13

14 1. Allow for final review of the Stormwater Pollution
15 Prevention Plan (SWPPP) and site details by town staff.
16 2. The applicant has submitted a Final Site Plan
17 Review/Subdivision application. It is anticipated that the
18 Planning Board will review a combined Preliminary/Final Site
19 Plan/Subdivision on 7-17-2024.

20

MS. ALTMAN: Second.

21

CHAIRPERSON PRICE: Okay. Moved and seconded.

22

23 Is there any discussion or any other comments
24 that we need the applicant to be aware of?

25

26 We had some issues on the, just making sure
27 that the area for environmental fill to be identified on the
28 plans, all of the plans. There was some landscape notes that
29 need to include the seeding of that northern portion. The
30 truck loading dock area, taking a look at truck turning

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 radiiuses and see if they can reduce the amount of pavement,

4 and banking and parking.

5 And then, I think for the final we would like

6 to see where the access to the trail is actually going to go,

7 even if it is on the city property.

8 MR. HAREMZA: Yes. So, I have all of that.

9 With tabling, as you will recall, you do not need to list any

10 reasons, but I think it is helpful to the applicant.

11 Feel free to call me tomorrow to discuss it.

12 CHAIRPERSON PRICE: All right. Motion and a

13 second to table.

14 Please call the roll.

15 MR. HAREMZA: Ms. Altman?

16 MS. ALTMAN: Aye.

17 MR. HAREMZA: Mr. Fader?

18 MR. FADER: Aye.

19 MR. HAREMZA: Mr. Price?

20 CHAIRPERSON PRICE: Aye.

21 MR. HAREMZA: Mr. Osowski?

22 MR. OSOWSKI: Aye.

23 MR. HAREMZA: Ms. Sanguinetti?

24 MS. SANGUINETTI: Aye.

25 MR. HAREMZA: Tabled.

1

BRIGHTON PLANNING BOARD 06/20/24

2

3

CHAIRPERSON PRICE: Okay.

4

APPLICATION 6P-NB2-24

5

6

7

8

9

10

6P-NB2-24 Application review an advisory report regarding Home Leasing and Providence Housing's Incentive Zoning proposal to construct 120 units of affordable housing (40 townhouses and an 80 unit multifamily building) and other site improvements on property located on Elmwood Avenue (Tax parcels 136.14-1-1.2 and 136.14-1-1.3).

11

12

13

14

15

MR. FADER: I move the Planning Board adopt the advisory report regarding Home Leasing and Providence Housing's Incentive Zoning proposal prepared by the town staff and ask the secretary to provide a report to the Town Board.

16

17

MS. BARON: Can I add, as amended by the Planning Board?

18

MR. FADER: Yes, absolutely.

19

MS. SANGUINETTI: I second.

20

CHAIRPERSON PRICE: Moved and seconded.

21

Any further discussion?

22

Please call the roll.

23

MR. HAREMZA: Ms. Altman?

24

MS. ALTMAN: Aye.

25

MR. HAREMZA: Mr. Fader?

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 MR. FADER: Aye.

4 MR. HAREMZA: Mr. Price?

5 CHAIRPERSON PRICE: Aye.

6 MR. HAREMZA: Mr. Osowski?

7 MR. OSOWSKI: Aye.

8 MR. HAREMZA: Ms. Sanguinetti?

9 MS. SANGUINETTI: Aye.

10 MR. HAREMZA: Draft report adopted.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 **SIGNS:**

4 1721 Bobby Pin Beauty Bar and Pure Sole Nails for a building
5 face at 2150 Monroe Avenue

6 1722 Cross Country Mortgage Drips Spa for a building face at
7 2048 (2050) South Clinton Avenue Suite.

8 MR. HAREMZA: Bobby Pin Beauty Bar and Pure
9 Sole Nails.

10 Both have recommended approval.

11 CHAIRPERSON PRICE: This is application
12 SN-24-10, also known as 1721.

13 I move for approval based on the
14 recommendation of the ARB.

15 MR. FADER: Second.

16 CHAIRPERSON PRICE: Moved and seconded.

17 All in favor?

18 ALL COUNCIL MEMBERS: Aye.

19 MR. HAREMZA: Last one is 2050 South Clinton
20 Avenue.

21 CHAIRPERSON PRICE: Application SN-24-11 also
22 known as 1722, 2048 South Clinton Avenue.

23 I make a motion to approve based on the
24 recommendation of the ARB.

25 MS. ALTMAN: I'll second.

1 BRIGHTON PLANNING BOARD 06/20/24

2

3 CHAIRPERSON PRICE: Motion and second.

4 All in favor?

5 ALL COUNCIL MEMBERS: Aye.

6 * * * *

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3 REPORTER CERTIFICATE
45 I, Rhoda Collins, do hereby certify that I did
6 report in stenotype machine shorthand the proceedings held in
7 the above-entitled matter;8 Further, that the foregoing transcript is a true and
9 accurate transcription of my said stenographic notes taken at
10 the time and place hereinbefore set forth.11
12 Dated this 3rd day of September, 2024.13 At Rochester, New York
14
1516 *Rhoda Collins*
17 Rhoda Collins
18
19
20
21
22
23
24
25