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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

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CHAIRPERSON PRICE: Good evening. I'd like to call to order the June session of the Town of Brighton Planning Board. In the unlikely event of any kind of emergency tonight there are exits behind you and one behind me.

Let's call the roll, Jason.

And we are all going to have to speak up tonight or turn off the fan.

MR. HAREMZA: Ms. Altman?

MS. ALTMAN: Here.

MR. HAREMZA: Babcock-Stiner is absent, Fader is absent, Grisewood is absent.

Mr. Price?

CHAIRPERSON PRICE: Here.

MR. HAREMZA: Mr. Osowski?

MR. OSOWSKI: Here.

MR. HAREMZA: Ms. Sanguinetti?

MS. SANGUINETTI: Here.

CHAIRPERSON PRICE: This is Ms. Sanguinetti's first meeting, so everybody please be kind.

We are going to take a couple minutes to review tonight's agenda with the staff and our attorney. We will be back in a few minutes.

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(Whereupon there is a pause in the proceedings.)

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

(Whereupon there is a pause in the proceedings.)

CHAIRPERSON PRICE: Back to the agenda.

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

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

CHAIRPERSON PRICE: I will second.

Moved and seconded, please call the roll.

MR. HAREMZA: Altman?

MS. ALTMAN: Aye.

MR. HAREMZA: Fader?

MR. FADER: Aye.

MR. HAREMZA: Price?

CHAIRPERSON PRICE: Aye.

MR. HAREMZA: Osowski?

MR. OSOWSKI: Aye.

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

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

5 CHAIRPERSON PRICE: We will now hold those
6 Public Hearings.

7 APPLICATION 5P-02-24

8 5P-02-24 Application of Stephen Artim and
9 Tricia Shalka, owners, and Jerry Serafine, agent, for EPOD
10 (watercourse) Permit Approval to allow for the construction
11 of 462 +/- sf building addition within Zone AE of the 100
12 year floodplain on property located at 55 Stonybrook Drive.
13 All as described on application and plans on file.

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

18 Good? Okay.

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

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

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

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

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

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

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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?

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

5 LARRY HEININGER: Good question. We
6 originally were counting the area in the front yard and the
7 town pointed out that they didn't want any area that was
8 outside the footprint of what FEMA defined as the A zone.
9 So, we had to go back and shave off a few more inches of dirt
10 only in the backyard. That's why that grid is only shown in
11 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
15 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
19 a dump truck load of earth to compensate for the difference
20 the foundation makes to the floodplain area?

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

25 CHAIRPERSON PRICE: All right. Did Jerry have

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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.

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APPLICATION 4P-01-24

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

IAN KUCHMAN: Good evening. I'm Ian Kuchman 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

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

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

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

CHANCE EATON: He did not like the retaining wall.

CHAIRPERSON PRICE: Have you seen the Architectural Review Board?

CHANCE EATON: Yes, been approved.

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

MR. HAREMZA: No.

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

I don't have anything else.

Everybody good?

MR. OSOWSKI: Did you have an opportunity to

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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 --

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

MR. OSOWSKI: Okay.

CHAIRPERSON PRICE: All set?

MR. OSOWSKI: Yes.

CHAIRPERSON PRICE: Thank you.

Lauren, do you have questions?

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

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

MS. BARON: Okay.

CHAIRPERSON PRICE: Jason, any questions?

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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

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

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

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

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

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

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

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

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

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

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

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

RYAN DESTRO: Thank you, Betsy.

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

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

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

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event space and entertainment space.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAIRPERSON PRICE: Who is that?

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

CHAIRPERSON PRICE: Thank you.

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

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

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

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protection district.

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

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

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

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

Wetland A is located in the southern portion

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the site along the east property line. This is not proposed to be disturbed by the proposed development.

Wetland B, another one is centrally located along the east property line and includes a small proposed disturbance of 0.7 acres. The Army Corps of Engineers did issue a nationwide permit for this action and issued permit number 39 on January 16, 2024. This authorizes the proposed disturbance to that wetland area.

As I mentioned, we did appear twice recently before the Architectural Review Board. On May 21st, the Architectural Review Board approved the building architectural design, and then on Tuesday of this week the Architectural Review Board made recommendations to the Planning Board to approve content of the building signage.

We anticipate the sign package will be further reviewed at the next Planning Board meeting of July 17th.

We also appeared last week to the Conservation Board for their review, and then for the next steps of this project we look forward to continuing the Public Hearing at the July 17th, Planning Board meeting.

However, we will also review the final site plan that was submitted on Tuesday of this week.

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

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any questions.

CHAIRPERSON PRICE: Okay, thank you.

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.

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 --

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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.

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

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

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

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

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

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

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for that crossing.

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

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

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

RYAN DESTRO: Correct.

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

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

CHAIRPERSON PRICE: Yes.

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

CHAIRPERSON PRICE: What's it for?

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

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further down stream at the existing alignment.

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

CHAIRPERSON PRICE: Push back on that?

RYAN DESTRO: We did. We tried not to have a hard surface, but they specifically requested that for the trucks.

CHAIRPERSON PRICE: Okay. That's nonsense, but that's not in our control.

Okay.

Is that in our control?

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

CHAIRPERSON PRICE: Yes, we might.

Okay.

If the contractor happened to leave it out?

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

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

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

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

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

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

RYAN DESTRO: Yes.

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

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

Yes. There are going to be some WB six and

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

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

CHAIRPERSON PRICE: Not from your entrance drive.

KEVIN NOWAK: That's right.

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

It should have been flipped.

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

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

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

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

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

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

15 And the primary --

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

18 RYAN DESTRO: Correct. The ash and sludge
19 area encompasses, say we do a circle around the storm water
20 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.

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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

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available to place that soil as well.

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

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

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

CHAIRPERSON PRICE: Native grasses?

RYAN DESTRO: Yes, not a problem.

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

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

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

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

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

RYAN DESTRO: Yes. We will clarify that.

CHAIRPERSON PRICE: Thank you.

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

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

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

KEVIN NOWAK: No.

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

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

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

RYAN DESTRO: I don't.

CHAIRPERSON PRICE: Who dumped it out there?

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RYAN DESTRO: It was Monroe County operations decades ago.

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

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

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.

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

RYAN DESTRO: The public ones, correct.

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

MR. HAREMZA: East Henrietta Road.

CHAIRPERSON PRICE: Okay.

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?

RYAN DESTRO: There's a development plan in

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

MS. SANGUINETTI: Okay.

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

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

MR. OSOWSKI: Thank you.

CHAIRPERSON PRICE: Clara, have you asked everything?

MS. SANGUINETTI: Yes.

CHAIRPERSON PRICE: We good?

MS. ALTMAN: I have one more question. What

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 BETSY BRUGG: Yeah. I believe the general
20 business -- correct me if I'm wrong, Jason -- allows
21 24 hours?

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

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

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

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

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

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

15 MR. HAREMZA: That's all.

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

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

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

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

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

9 Okay.

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

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

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

25 Anyone else on this?

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3 Thank you very much.

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

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

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

12 APPLICATION 6P-NB2-24

13 6P-NB2-24 Application review an advisory
14 report regarding Home Leasing and Providence Housing's
15 Incentive Zoning proposal to construct 120 units of
16 affordable housing (40 townhouses and an 80 unit multifamily
17 building) and other site improvements on property located on
18 Elmwood Avenue (Tax parcels 136.14-1-1.2 and 136.14-1-1.3).

19 BETSY BRUGG: I'm here again.

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

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

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

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

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

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

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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

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

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

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

So, open space, that conservation easement to contribute to the town's goal of connecting, kind of the green area up off of Westfall, all the way down, a green way basically, extending down to Highland Park. So, there's a 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.

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What I'd like to do is, turn it over to Adam Driscoll from Home Leasing. He can tell you a little bit about Home Leasing. They do great work, a great development. With that, I will turn it over to Adam.

ADAM DRISCOLL: Thank you, Betsy. I may repeat a little bit about what Betsy mentioned, but first off I will say, I'm Adam Driscoll, Home Leasing, 75 South Clinton.

Thank you for the opportunity tonight to review our application. Just wanted to give you a brief description of the Home Leasing. We have three internal teams at Home Leasing; development, construction and property management.

We own approximately 30 communities which includes 3,000 units across New York State. We are a B-corp member. A B-corp is a special designation that uses the power of business to solve social and environmental problems and impacts on its employees, communities and residents.

Our main office is located here in Rochester, however we do have another office in Albany.

For this proposed community, we are partnering with Providence Housing, who is a non-profit here as well in Rochester with many communities nearby and they will serve as

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the property management company during operations.

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

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

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

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

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will be part of the overall project.

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

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

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

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

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strategically encourage density and diversity of housing options in the areas with ready access to local goods, services and mass transit.

Additionally, Westgate Apartments advances the Envision Brighton 2028 plans stated vision and commitment to promote our sense of community and social equity, preserve and protect our environmental assets, support a vibrant economic climate and ensure the public health, safety, and welfare for all.

Just some of the points that we felt our proposed community would compliment the Brighton plan.

As Betsy mentioned, we have met with the town staff and the Department of Public Works, and just recently with the Town Board, we were able to be here tonight to submit and review and discuss our application. And two weeks ago, I believe, we had a Friday morning session with our neighbors at Brickstone at St. John's and had a nice 45 minute information session just answering a lot of the questions and talking and walking through the renderings and the site plan.

So with that, unless there's any questions for me, I was going to pass it along to Brian Burri with Culliers to talk about more of the technical aspects of the site plan.

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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 hoping 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?

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

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

10 BRIAN BURRI: Yes.

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

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

17 MR. FADER: That was one of my questions when
18 I saw Jason's preliminary advise letter and some talk about
19 100-foot buffer on the wetlands.

20 BRIAN BURRI: Yes.

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

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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

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very well for this application.

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

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

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

MR. HAREMZA: Monroe County Water Authority.

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

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

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

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going around, fire access?

BRIAN BURRI: Yes.

CHAIRPERSON PRICE: How many stories is this?

BRIAN BURRI: Four.

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

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.

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.

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

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

CHAIRPERSON PRICE: Whose property is it on?

BRIAN BURRI: It's off of our property.

CHAIRPERSON PRICE: And --

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

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

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

BRIAN BURRI: Correct.

CHAIRPERSON PRICE: You will take title to the property?

BRIAN BURRI: Yes.

CHAIRPERSON PRICE: Do you mind just telling me, clarify the schedules here? It sounds like the city project is a little ways out and this project may not go to construction until 2026. I think our approvals, once you come back for site plans, they're good for a year. Are you going to consider that?

ADAM DRISCOLL: Yes. Our schedule will be in a lot of ways dictated by our funder, our funding source from New York State. And we typically have heard there's an

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

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

CHAIRPERSON PRICE: No.

ADAM DRISCOLL: I just wanted to clarify.

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

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

CHAIRPERSON PRICE: H?

ADAM DRISCOLL: Yes, correct.

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

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

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

CHAIRPERSON PRICE: Okay. I see the incentives, what's the ten incentives, the amenities?

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

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

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

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

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supportive housing.

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

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

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

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

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

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3 CHAIRPERSON PRICE: No.

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

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

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

12
13 MR. OSOWSKI: One other. So, you have the
14 ground mount as solar panels, are there any opportunity to
15 put some of them on the roof? I know you have a terrace on
16 part of the roof, but --

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

24 MR. OSOWSKI: Thank you.

25 MS. SANGUINETTI: The solar panels, will we be

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

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

7
8 CHAIRPERSON PRICE: Lauren?

9 Jason?

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

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

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

22 ADAM DRISCOLL: Yes, that's the one.

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

25 BRIAN BURRI: That's not really meant for this

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

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

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

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

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

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

CHAIRPERSON PRICE: Thank you, Brian.

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3 Betsy, thank you.

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

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

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

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

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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

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the map.

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

BETSY BRUGG: It had a commercial component.

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

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

CHAIRPERSON PRICE: Okay.

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

CHAIRPERSON PRICE: I think we'll ask Brian

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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

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around the large building.

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

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

TOM SLAUGHTER: So, that comes later.

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

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incentive zoning process. So.

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

CHAIRPERSON PRICE: Yes, you will.

TOM SLAUGHTER: I am almost done. Mr. Osowski asked a question about the path. It's not an 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.

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

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

And then the last part of --

I'm sorry, go ahead.

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 zoning approval. And something that this Board is, if

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

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

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

CHAIRPERSON PRICE: It's fine.

MR. OSOWSKI: The south end you could.

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

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

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

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

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

TOM SLAUGHTER: You realize this is precisely at a place on Elmwood that is now a new traffic problem since Brighton finished the bike path. Because we have two lanes coming east on Elmwood from the city, narrows down to one and 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.

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

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municipalities, that's a county or state road.

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.

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3 CHAIRPERSON PRICE: Good point.

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

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

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

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

19 CHAIRPERSON PRICE: Yes.

20 TOM SLAUGHTER: Thank you.

21 CHAIRPERSON PRICE: Thank you for coming out.
22 We have two more.

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

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

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

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

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

20 DAVID SMITH: Okay. That will be a two-lane
21 street?

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

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

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

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

DAVID SMITH: Sounds like almost enough time. Okay. So, then is that a private road then or is it a city street?

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

BRIAN BURRI: It will be private.

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

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

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

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

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

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

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

CHAIRPERSON PRICE: That part is true, yes.

DAVID SMITH: Okay. And the --

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

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

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

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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.
7 John's. So, first thing to add, they've been great with our
8 residents. I know we plan another meeting in a couple weeks.
9 I have a list of our residents which I will share with them
10 and a lot of that was addressed here tonight.

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

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

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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?

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3 BRIAN BURRI: Along this point?

4 MR. FADER: Yes.

5 BRIAN BURRI: I think there's a plan in place.
6 We will be putting some kind of landscaping, but there is the
7 Pure Water sewer runs back through here that we have to
8 provide a 30-foot easement for because currently there is no
9 easement for that. So, we are kind of limited what we can
10 put in the easement.

11 MR. FADER: Is the --

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

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

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

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

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

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

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

25 MR. FADER: Okay.

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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.

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

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.

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.

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

MR. FADER: Okay.

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

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

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

CHAIRPERSON PRICE: All right. Thank you.
So, we have had the public comments, we've talked.

I am going to recommend a five-minute break.
(There is a short pause in the proceedings.)

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

APPLICATION 5P-02-24

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.

CHAIRPERSON PRICE: A motion to close the

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Public Hearing.

MS. ALTMAN: I move to close the Public Hearing.

MR. FADER: Second.

CHAIRPERSON PRICE: Moved and seconded to close the Public Hearing.

Jason, please call the roll.

MR. HAREMZA: Ms. Altman?

MS. ALTMAN: Aye.

MR. HAREMZA: Mr. Fader?

MR. FADER: Aye.

MR. HAREMZA: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. HAREMZA: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. HAREMZA: Ms. Sanguinetti?

MS. SANGUINETTI: Aye.

CHAIRPERSON PRICE: Hearing is closed.

Recommendation was approval from town staff.

MS. BARON: This is also an unlisted action.

CHAIRPERSON PRICE: Unlisted, I agree.

MR. FADER: I move that the Planning Board adopt the negative declaration prepared by staff and approve

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

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

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

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

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

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

MS. ALTMAN: Second.

CHAIRPERSON PRICE: Second by Altman.

CHAIRPERSON PRICE: Moved and seconded.

Any further discussion?

Jason, call the roll.

MR. HAREMZA: Ms. Altman?

MS. ALTMAN: Aye.

MR. HAREMZA: Mr. Fader?

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MR. FADER: Aye.

MR. HAREMZA: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. HAREMZA: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. HAREMZA: Ms. Sanguinetti?

MS. SANGUINETTI: Aye.

MR. HAREMZA: Approved with conditions.

CHAIRPERSON PRICE: Thank you.

Our next application is 4P-01-24 for
1402 Blossom Road.

APPLICATION 4P-01-24.

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.

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

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

CHAIRPERSON PRICE: I will second.

Moved and seconded, to close the Public
Hearing.

Any conversation?

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Please call the roll.

MR. HAREMZA: Ms. Altman?

MS. ALTMAN: Aye.

MR. HAREMZA: Mr. Fader?

MR. FADER: Aye.

MR. HAREMZA: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. HAREMZA: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. HAREMZA: Ms. Sanguinetti?

MS. SANGUINETTI: Aye.

MR. HAREMZA: Hearing closed.

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

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

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York State Fire Prevention and Building Code and the Town of Brighton sprinkler requirements.

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

5. The project shall be constructed in accordance with the Architectural Review Board approved design and the final Site plan drawing set.

MS. ALTMAN: I'll second.

CHAIRPERSON PRICE: Moved and seconded.

Any conversation?

Curious, why was this a type two action?

MS. BARON: It's an addition to a single-family home, which is for us, listed --

CHAIRPERSON PRICE: This is a single-family home.

MS. BARON: Yes, it is construction of a single family home.

MR. HAREMZA: Stoneybrook was unlisted because it's the EPOD permit.

CHAIRPERSON PRICE: Okay. We have a motion and a second.

Please call the roll.

MR. HAREMZA: Ms. Altman?

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MS. ALTMAN: Aye.

MR. HAREMZA: Mr. Fader?

MR. FADER: Aye.

MR. HAREMZA: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. HAREMZA: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. HAREMZA: Ms. Sanguinetti?

MS. SANGUINETTI: Aye.

MR. HAREMZA: Approved with conditions.

CHAIRPERSON PRICE: Okay. Next application is

6P-NB1-24.

APPLICATION 6P-NB1-24

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

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file.

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

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

1. Allow for final review of the Stormwater Pollution Prevention Plan (SWPPP) and site details by town staff.

2. The applicant has submitted a Final Site Plan Review/Subdivision application. It is anticipated that the Planning Board will review a combined Preliminary/Final Site Plan/Subdivision on 7-17-2024.

MS. ALTMAN: Second.

CHAIRPERSON PRICE: Okay. Moved and seconded.

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

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

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radiuses and see if they can reduce the amount of pavement,
and banking and parking.

And then, I think for the final we would like
to see where the access to the trail is actually going to go,
even if it is on the city property.

MR. HAREMZA: Yes. So, I have all of that.
With tabling, as you will recall, you do not need to list any
reasons, but I think it is helpful to the applicant.

Feel free to call me tomorrow to discuss it.

CHAIRPERSON PRICE: All right. Motion and a
second to table.

Please call the roll.

MR. HAREMZA: Ms. Altman?

MS. ALTMAN: Aye.

MR. HAREMZA: Mr. Fader?

MR. FADER: Aye.

MR. HAREMZA: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. HAREMZA: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. HAREMZA: Ms. Sanguinetti?

MS. SANGUINETTI: Aye.

MR. HAREMZA: Tabled.

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2
3 CHAIRPERSON PRICE: Okay.

4 APPLICATION 6P-NB2-24

5 6P-NB2-24 Application review an advisory
6 report regarding Home Leasing and Providence Housing's
7 Incentive Zoning proposal to construct 120 units of
8 affordable housing (40 townhouses and an 80 unit multifamily
9 building) and other site improvements on property located on
10 Elmwood Avenue (Tax parcels 136.14-1-1.2 and 136.14-1-1.3).

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

16 MS. BARON: Can I add, as amended by the
17 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?

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MR. FADER: Aye.

MR. HAREMZA: Mr. Price?

CHAIRPERSON PRICE: Aye.

MR. HAREMZA: Mr. Osowski?

MR. OSOWSKI: Aye.

MR. HAREMZA: Ms. Sanguinetti?

MS. SANGUINETTI: Aye.

MR. HAREMZA: Draft report adopted.

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SIGNS:

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

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

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

Both have recommended approval.

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

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

MR. FADER: Second.

CHAIRPERSON PRICE: Moved and seconded.

All in favor?

ALL COUNCIL MEMBERS: Aye.

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

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

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

MS. ALTMAN: I'll second.

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CHAIRPERSON PRICE: Motion and second.

All in favor?

ALL COUNCIL MEMBERS: Aye.

* * * *

REPORTER CERTIFICATE

I, Rhoda Collins, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

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

Dated this 3rd day of September, 2024.

At Rochester, New York

Rhoda Collins
Rhoda Collins