
BRIGHTON

PLANNING

BOARD

January 15, 2025
At approximately 7 p.m.
Empire State University
680 Westfall Road, Room 159
Rochester, New York 14620

PRESENT:

JASON HAREMZA, EXECUTIVE SECRETARY

WILLIAM PRICE, CHAIRPERSON

JOHN OSOWSKI)	BOARD MEMBERS
KAREN ALTMAN)	
DAVID FADER)	
CLARA SANGUINETTI)	
JASON BABCOCK-STINER)	

LAUREN BARON, ESQ.
Attorney for the Town

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

1 CHAIRPERSON PRICE: Good evening, everybody.
2 Hello. Good evening and welcome to the January 15th
3 meeting of the Town of Brighton Planning Board.

4 In the unlikely event of an emergency
5 tonight, there's exits to your right, our left, and
6 also behind you.

7 Tonight we are going to hold several public
8 hearings. In the event that you have comments about
9 these applications after something you've heard
10 tonight, -- you're certainly welcome to speak here
11 tonight, but if you would like to submit written
12 comments after the meeting, please submit those
13 comments to Jason Haremza, our Executive Secretary.
14 And you would submit those to -- Brighton Town Hall?
15 Or it comes here?

16 MR. HAREMZA: Written comments, if you are
17 using US mail, is still addressed to 2300 Elmwood
18 Avenue. But email is preferred. And my email address
19 is on the top of the agenda.

20 CHAIRPERSON PRICE: Okay. So before we
21 continue, the Board takes two minutes here in
22 executive session to discuss tonight's applications.
23 We do not entertain questions at this point from
24 outside the Board, but everybody will be making
25 presentations and have an opportunity to ask other

1 questions.

2 MS. BARON: So just to clarify for the
3 record, this is not an executive session. This is
4 just an open session that the Board is just
5 participating in itself, but it's not considered an
6 executive session within -- which is what -- may be
7 understood as something under the Open Meetings Law.
8 It's not a closed executive session.

9 CHAIRPERSON PRICE: Okay. Thank you. All
10 right. Jason, our agenda tonight includes 1P-01-25.
11 This is the application of the Atonement Lutheran
12 Church as owner and Andra Smith as lessee for a
13 conditional use permit. This is 1900 Westfall Road.

14 MR. HAREMZA: Pretty straightforward
15 conditional use permit application for a preschool,
16 somewhat similar to one you saw 9 months ago for
17 Twelve Corners Presbyterian Church, although this one
18 is much smaller in scale. So really I don't have much
19 to add other than what's in the report.

20 One of the conditions you may have noted is
21 that the hours of operation be linked to the Brighton
22 Central School District hours of operation. And I
23 don't know if you wanted to add --

24 MS. BARON: Yup. I can speak a little bit
25 to that.

1 So during our staff meeting -- and the
2 applicant can also, I'm sure, speak to this. They've
3 only proposed hours of operation from 9 to 12. And we
4 were concerned that limiting their hours of operation
5 to those -- to, for example, a condition that said,
6 you know, you're -- any approval that this Board has
7 will be limited to what's presented by the applicant.
8 They would have to come back in the future if they
9 wanted to expand those hours, the 9 to 12.

10 So we've -- Jason's worked on drafting a
11 condition that would just allow them to operate during
12 normal school hours so that they would not -- there
13 would be no necessity for them to come back if, in
14 fact, that would change in the future.

15 CHAIRPERSON PRICE: Okay.

16 MS. SANGUINETTI: Can I ask, would that also
17 be for the summer? Like if they wanted to have a
18 summer camp, would that be allowed?

19 MS. BARON: So I think it would be any
20 hour -- the regular hours of operation at any point in
21 time, I would imagine that would be through the entire
22 year.

23 If the Brighton Central School District is
24 open during the summer for like summer school, for
25 example, or anything like that, I don't see why that

1 condition wouldn't also allow summer operation.

2 MR. HAREMZA: Maybe just clarify and add
3 like 12 months or something.

4 MS. BARON: Yeah. We can clarify it's an
5 annual -- and also I recommend asking the applicant if
6 they planned to operate annually if -- that's a
7 question for the Board. Or if they only plan to
8 operate during the school year.

9 MR. OSOWSKI: They only asked for September
10 through June.

11 MS. SANGUINETTI: Yeah. I just -- if it's
12 going to be for young kids, where do the kids go in
13 the summer? What do you do with the kids in the
14 summer?

15 MR. HAREMZA: So that's a question for the
16 applicant, but our understanding is that this is a
17 preschool, not a daycare. So it's more like a
18 pre-kindergarten or kindergarten type of situation.
19 But certainly, something to clarify with the
20 applicant.

21 CHAIRPERSON PRICE: And to your knowledge,
22 no site improvements, no building or facade
23 improvements?

24 MR. HAREMZA: Nope.

25 CHAIRPERSON PRICE: Any other questions?

1 Okay.

2 MS. SANGUINETTI: The bathrooms have to be
3 retrofitted, right, for kid bathrooms?

4 MR. HAREMZA: Not a bad question. Typically
5 not a sort of zoning or planning issue but more of a
6 building code issue, but certainly worth asking.
7 Don't know the disposition of the restrooms currently
8 in the church, but -- yeah. That's a good question.

9 I think also, you know, in discussing this
10 with the applicant, they can explain more fully what
11 level of state licensure or accreditation they're
12 seeking. And so if not, then there may not be a need
13 for that. But again, something to clarify with the
14 applicant.

15 CHAIRPERSON PRICE: Okay. Thank you. Okay.
16 Application 1P-NB1-25. This is 293A Alden, LLC --
17 okay -- and Home Leasing, Brian Burri, Bergmann,
18 Associates preliminary site plan and preliminary EPOD
19 to approve 120 units of affordable and supportive
20 housing with seven new townhouse buildings with 40
21 units.

22 MR. BABCOCK-STINER: Do I need to recuse
23 myself from the discussion as well?

24 CHAIRPERSON PRICE: Lauren, Jason's going to
25 need to recuse himself from this application.

1 MS. BARON: Okay.

2 CHAIRPERSON PRICE: During this portion as
3 well?

4 MS. BARON: In terms of discussion -- yeah.
5 I'm sorry. So what's the reason for recusal?

6 MR. BABCOCK-STIENER: My firm is
7 representing it.

8 CHAIRPERSON PRICE: It's his firm.

9 MS. BARON: Oh, okay. Then I think you
10 should recuse yourself completely.

11 MR. BABCOCK-STINER: Okay.

12 MS. BARON: Well, you don't have to leave.

13 CHAIRPERSON PRICE: Just don't say anything.

14 MS. SANGUINETTI: Don't make any faces.

15 CHAIRPERSON PRICE: Okay. So please -- just
16 for our sake, please remind us how this -- how we got
17 to this particular point.

18 MR. HAREMZA: Well, how much time do you
19 have?

20 CHAIRPERSON PRICE: Yeah.

21 MR. HAREMZA: So this project has been in
22 the works for quite a number of years.

23 CHAIRPERSON PRICE: Yes.

24 MR. HAREMZA: I have experienced it now
25 through two different employers. So this is

1 interesting.

2 As you all know this is the former site of
3 Rochester Psychiatric Center. It was purchased by a
4 private developer sometime before 2015. I think 2013,
5 2014-ish.

6 And it's been going -- it went through an
7 initial review process that was coordinated between
8 the City and Brighton. A negative declaration was
9 issued in 2017 by the City as lead agency. For this
10 review of the Brighton portion of the project, we are
11 recommending that that be adopted and no further
12 environmental review is necessary.

13 And again, we're just -- we're looking at
14 the Brighton side of the line, but because the
15 operation of the site crosses the border -- for
16 example, the private road that these townhouses will
17 face onto is in the City of Rochester. Starting at
18 the north the driveways for the townhouses are in
19 Brighton, but as you move south, then the driveways
20 get split between the City and the Town.

21 So it's a very interesting dynamic there.
22 And I think our hope is that, you know, both at the
23 staff level and the Board level and at the elected
24 official level that we coordinate between the City and
25 the Town to make sure that the project functions well

1 and is well designed.

2 All of the units are rental units. So all
3 the townhouses and the four-story apartment building,
4 they're all rentals. The applicant can better speak
5 to, you know, the types of rentals.

6 One question I had is -- it's currently two
7 different tax parcels -- whether that will be combined
8 into one tax parcel or have the line adjusted at all,
9 if that is something that they are considering.

10 One of the concerns that Conservation Board
11 and staff brought up was understanding the phasing,
12 not only of what's happening in Brighton but also the
13 relevant portions of the City side, like the roadway
14 network. The road network was approved by the City
15 and I included that in your staff report in 2023. And
16 it is still valid due to an extension of their site
17 plan review.

18 So again, that's good news, but, you know,
19 details like curbing and what kind of curbing and just
20 coordinating that level of detail as the project moves
21 forward I think ends up with a superior end result.

22 This is scheduled for the January ARB
23 meeting. They have not gone yet. There are still
24 some issues to be worked out with the Sewer
25 Department. Again, because of the site, the buildings

1 are in the Town. Typically they would pay a Town
2 sewer fee, but the sewage is actually being directed
3 into the City and the Monroe County Pure Waters
4 District. So again, all those little unique details.

5 Town engineer had some additional
6 requirements for doing stormwater analysis.

7 So for many of the reasons I just discussed,
8 the recommendation is to table this month.

9 Lauren, do you want to add anything?

10 MS. BARON: No. I think that you described
11 a lot of the questions that are highlighted in the
12 staff report that we just need additional information
13 on that isn't super clear to us yet.

14 And also just to -- for a little bit of
15 additional background, so this is an incentive zoning
16 project in the Town. So the Planning Board previously
17 saw preliminary plans and provided comment to the Town
18 Board on the incentive zoning proposal. And the Town
19 Board did approve the incentive zoning at their
20 October 29th meeting I believe. So there were certain
21 amenities that were approved as part of that
22 determination.

23 And I'll just pull that up. So there was
24 three main amenities; that the project will be an
25 affordable housing project consisting of 120 units,

1 and some additional restrictions related with that;
2 the apartment portion of the proposal will achieve a
3 minimum modeled source primary energy saving of 20
4 percent when compared with a project design that
5 complies with the relevant Energy Conservation Code of
6 New York State; and the townhome portion of the
7 proposal will be constructed using Enterprise Green
8 Communities standards for energy efficiency.

9 So I'm sure the applicant can speak a little
10 bit more to some of that as well as if you have
11 questions about the solar panels that are proposed for
12 the site. Those are ground-mounted solar.

13 And then the third amenity is a conservation
14 easement to be dedicated to the Town for the wetland
15 on the property and a regulated 100-foot buffer on the
16 property adjacent to the Highland Crossing Trail. So
17 those were the three.

18 MR. HAREMZA: I -- go ahead, Bill.

19 CHAIRPERSON PRICE: I just wanted -- we did
20 get a correspondence or an email from a resident about
21 the amenities tonight.

22 MS. BARON: Yeah.

23 MR. HAREMZA: I don't know if that resident
24 is here. I just wanted to be able to answer that
25 question --

1 MS. BARON: Sure.

2 CHAIRPERSON PRICE: -- that they had.

3 MS. BARON: Yup.

4 CHAIRPERSON PRICE: Okay. We'll listen to
5 the applicant. Does anybody else --

6 MS. ALTMAN: I have a background question,
7 Jason.

8 MR. HAREMZA: Yeah.

9 MS. ALTMAN: On the City side of the
10 project, can you please remind me what some of the
11 development is and how close it is to this -- our
12 portion of the project? In particular, I'm thinking
13 about what kind of commercial or neighborhood-type
14 services could be offered on that side of the property
15 line to serve the new residents.

16 MR. HAREMZA: Yeah. I think the applicant
17 can speak to that in the phasing. The only portion
18 that -- to my knowledge that has been submitted to the
19 City for review has been a proposed hotel at the
20 corner of Elmwood and Azalea where the light is. So
21 it'd be on the south side of Elmwood.

22 I spoke with our colleagues and neighbors at
23 City Hall this week and they have -- they told us that
24 the hotel review is on hold at the request of the
25 applicant.

1 So -- and I don't -- I don't think anything
2 else has been submitted formally for any of the other
3 proposed uses.

4 MS. ALTMAN: Okay. Thank you.

5 MR. HAREMZA: Three other small points.
6 Lauren talked about the amenities including the solar
7 field. So typically ground-mounted solar is not
8 permitted in Brighton. That does not need a variance
9 because that was included in the incentive zoning
10 agreement.

11 The same thing with garage spaces for -- a
12 certain percentage of apartment parking needs to be
13 enclosed. That was also something included in the
14 incentive zoning agreement. So that does not need a
15 variance.

16 And -- and then finally, you know, at the
17 staff meeting and at Conservation Board there was
18 discussion about mitigation for the loss of the trees.
19 You know, just because they are dying -- they're ash
20 trees and dying because of emerald ash borer, that
21 doesn't sort of excuse the requirement to mitigate in
22 some way the trees. And I think Conservation Board
23 had some recommendations on how to do that. So I
24 think that's all I have.

25 MS. BARON: Yeah.

1 CHAIRPERSON PRICE: Thank you. Okay. Then
2 we will have two signs after that --

3 MR. HAREMZA: Two signs.

4 CHAIRPERSON PRICE: -- we'll take care of.
5 All right.

6 And bring back Jason and take our regular
7 seats.

8 (There was a pause in the proceeding.)

9 CHAIRPERSON PRICE: When you're set up,
10 Jason, please do the roll.

11 (Whereupon the roll was called.)

12 CHAIRPERSON PRICE: Okay. We have meeting
13 minutes. I know we have them for the 11/20 meeting.
14 I don't know that I saw meeting minutes for the
15 December meeting.

16 MR. HAREMZA: I don't believe we have -- or
17 just very recently received December's. So I don't
18 think those were distributed yet.

19 CHAIRPERSON PRICE: Can I have a motion to
20 approve the meeting minutes for the November 20th
21 meeting?

22 MS. ALTMAN: I move to approve the meeting
23 minutes for the November 20th meeting.

24 MR. FADER: I'll second that.

25 CHAIRPERSON PRICE: Moved and seconded. Is

1 there any comments or edits?

2 Jason, want to call the roll?

3 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;
4 Mr. Fader, aye; Mr. Osowski, aye; Mr. Price,
5 aye; Ms. Sanguinetti, aye.)

6 (Upon roll motion to approve carries.)

7 CHAIRPERSON PRICE: Thank you. Okay. So we
8 have two public hearings tonight. Could you confirm
9 these were properly advertised in the Daily Record.

10 MR. HAREMZA: These were advertised in the
11 Daily Record of January 9th, 2025.

12 CHAIRPERSON PRICE: Okay. Thank you. Our
13 first application tonight is 1P-01-25.

14 **Application 1P-01-25**

15 Application of Atonement Lutheran Church,
16 owner, and Andra Smith, lessee, for Conditional Use
17 Permit Approval to allow for a child early learning
18 program (preschool) on property located at 1900
19 Westfall Road. All as described on application and
20 plans on file.

21 CHAIRPERSON PRICE: Who's here? Don't be
22 afraid. Come on up to the podium. And we ask you to
23 just state your name and address and then tell us a
24 little bit about your application.

25 MS. SMITH: Sure. My name is Andra Smith.

1 I live at 2172 Five Mile Line Road in Penfield, 14526.

2 MS. DeMARTIN: I'm Brooke DeMartin. My
3 address is 54 Bentbrook Circle in Webster.

4 CHAIRPERSON PRICE: Thank you.

5 MS. SMITH: I'd like to add that Brooke
6 DeMartin is the co-owner of the program. So she's
7 also co-applicant along with me.

8 CHAIRPERSON PRICE: Thank you.

9 MS. SMITH: Also in attendance we have Margy
10 Peet, who is Atonement Lutheran Church Board
11 President, and Pastor Gail Swanson, who is the pastor
12 at the church. They're here to show their support.

13 We are looking to open a very small early
14 learning program for four-year-olds only. We are
15 maxing out at 20, but aiming more for 16.

16 Brooke and I would be the directors, owners
17 and teachers. So we are running this ourselves.

18 We're going to use an existing room at
19 Atonement. There are no modifications necessary to
20 the building. Yeah. That's -- anything to add?

21 CHAIRPERSON PRICE: Sometimes the things we
22 talk about are when do the kids arrive? Do you have
23 sufficient parking for the parents dropping off?
24 Because they come in fairly concentrated time frames,
25 pickup and drop-off.

1 MS. SMITH: Sure. So we're looking to
2 operate from 9 until noon. So drop-off would be at 9
3 and pickup would be at noon.

4 We will be using the back doors of the
5 building, which will give direct access to the room
6 we're using. So there's a sidewalk there that will be
7 maintained for the safety of the families entering the
8 building. And there is more than sufficient parking
9 for those 16 parents potentially dropping off their
10 children.

11 CHAIRPERSON PRICE: As far as -- do you
12 anticipate any signage on the building or --

13 MS. SMITH: We are looking into a small sign
14 at the door at the -- this is at the rear of the
15 building. So none of it is visible from the road,
16 from the sidewalk. So we are looking at just a sign
17 that would go on the building to designate that that
18 is the entrance to the program.

19 CHAIRPERSON PRICE: Okay.

20 MS. DeMARTIN: Like a directional sign.

21 CHAIRPERSON PRICE: I'll just refer you to
22 Jason when you do consider a sign.

23 MS. SMITH: Yup.

24 CHAIRPERSON PRICE: It doesn't to me sound
25 like anything that would require this Board --

1 MR. HAREMZA: Yeah. If it's below a certain
2 size, it doesn't meet the definition of "sign." So we
3 can chat about that.

4 MS. SMITH: Okay.

5 CHAIRPERSON PRICE: Okay. I think you may
6 have heard our chat beforehand. And do you run the
7 full school year or do you -- anything in the summer?

8 MS. SMITH: So we will not be offering
9 summer programming. Most early learning programs do
10 not. Again, we are not a daycare. So following suit
11 with -- most preschools in the area don't offer
12 programming over the summer.

13 We'll start a little bit later than the
14 school district starts. Again, that's in line with a
15 lot of other programs, but we'll run like the second
16 week of September into the first week of June.

17 CHAIRPERSON PRICE: Clara, I should have let
18 you --

19 MS. SANGUINETTI: No, that's fine.

20 CHAIRPERSON PRICE: Okay. I assume things
21 like -- do you serve meals? Do you have any food?
22 We're thinking about kids walking outside with
23 garbage.

24 MS. SMITH: Sure. So we won't -- we will
25 not be preparing any food ourselves. Children will be

1 invited to have a snack, which they individually
2 supply from home. That would happen indoors and we
3 would obviously manage the wrappers appropriately.

4 CHAIRPERSON PRICE: I've been by the place
5 many times, but I have not driven around back. Is
6 there outdoor space that you anticipate using with the
7 kids?

8 MS. SMITH: There is a playground on-site at
9 the back of the building that we will utilize, yes.

10 MS. SANGUINETTI: For drop off, are the
11 parents driving by or parking and bringing the kids --

12 MS. SMITH: The parent would park and bring
13 the children in. Since it's just the two of us, we
14 don't have the staffing ratio to do a drop-off where
15 we get them out of the car.

16 MS. SANGUINETTI: Will you have someone like
17 a sub on call?

18 MS. SMITH: Yes.

19 CHAIRPERSON PRICE: Any other questions?
20 Karen, you good?

21 MS. ALTMAN: Thank you.

22 CHAIRPERSON PRICE: David?

23 MR. FADER: I'm good.

24 MR. OSOWSKI: I do. Sure. Is the building
25 air-conditioned, do you know?

1 MS. SMITH: It is not.

2 MR. OSOWSKI: It is not. Okay. Do you know
3 does the existing building have fire protection
4 sprinklers?

5 PASTOR SWANSON: No.

6 MR. OSOWSKI: No. They're not required.
7 I'm just curious to know.

8 Are there any other locations for Small
9 Wonders?

10 MS. SMITH: No. This is the one and only.

11 MR. OSOWSKI: Okay. That's all I have for
12 now.

13 MS. SANGUINETTI: Will there be a separation
14 between the church and the space? Like a door or --

15 MS. SMITH: So there's a set of double doors
16 at the end of the hallway that separates -- I mean,
17 there's not much going on during the week that's
18 church-related business. But those double doors
19 separate Pastor Gail's office and the church secretary
20 office. There is like another gathering hall at the
21 end of that hallway, but that is all separated --

22 MS. SANGUINETTI: Will that be locked?

23 MS. SMITH: -- by double doors.

24 No. The building itself remains locked.

25 During operating hours, the doors to the building are

1 locked.

2 We can't actually lock it because it is --
3 it's a fire exit. So those doors don't lock in order
4 to allow access to all the appropriate exits.

5 CHAIRPERSON PRICE: When did you anticipate
6 getting started?

7 MS. SMITH: September of this year.

8 CHAIRPERSON PRICE: This coming September?

9 MS. SMITH: Yes.

10 CHAIRPERSON PRICE: Clara, you good?

11 MS. SANGUINETTI: I'm good.

12 MS. BARON: I just have one maybe, two
13 questions. In your application materials you
14 indicated you may need to put up a fence outside
15 around the playground area. Is that still a plan that
16 you have in mind?

17 MS. SMITH: That is the plan that we have in
18 mind. And obviously, we would get the appropriate
19 permits to do so.

20 MS. BARON: Okay. Thank you. And do you
21 anticipate in the future expanding the operating hours
22 from 9 to 12 to later in the day?

23 MS. SMITH: That is not part of our plan.

24 Part of the appeal that we have with this is
25 that we're both working parents. So this allows us

1 afternoons to be home with our children. So it is not
2 part of our plan to expand into the afternoon hours.

3 MR. HAREMZA: Just one question. The --
4 actually I think the question about serving food came
5 from our Sewer Department and was interested -- I
6 think from the floor plan the church currently has a
7 kitchen.

8 MS. SMITH: Correct.

9 MR. HAREMZA: And whether or not that has a
10 grease trap or whether you'd be utilizing it at all
11 for the school.

12 MS. SMITH: We will not be -- I mean, we'll
13 be using it for like hand washing, but we won't be
14 cooking in the school.

15 And I don't think that there is a grease
16 trap there.

17 PASTOR SWANSON: I don't think so.

18 MR. HAREMZA: I don't -- yeah. I don't
19 think one is required if you're not making any changes
20 or, you know, utilizing the cooking facilities.

21 CHAIRPERSON PRICE: Good? Thank you. Okay.
22 Thank you very much.

23 MS. SMITH: Thank you.

24 MS. DeMARTIN: Thank you.

25 CHAIRPERSON PRICE: Is there anybody in the

1 audience that cares to address this application?
2 Thank you. You're welcome to stick around and hear
3 our discussion on your application later.

4 That brings us to our second application
5 tonight, 1P-NB1-25.

6 **Application 1P-NB1-25**

7 Application of 293A Alden Road, LLC, owner,
8 Home Leasing, project agent, and Brian Burri, Bergmann
9 Engineers, for Preliminary Site Plan Approval and
10 Preliminary EPOD (woodlot) Permit Approval to
11 construct 120 units of affordable and supportive
12 housing consisting of seven Townhouse buildings (40
13 units) and a four-story apartment building (80 units)
14 on property located on the south side of Elmwood
15 Avenue, adjacent to the City of Rochester municipal
16 line, known as Tax ID #136.14-1-1.2 and #136.14-1-1.3.

17 MR. BABCOCK-STIENER: Mr. Chair, I recuse
18 myself.

19 CHAIRPERSON PRICE: Will you please note
20 that Jason is recusing himself.

21 MR. BURRI: Good evening, Brian Burri with
22 Bergmann on behalf of Project Housing and Home Leasing
23 for their development at the old psych center area.

24 Just to orient everybody, north is up. So
25 Elmwood Avenue is to the top. St. John's Brickstone

1 is to the east or right. The Terrance Tower and psych
2 center in the City to the west. And then to the south
3 of the property is the DDSO facility and this building
4 as well.

5 The City -- the Town line is kind of
6 diagonal through here. And as mentioned previously,
7 this site will be served from the road network that's
8 being developed on the City portion of the overall
9 project I'll call it. And that will have four access
10 points. One will be the existing at Elmwood Avenue,
11 the signalized intersection.

12 Want me to move that?

13 MS. SANGUINETTI: No, no, no. You're fine.

14 MR. BURRI: You're okay?

15 Create a new connection into St. John's
16 Brickstone, which will ultimately allow the residents
17 at Brickstone to come through and have a safer left
18 turn movement onto Elmwood Avenue.

19 And then we're going to make a new
20 connection into Science Parkway, which will take
21 people out to South Avenue. And then the existing
22 road that takes you out to Westfall at the signal here
23 will still be intact.

24 This is, for now, tentatively scheduled for
25 later this fall to start up. And that will include

1 just the road and the major utility infrastructure
2 water and sanitary sewer.

3 Driveways will be connected to this road, as
4 Jason mentioned, as well as the driveway for the
5 apartment building.

6 Project -- the townhouse portion will have
7 seven buildings, 40 units, mixture of two-story
8 buildings and then some hybrid buildings where the
9 endcaps will be one-story. Then the middle will be
10 two stories. Each unit will have its own attached
11 garage as well as driveway space for an additional
12 vehicle.

13 Landscaping for the townhouses, we are
14 providing some pockets of visual buffers of trees
15 primarily at Buildings 1, 2 and 3. For 4 through 7,
16 our intent is to maintain as much of that existing
17 vegetation as there is today and keep that as a -- use
18 that as our visual buffer. Some of it will come down.
19 That's closer to where we have to develop, but the
20 intent is to maintain as much as possible.

21 Now, we did kind of stagger these buildings
22 a little bit so they weren't in a straight line. We
23 do have a constraint on the east side. There's an
24 existing Monroe County Pure Water storm sewer that
25 runs through here that also has a 30-foot easement.

1 So on a very narrow property we're condensing even
2 more. So we weren't -- we did the best we could to
3 give that little bit of relief.

4 To the apartment building, that will be four
5 stories, 80 units, access -- two access points off the
6 new road. It will circulate around the building for
7 fire lane, fire access. Parking's in the front and
8 the side, top side, with land banked space on the
9 north and south ends.

10 This site also has some constraints with the
11 network of utilities in the front, then out back where
12 we have our DEC wetlands with the associated buffer
13 area. So as you can see in this colored version, the
14 grayed area will be the conservation easement,
15 undisturbed. So that's basically half of that parcel.

16 So stormwater will be at the northern end.
17 We will provide some landscaping, visual buffer, on
18 that northern end. There will be a connection to
19 Highland Trail at the southern -- or right near
20 building 7. And then our ground-mounted solar panels
21 will be in the southern end of the parcel.

22 Landscaping will be in front. And then --
23 we will meet with the Conservation Board. And they
24 suggested some foundation plantings around the
25 apartment building, which we will add for the next

1 step.

2 That's it for the site layout.

3 CHAIRPERSON PRICE: Okay. I have one
4 question. Were you going to show us the architecture
5 also?

6 MR. BURRI: Yeah. Joe from SWBR is here
7 too. So he can help answer questions.

8 CHAIRPERSON PRICE: Brian, one quick
9 question for you as Joe comes up. Is the Town/City
10 line also the property line?

11 MR. BURRI: Yes. Yup. And this will remain
12 two parcels.

13 CHAIRPERSON PRICE: Remains two parcels.

14 MR. BURRI: Correct.

15 CHAIRPERSON PRICE: All right. And from a
16 management standpoint, everything is rented?

17 MR. BURRI: Yes.

18 CHAIRPERSON PRICE: And is the same entity
19 renting and managing the townhouses that is managing
20 the apartments?

21 MR. BURRI: Yes. Same.

22 CHAIRPERSON PRICE: Okay. Thank you.

23 Could you please introduce yourself for the
24 record.

25 MR. McNINCH: Yeah. Sure. Joe McNinch with

1 the SWBR.

2 So here's a conceptual rendering of the two
3 buildings. This is, obviously, the multi-family
4 building. That's on the southern portion of the site
5 over here with the view sort of coming from
6 approximately the -- you know, the entry drive back
7 towards the entrance of the building, which is
8 somewhere right here.

9 It is four stories in height. It's 80
10 units; 72 one-bedrooms, 8 two-bedroom units.

11 Typical resident amenities would be, you
12 know, a large community room for, you know, meetings
13 or community events.

14 And then this is sort of a view of a typical
15 townhouse. As Brian mentioned, we got one-story units
16 on either end for accessibility purposes and then
17 two-story units in between.

18 These are set up, you know, in sort of a
19 townhouse configuration. They're adjacent. You know,
20 there's a parting wall between the units. There's no
21 units over units in here. So they would have a
22 two-hour fire separation between each one of them.

23 They're not currently planned to be
24 sprinklered with that two-hour separation between the
25 two units. We're going to take care of it that way.

1 Predominantly vinyl siding, vinyl windows.
2 We're seeking tax credits through New York State
3 through the HCR or HFA. And we will have to be
4 beholden to their guidelines and their requirements
5 for material quality.

6 The four-story building -- we do -- we are
7 showing a bit of masonry at the bottom to sort of
8 ground it. And then as you move up, we're introducing
9 different colors and patterns of vinyl siding to
10 create a cost-effective development.

11 On these corner elements, we are looking at
12 an exterior insulated finish system up higher off of
13 grade where, you know, you really want the resilient
14 materials down low for like impacts, weed whackers,
15 that kind of thing.

16 Obviously, in townhouses it's going to be a
17 steep slope roof with asphalt shingles.

18 As was indicated earlier, we are on the
19 agenda for later this month for our initial
20 Architectural Review Board. So these are -- have not
21 been vetted by the Town yet. They're just our
22 offering at this point. So we're certainly willing to
23 work with the Town and their staff to create a
24 beautiful project.

25 MR. FADER: The wooden framework on the end

1 of the building, is like that a place where residents
2 can go?

3 MR. McNINCH: That's exactly right. Yup.
4 It would be a terrace, a rooftop terrace. You know,
5 it's a pergola structure. Potentially we can provide,
6 you know, canvas sort of awnings in there to provide
7 shade in the summer months. But, yeah. It's meant
8 for the residents, an amenity up there.

9 I guess -- so it's important to note too, as
10 mentioned earlier, this building is intended to be
11 Passive House and also net zero. That's the
12 ground-mounted solar. That's an integral part of the
13 success of being net zero, generating all of the
14 electric that we're going to be using in the building
15 here.

16 All electric -- both projects would be all
17 electric. Utilize heat pump technology.

18 CHAIRPERSON PRICE: Okay. Thank you.
19 Brian, forgive me if I -- oh, Joe. One question. Are
20 all those garages one-car garages?

21 MR. McNINCH: Yes.

22 CHAIRPERSON PRICE: Okay. Thank you.
23 Brian, we did talk about moving the larger apartment
24 building forward and thinking about the parking in the
25 backside, but that's dictated by the utilities --

1 MR. BURRI: Correct.

2 CHAIRPERSON PRICE: -- that are already out
3 front. Okay.

4 As far as the townhouses, was there --
5 there's seven buildings. Are these subject to front
6 setbacks off the property line or are these -- have
7 you staggered these really just on your own with no
8 mandatory front setback?

9 MR. BURRI: Yeah. I don't think there's
10 a -- I think it was kind of two-fold. One was to get
11 an additional space for the driveways and vehicles
12 because we have to provide two spaces per unit.

13 CHAIRPERSON PRICE: Oh.

14 MR. BURRI: One's covered --

15 CHAIRPERSON PRICE: So one's covered. Okay.
16 So you are showing two vehicles per driveway, but
17 those are for two units.

18 MR. BURRI: Correct.

19 CHAIRPERSON PRICE: So one enclosed, one
20 outside.

21 I am wondering do they need -- in some cases
22 do the driveways need to be so deep? In other words,
23 could some of the units -- and I see where there's
24 potential conflicts with that angled utility easement,
25 but is there a way to push those a little further west

1 and still -- I mean, some of them it appears they're
2 as deep -- you know, you don't want a car parking on
3 the sidewalk.

4 MR. BURRI: Right.

5 CHAIRPERSON PRICE: It needs to be, you
6 know, 20, 25 feet from the sidewalk to the face of the
7 building. Maybe not that much. But in some cases,
8 there appears to be quite a bit of space. Think about
9 it.

10 MR. BURRI: Yeah. I think in the rear we
11 have that -- we have our incentive zoning, that 30, 35
12 I think. 30 or 35 to the rear. And we don't want to
13 put it on -- we can't put it on an easement because --

14 CHAIRPERSON PRICE: No, no, no. I'm trying
15 to get you to go toward the road --

16 MR. BURRI: Oh, okay.

17 CHAIRPERSON PRICE: -- the other way.
18 Shorten up the driveways, bring the buildings a little
19 closer to the road.

20 MR. BURRI: There might be a couple that
21 could.

22 CHAIRPERSON PRICE: Right. That's what I
23 thought. There might be just a few.

24 MR. OSOWSKI: I think I saw that your
25 incentive zoning allowed you to reduce it from 50 to

1 40 for the back.

2 MR. BURRI: Yeah. Yeah. That's due to that
3 30-foot easement.

4 MR. HAREMZA: So the incentive zoning also
5 allows the front yard setbacks to be 12 feet in lieu
6 of the minimum 40. I don't know if that 12 feet
7 represents a maximum or if they could go less than 12
8 to Bill's sort of concept of pulling the buildings
9 closer to the street.

10 MS. BARON: Yeah. That would be less
11 than -- if you're putting them closer than 12, I think
12 that would not be permitted by the incentive zoning
13 approval. The incentive zoning approval said that the
14 setback could be 12 instead of the required 40; right?
15 That would be the -- you couldn't put it closer than
16 12 is what I'm saying.

17 MR. HAREMZA: Right.

18 CHAIRPERSON PRICE: So some of them are
19 like, you know, 14, giving a total driveway depth of
20 28. That's on Building Number 2. If you push that to
21 the 12 feet, that gives you a driveway of 26 feet,
22 which I think if you have a big honking pickup truck,
23 that's still enough to not be hanging over the
24 sidewalk.

25 That's one thing I would encourage you to

1 look at is just try to tighten that up a little bit.
2 And it is to try to reduce the amount of asphalt but
3 also to deepen that buffer on the east side.

4 No change in units or count. You know,
5 there's somewhere you can. Behind Building 1 you
6 might have to slide the whole unit a little bit
7 further north and then west because pretty quick
8 you're going to run into that easement.

9 And only other thing, guys, that I had
10 was -- well, two things. One, can you show the solar
11 units on the plan? Is that coming along just
12 schematically or --

13 MR. BURRI: Yeah. We can show -- it won't
14 be set in stone. It would be a generic schematic
15 layout.

16 CHAIRPERSON PRICE: Sure. And then when the
17 playground, between units one and two -- Buildings 1
18 and 2, as that develops, could that be on the final
19 plans?

20 MR. BURRI: Yes.

21 CHAIRPERSON PRICE: Thank you.

22 Karen seems so far away.

23 MS. ALTMAN: It's because Jason was right
24 there.

25 CHAIRPERSON PRICE: Do you have any

1 questions?

2 MS. ALTMAN: I had a question about the
3 playground too, which would be answered by the
4 additional detail. Yeah.

5 MR. HAREMZA: I think also keep in mind this
6 is a preliminary site plan application. So I think it
7 would be fair to ask that the details of the
8 playground come back for the final site plan.

9 CHAIRPERSON PRICE: Yup. Okay. David?

10 MR. FADER: You went over the thing I was
11 also thinking --

12 MR. HAREMZA: Project, David.

13 MR. FADER: You kind of covered my -- my
14 thought is I'd like to see whatever could be done to
15 maximize the buffer on the east side.

16 CHAIRPERSON PRICE: Clara?

17 MS. SANGUINETTI: Yeah. Just will there be
18 a bus stop near the main unit coming from science --
19 well, the Science Parkway is going to connect; right?

20 MR. BURRI: Correct.

21 MS. SANGUINETTI: Will there be any -- do
22 you know if there will be any transportation?

23 MR. BURRI: There has not been any
24 discussion with the bus yet.

25 I know the Town is pushing for that as well

1 with the bus company, but we have not had that
2 conversation. I don't think we've had a plan for
3 our -- not -- on the Town side, but it has not been
4 approached on the City side as well. It would have to
5 be on the City side because the road is in the City.

6 MS. SANGUINETTI: Do you know if Science
7 Parkway will have sidewalk?

8 MR. BURRI: Science -- I don't think Science
9 Parkway -- Science Parkway does have sidewalk.

10 CHAIRPERSON PRICE: It does.

11 MR. BURRI: The new connection will have
12 sidewalk as well and that will be on both sides.

13 MS. SANGUINETTI: Okay.

14 MR. BURRI: All the way up.

15 MR. OSOWSKI: I noticed there's a fair
16 number of crosswalks along the street and they're all
17 on City property. But have you considered to make any
18 of those crosswalks a raised tabletop for pedestrian
19 safety and to slow down vehicles?

20 MR. BURRI: We have not. We do have stop
21 signs there. At each crosswalk will be a stop sign.

22 MR. OSOWSKI: Oh, wow. Okay.

23 MR. BURRI: Yes.

24 MR. OSOWSKI: The other suggestion I have is
25 for the tactile surface at those crosswalks to use a

1 cast-iron material instead of the vinyl plastic
2 material that gets glued in place and only lasts a
3 couple of winters until it gets plowed off.

4 I notice that there's -- also there's
5 existing parking for the trail on the Brickstone side
6 at the -- kind of the northeast corner.

7 MR. BURRI: Right.

8 MR. OSOWSKI: Did you consider any
9 additional parking? Or does everybody think --

10 MR. BURRI: No we did not.

11 MR. OSOWSKI: -- the parking is adequate for
12 that?

13 MR. BURRI: We think it's adequate.

14 MR. OSOWSKI: Okay. All right.

15 CHAIRPERSON PRICE: Brian, you did mention
16 the access points. Is it a -- as it goes to the DDO
17 property, is it a dedicated right-of-way that you know
18 of?

19 MR. BURRI: This is not, no. It's kind of
20 private, but it connects to here.

21 CHAIRPERSON PRICE: Yeah.

22 MR. BURRI: It utilizes all this.

23 CHAIRPERSON PRICE: These will be private
24 streets?

25 MR. BURRI: This will be a private -- yes.

1 CHAIRPERSON PRICE: Okay.

2 MR. BURRI: Even the City portion.

3 MR. HAREMZA: Will there be public access
4 easements recorded for the parking?

5 MR. BURRI: Yes. It will be one big
6 cross-access.

7 This is through the City portion. So this
8 will be private.

9 CHAIRPERSON PRICE: And since we've got you
10 up here, would you just describe a little bit about
11 the EPOD/woodlot approval. This has to do with the
12 tree clearing.

13 MR. BURRI: Right. So we did a pretty
14 extensive tree survey out there. This is the overall,
15 but we located all trees per the Town requirement. I
16 would say 70 to 75 percent are ash and half of those
17 are dead already.

18 And the other species are -- there's some
19 poplars, some willows. There's a few hardwoods. We
20 are keeping a few of those in the northern corner.
21 But for the more part, everything through here that's
22 in our way is going away if it hasn't already died.

23 As I mentioned before, this half of lot 2,
24 I'll call it, will remain untouched and forever wild,
25 forever treed. So that's a plus, I guess.

1 And we are going to keep some of the
2 vegetation through this area here, which was the last
3 four units of townhouses, buildings and townhouses.

4 CHAIRPERSON PRICE: And remind us the
5 wetland delineation set by the Corp. or DEC?

6 MR. BURRI: Yup. Yes. That's both
7 jurisdictions. That was done in 2023 -- redone in
8 2023. And since it is the State, it carries that
9 hundred-foot buffer, which means we cannot do anything
10 100 feet away from that wetland. So that's why --
11 that would be this. This is the buffer. So that's
12 why all of this will remain forever wild.

13 CHAIRPERSON PRICE: Okay. So it seems --
14 the only thing I recall from the time we last talked
15 about this was the access going into Brickstone and
16 something about the volume of vehicles going to that
17 access point where that's at kind of a critical point
18 where Elmwood Avenue transitions from two to one like
19 right at that driveway.

20 MR. BURRI: Right. Yeah.

21 CHAIRPERSON PRICE: And then just a notice
22 of some conflicts where people are trying to turn into
23 Brickstone, yet there's still somebody in the right
24 lane trying to get into the --

25 MR. BURRI: They will be able to use this.

1 CHAIRPERSON PRICE: So they're --

2 MR. BURRI: The signal.

3 CHAIRPERSON PRICE: Probably easier to get
4 back to the signalized intersection.

5 I know for years RTS did go into the psych
6 center. They may still.

7 They don't?

8 MR. BURRI: I don't think they can drive
9 through now. There's a lot of potholes.

10 CHAIRPERSON PRICE: You can't see Jason's
11 face.

12 MR. HAREMZA: Sorry. Now that we're in 680
13 Westfall Road, that is my new bus stop. So I'm
14 intimately familiar with the site.

15 CHAIRPERSON PRICE: All right. Okay. Thank
16 you. Other questions from the Board?

17 Karen, you good?

18 MS. ALTMAN: Good. Thank you.

19 CHAIRPERSON PRICE: Okay. Lauren?

20 MS. BARON: Yup. I just had a couple
21 questions. Can you speak more to the phasing of the
22 project? Are you planning on constructing the
23 buildings closer to Elmwood first and moving backwards
24 or the buildings in the rear and moving forwards?

25 MR. BURRI: I think it's still up in the

1 air.

2 UNIDENTIFIED SPEAKER: New York State
3 will tell us.

4 MS. EICHOLTZ: So our intent is to --

5 MS. BARON: Wait. Sorry. Could you just
6 say your name.

7 MS. EICHOLTZ: Sure. Angela Eicholtz with
8 Home Leasing.

9 Our hope is to fund the entire project all
10 as one package, which would allow us to build it
11 simultaneously. But New York State is asking that we
12 look into the possibility of phasing the southern
13 multi-family building first and then building the
14 townhomes.

15 So to appease the State, we're looking at
16 that as an alternative phasing plan. Ultimately, they
17 will have the final say as to whether it's built all
18 at once or phased in two phases.

19 CHAIRPERSON PRICE: The improvements though
20 are one phase as far as road and utilities?

21 MS. EICHOLTZ: Correct. The roads will all
22 be constructed as part of the phase one.

23 CHAIRPERSON PRICE: Okay.

24 MR. OSOWSKI: Do you find that these
25 income-restricted developments are oversubscribed for

1 people who want to rent them and move into them?

2 MS. EICHOLTZ: Yeah. We anticipate that
3 this will have a very high demand. Our market study
4 had an extraordinarily low capture rate, which is
5 indicative of a high demand. Especially given the
6 school district, we don't anticipate any problems.

7 MR. OSOWSKI: And I assume you have some
8 well-vetted programs for vetting tenants.

9 MS. EICHOLTZ: Yup.

10 MR. OSOWSKI: Okay.

11 MS. SANGUINETTI: Which laws apply? City
12 laws or Brighton laws? For rental protections.

13 MR. HAREMZA: Brighton.

14 MS. SANGUINETTI: Brighton.

15 CHAIRPERSON PRICE: I'm sorry. What was
16 your question?

17 MS. SANGUINETTI: So which laws -- renters'
18 protection laws applies? Town of Brighton?

19 CHAIRPERSON PRICE: That was the answer.

20 MS. BARON: Well, that and the New York
21 State has -- there's several state laws that are in
22 place for renter protections as well.

23 MR. HAREMZA: Clara, are you thinking of the
24 recently adopted no-cause eviction law that the
25 City -- the Good Cause Eviction?

1 MS. SANGUINETTI: Yeah. Yeah.

2 MR. HAREMZA: Yeah. So that's just the
3 City.

4 MS. SANGUINETTI: So wait -- okay. So it
5 doesn't apply --

6 MR. HAREMZA: It does not apply to what
7 you're looking at now.

8 MS. SANGUINETTI: What's the funding for the
9 project? Someone?

10 MS. EICHOLTZ: So the main source of funding
11 is anticipated to be through loans and tax credits.

12 MS. SANGUINETTI: And what percentage of the
13 total cost would you anticipate --

14 MS. EICHOLTZ: Well, it's funded, the entire
15 package, through the State.

16 So we're either going to go through the
17 State's competitive 9 percent round or the buy right 4
18 percent bond rounds. And regardless of which way we
19 go, the remainder of the project -- the vast majority
20 is packaged with a soft subsidy that's provided by the
21 State. That's probably 90 percent of the total
22 financing.

23 It would be a small permanent conventional
24 loan as well. And then we're also expecting money
25 from NYSERDA to fill in the gap.

1 MS. BARON: I have a couple more. Can you
2 please speak to the Conservation Board's comment
3 regarding adding additional plantings in the rear of
4 the townhomes to provide additional buffer for the
5 Highland Crossing Trail?

6 MR. BURRI: Sure. We do have some on there
7 now. We have three separate pockets.

8 Our intent is not to create a wall of trees
9 or plants across here. But we may be able to add a
10 few in some of the open areas, few additional ones.

11 And to piggyback onto their comments, with
12 the pollination seed mix, we are investigating to see
13 where we can put that on the apartment building lot.
14 They specifically asked if it could go in the solar
15 field area. We're going to check into that. So I'm
16 not sure how high that will grow. So that's all
17 maintenance-free.

18 But we will put it wherever we can to help
19 with pollination.

20 MS. BARON: One more sort of global project
21 question. What is the status of the City portion of
22 the project currently?

23 MR. BURRI: That is still in the master plan
24 concept phase. They're trying to get funding to bring
25 down the tower first as that will open up the whole

1 property and they can plan it better and get tenants
2 or developers to come in and take care of that. But
3 right now, they're still trying to get funding.

4 But the tower will not hold up doing the
5 road infrastructure.

6 MR. HAREMZA: Just two things. One, really
7 for the Board to consider, I'm sensing there's an
8 opportunity to address some of the Conservation
9 Board's recommendations as well as mitigation for the
10 woodlot/EPOD. And Brian, already sort of touched on
11 it with additional landscaping in that buffer along
12 the trail. So maybe that can, you know, kill two
13 birds with one stone and be further refined as this
14 project moves forward. So just throwing that out as a
15 comment.

16 And then also for Joe, if you haven't
17 already spoken with the Fire Marshal and Patricia
18 Hinckley, the Town --

19 MR. BURRI: We have not.

20 MR. HAREMZA: So Brighton requires all new
21 buildings to be sprinklered other than one- and
22 two-families.

23 MR. BURRI: Okay.

24 MR. HAREMZA: So I don't know if these are
25 going to be considered one- and two-families for the

1 purposes of building code. So I would --

2 MR. McNINCH: No. You're right about that.

3 MR. HAREMZA: -- get with them as soon as
4 possible.

5 MR. McNINCH: Yup. Yup. Understood.

6 CHAIRPERSON PRICE: You guys all set?

7 MR. HAREMZA: All set.

8 CHAIRPERSON PRICE: Okay. Thank you.

9 MR. OSOWSKI: I want to address part of the
10 existing trail. The part of the trail that's behind
11 your Building 1 has some really bad drainage issues.
12 During wet times of the year, it's like a little
13 swamp. And --

14 MR. BURRI: Yup. There's two areas
15 actually.

16 MR. OSOWSKI: Yeah. It would be really nice
17 if this project could address those issues because it
18 might extend into the backyards of your building if
19 you're not careful with what you do there.

20 I would almost make it a condition that we
21 ask them to work with the Town engineer to make some
22 improvements to the trail to fix those problems.

23 MS. BARON: So this came up in front of the
24 Town Board as well as part of the incentive zoning.
25 If you recall, your letter -- your comment letter to

1 the Town Board when this was previously referred to
2 you did include that comment about improving the
3 Highland Crossing Trail as an amenity for the Town.

4 And the Town Board -- it's my understanding
5 they discussed that. And the applicant maybe can
6 speak a little bit more to this. They represented
7 they would be unable to have funding to make those
8 improvements. That's why it was not included as an
9 amenity as part of the incentive zoning.

10 MR. BURRI: Yeah. I think the improvement
11 was to pave it -- it's in the stone dust today, which
12 we cannot pave this.

13 But we are addressing two -- the two
14 drainage problems that you see today. There's one at
15 the very beginning, which we're going -- it kind of --
16 the water is supposed to flow from west to east.
17 Brickstone was built and it was raised. So that
18 impeded that natural watercourse.

19 So water is trapped here because this wants
20 to come to the east and Brickstone wants to go to the
21 west. So it's trapped here.

22 So we're going to add a catch basin in the
23 lawn area, which is really where it's puddling the
24 most. It's building up and eroding the trail there.
25 And then that will connect to the catch basin and the

1 parking lot.

2 We went a little farther south -- Brickstone
3 added a drainage pipe, but that water from the west
4 doesn't get there. So we'll look at grading and we'll
5 work with the Town engineer to figure out what we can
6 do to help get that across the trail and into that
7 pipe.

8 MR. OSOWSKI: Great. Thank you very much.

9 MR. FADER: Can you add extra stone dust to
10 any of these areas?

11 MR. BURRI: I don't know if it's really
12 eroded away that much that it needs to be built back
13 up. I think it's just sitting there.

14 MR. FADER: Most stone dust trails work
15 really well and can be fixed with some extra stone
16 dust and maintained. You don't have to pave them.

17 MR. BURRI: Right. We're not paving.

18 MS. SANGUINETTI: You would not want to
19 pave.

20 CHAIRPERSON PRICE: You wouldn't want them
21 paved.

22 All right. Thank you. I think -- Brian, I
23 think what we'll want to talk about is seeing if we
24 can slide a few, maybe not all, of the buildings a
25 little bit further west to expand the rear yard space

1 and reduce the amount of asphalt for driveways.

2 Looking at, you know, some drainage
3 improvements that the project is going to do that
4 could also help the trail.

5 And I think as far as the comments from the
6 Conservation Board, keep in mind we'd still like this
7 to probably be a wildlife corridor, which it probably
8 is today. So I like the idea of you looking at seed
9 mixes that offer some food opportunities as well as a
10 kind of an edge condition for habitat, bringing that
11 right through the project along the trail.

12 What else did we talk about? A little more
13 development on the playground as the project advances.
14 Thank you.

15 MR. BURRI: Thank you.

16 CHAIRPERSON PRICE: All right. This is a
17 public hearing. Is there anyone that cares to address
18 this application?

19 That's the last public hearing. Do we need
20 a two-minute break? Okay. Let's return at 8:15 if we
21 could.

22 (Public hearings concluded at 8:10 p.m.).

23 (Deliberations and decisions begin at 8:16 p.m..)

24 CHAIRPERSON PRICE: All right we're going to
25 review our first application tonight, 1P-01-25.

1 **Application 1P-01-25**

2 Application of Atonement Lutheran Church,
3 owner, and Andra Smith, lessee, for Conditional Use
4 Permit Approval to allow for a child early learning
5 program (preschool) on property located at 1900
6 Westfall Road. All as described on application and
7 plans on file.

8 CHAIRPERSON PRICE: Do we have a motion to
9 close the public hearing?

10 MR. BABCOCK-STIENER: I move we close the
11 public hearing for application 1P-01.

12 MS. ALTMAN: I'll second that.

13 CHAIRPERSON PRICE: Moved and seconded. Any
14 discussion on closing the hearing?

15 Jason, please call the roll.

16 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;
17 Mr. Fader, aye; Mr. Osowski, aye; Mr. Price,
18 aye; Ms. Sanguinetti, aye.)

19 (Upon roll motion to close the public
20 hearing carries.)

21 CHAIRPERSON PRICE: Thank you. All right.
22 Do we have a motion to take action on this
23 application, anybody?

24 MR. BABCOCK-STIENER: I move that the
25 Planning Board approves application 1P-01-25 for a

1 conditional use permit approval based on the testimony
2 given, plans submitted and the eight conditional use
3 permit findings and the five conditions outlined in
4 the Planning Board report.

5 CHAIRPERSON PRICE: Is there a second?

6 MR. FADER: I'll second that.

7 CHAIRPERSON PRICE: Moved and seconded. Is
8 there any discussion?

9 Please call the roll.

10 MR. HAREMZA: Did you want to amend the
11 condition to include 12 months?

12 MS. BARON: So we can talk about that. In
13 terms of condition number 2, based on the testimony
14 tonight it doesn't seem that they will be operating in
15 the summer or have any intent to. So I feel, in my
16 opinion, the condition as written is probably
17 sufficient. But if the Board feels differently, then
18 that's up to you if you want to amend some of that
19 language.

20 CHAIRPERSON PRICE: Is everybody good with
21 the way it is written? Okay.

22 All right. Move and seconded. Can you
23 please call the roll?

24 **Conditional Use Permit Findings:**

25 1. The Planning Board finds that the proposed

1 preschool facility complies with the standards of the
2 Low Density Residential - B (RLB).

3 2. The Planning Board finds that the proposed use is
4 in harmony with the purpose and intent of Code
5 Sections 217-3 through 217-7.2 (Conditional Uses).

6 The location and size of the preschool facility, the
7 intensity, size of the site and access have all been
8 considered in the Board's review.

9 3. The Planning Board finds that the establishment of
10 a preschool facility in this location, will not be
11 detrimental to persons, detrimental or injurious to
12 the property and improvements in the neighborhood, or
13 to the general welfare of the Town.

14 4. The preschool facility will be developed within an
15 existing structure on a developed site and not result
16 in the destruction, loss or damage of any natural,
17 scenic or significant historical resource.

18 5. The Planning Board finds that the establishment of
19 a preschool facility will not create excessive
20 additional requirements for public facilities and
21 services and will not be detrimental to the economic
22 welfare of the community.

23 6. The Planning Board finds that the establishment of
24 a preschool facility will be adequately served by
25 essential public facilities.

1 7. The Planning Board finds that the establishment of
2 a preschool facility will not result in the loss or
3 damage to trees.

4 8. The Planning Board finds that the establishment of
5 a preschool in this location essentially conforms to
6 the Town's Comprehensive Plan: Envision Brighton 2028.
7 Specifically, the Sense of Community Statement and
8 Objective: Objective F: Maintain the attributes of the
9 community that support our world-class educational
10 system, diverse cultural and religious history, and
11 inclusive community environment.

12 **Conditions:**

13 1. The applicant shall comply with all conditions of
14 the Planning Board.

15 2. Any expansion with regard to number of children,
16 time of operations beyond those of the regular school
17 hours of Brighton Central School District, and/or
18 physical size of the preschool space, whether within
19 the existing church building complex or a building
20 addition, shall require separate review by the Town of
21 Brighton staff and/or the Town of Brighton
22 Planning Board.

23 3. Any exterior changes, fencing, signage, or outdoor
24 installations shall require separate review by the
25 Town of Brighton staff and/or the Town of Brighton

1 Planning Board.

2 4. The entire project shall comply with the most
3 current New York State Fire Prevention and Building
4 Code and the Town of Brighton sprinkler requirements.

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

7 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;
8 Mr. Fader, aye; Mr. Osowski, aye; Mr. Price,
9 aye; Ms. Sanguinetti, aye.)

10 (Upon roll motion to approve with conditions
11 carries.)

12 CHAIRPERSON PRICE: Good luck.

13 MS. SMITH: Thank you very much.

14 PASTOR SWANSON: Thank you so much.

15 CHAIRPERSON PRICE: Okay the next

16 application is 1P-NB1-25.

17 **Application 1P-NB1-25**

18 Application of 293A Alden Road, LLC, owner,
19 Home Leasing, project agent, and Brian Burri, Bergmann
20 Engineers, for Preliminary Site Plan Approval and
21 Preliminary EPOD (woodlot) Permit Approval to
22 construct 120 units of affordable and supportive
23 housing consisting of seven Townhouse buildings (40
24 units) and a four-story apartment building (80 units)
25 on property located on the south side of Elmwood

1 Avenue, adjacent to the City of Rochester municipal
2 line, known as Tax ID #136.14-1-1.2 and #136.14-1-1.3.

3 MR. FADER: I move the Planning Board tables
4 application 1P-NB1-25 based on the five reasons
5 included in the Planning Board report prepared by town
6 staff.

7 MS. SANGUINETTI: Second.

8 CHAIRPERSON PRICE: Moved and seconded any.
9 Further discussion?

10 I just have one question. Is it feasible,
11 based on engineering comments, you think to come back
12 for preliminary and final?

13 MR. HAREMZA: To combine them and get to a
14 approval in February, that might be a challenge.

15 CHAIRPERSON PRICE: You're not going to the
16 ARB until --

17 MR. McNINCH: January 28th.

18 CHAIRPERSON PRICE: -- later this month?

19 MR. McNINCH: Yeah.

20 CHAIRPERSON PRICE: It'd be tough to turn it around.

21 MR. HAREMZA: To me, the two courses of
22 action would be look to get preliminary approval from
23 Planning Board in February and then come back for
24 final or combine preliminary and final for March.

25 MS. BARON: Yeah. If you wanted to --

1 CHAIRPERSON PRICE: Sounds like the time
2 frame is about the same.

3 MS. BARON: There seems to be --

4 CHAIRPERSON PRICE: Doesn't sound like
5 there's an advantage to holding off. So you could go
6 one month and then the next for final.

7 MS. BARON: Based on the amount of comments,
8 I think that there's a significant amount that the
9 applicant likely needs to address. So it makes sense
10 to -- and ARB, going at the end of the month.

11 CHAIRPERSON PRICE: All right. We have the
12 motion to table. And a second. We do have a second?

13 MS. SANGUINETTI: Yeah. I seconded.

14 CHAIRPERSON PRICE: Okay. Moved and
15 seconded. Please call the roll.

16 (Ms. Altman, aye; Mr. Babcock-Stiner,
17 recused; Mr. Fader, aye; Mr. Osowski, aye;
18 Mr. Price, aye; Ms. Sanguinetti, aye.)

19 (Upon roll motion to table carries.)

20 MR. HAREMZA: Tabled. Hearing remains open.

21 CHAIRPERSON PRICE: Thank you, everyone.

22 MR. BURRI: Thank you.

23 CHAIRPERSON PRICE: All right. We have two signs.

24 **Signs:**

25 **Application Number: SN-24-42 (1745)**

1 1672 Monroe Ave
2 A 23.3 square foot black acrylic dimensional letter
3 sign for The Beauty Theory

4 **Application Number: SN-24-44(1746)**

5 1925 S. Clinton Ave
6 Two internally illuminated signs for ROC INTEGRATED
7 MED. The sign facing the Parking lot is a 48 square
8 foot channel letter illuminated sign. The South
9 Clinton facing sign will be a 30 square foot channel
10 "cloud" sign.

11 MR. HAREMZA: So somebody would need to move
12 and second this, but I would propose that the Planning
13 Board approve sign number 1745 and 1746 as recommended
14 by the Architectural Review Board.

15 MR. BABCOCK-STIENER: I move that the
16 Planning Board approve sign number 1745 and 1746 as
17 recommended by the Architectural Review Board.

18 MS. SANGUINETTI: I second.

19 CHAIRPERSON PRICE: All in favor.

20 ALL BOARD MEMBERS: Aye.

21 MR. HAREMZA: Opposed?

22 CHAIRPERSON PRICE: Opposed?

23 MR. HAREMZA: Pass unanimously.

24 (Proceedings concluded at 8:25 p.m.)

25 * * *

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REPORTER CERTIFICATE

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

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 15th day of January, 2025
at Brighton, New York.



Holly E. Castleman ACR,
Official Court Reporter