
BRIGHTON

PLANNING

BOARD

June 18, 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

| | | |
|----------------------|---|---------------|
| KAREN ALTMAN |) | BOARD MEMBERS |
| DAVID FADER |) | |
| JASON BABCOCK-STINER |) | |
| SERGE TSVASMAN |) | |

LAUREN BARON, ESQ.
Attorney for the Town

ABSENT:

CLARA SANGUINETTI

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 Welcome to the Town of Brighton Planning Board, our
3 June 18th, 2025, meeting. We are here at the
4 temporary Town Hall. Probably for another year and a
5 half it looks like. Seems like things are going okay
6 over there, but we'll be here for a while.

7 In the event that there are any comments on
8 tonight's applications, please contact Jason Haremza,
9 the man with the stapler, after tonight's public
10 hearings.

11 What we do first is we have a brief meeting
12 with staff to review the agenda and then we will get
13 back to the order of things. And we will review the
14 meeting minutes from the last two months' meetings.

15 Lauren and Jason, kind of a shorter agenda
16 tonight. Case number 1, Zero East Henrietta Road.
17 This is for site plan, subdivision, EPOD and
18 conditional use permit related to the TopGolf
19 application. I assume this is a renewal of the
20 application?

21 MR. HAREMZA: If I may, for anybody that
22 would like an agenda, I put them on the back table.
23 That's what the stapling was for.

24 MS. BARON: Yup. No changes. Their
25 original approval doesn't expire until next month. So

1 they came a little early to both boards.

2 ZBA also just approved their extension the
3 past -- at their June meeting, June 4th meeting.

4 MR. HAREMZA: And I know, Bill, you had
5 asked where things are on the City side of the line
6 and I just -- I passed out a couple printed sheets,
7 one of them showing the approved roadway network on
8 the city side and the other for the hotel -- approved
9 plans for the hotel that is now under construction.

10 One thing I was very happy to see on the
11 hotel plan -- and, you know, Lauren and I were
12 chatting earlier today about how the structures of New
13 York State local government don't make it easy to
14 coordinate projects that straddle municipal
15 boundaries. So I was happy to see that there were
16 some tweaks to the hotel plan from the initial
17 submission to the final approved plans. And it
18 enhances the pedestrian connection, something we
19 talked about at this Board and how it seems very
20 logical that folks may want to walk from the hotel to
21 TopGolf and it should be an easy and apparent pathway
22 for them.

23 CHAIRPERSON PRICE: Yeah. It does appear
24 that Chipotle, Chick-fil-A, hotel and even a couple
25 other minor things with the golf -- I'm sorry, not the

1 golf -- the gas at Costco are all approved site plans.

2 MR. HAREMZA: I wasn't sure about
3 Chick-fil-A. Obviously, Chick-fil-A is under
4 construction near East Henrietta Road. I think I saw
5 that the expanded gas was approved. I don't -- I
6 didn't see that under construction yet.

7 CHAIRPERSON PRICE: I haven't either.

8 MR. HAREMZA: And I don't know --

9 CHAIRPERSON PRICE: Although it was late
10 2023, so...

11 MR. HAREMZA: Okay.

12 CHAIRPERSON PRICE: If it got done and I
13 didn't notice it then --

14 MR. HAREMZA: I mean, maybe it got done and
15 there's still a line out there. The last time I went
16 for gas I gave up.

17 CHAIRPERSON PRICE: All that traffic is
18 going into the City, not into Brighton.

19 Okay. I will have one question for the
20 applicant about the stormwater.

21 MR. HAREMZA: And you'll just note that the
22 cover letter was the -- a typographical error on the
23 timing was corrected by me. The letter stated 90
24 days, but that's corrected for the full year to July
25 17th, 2026.

1 MS. BARON: Yeah. So it runs from the day
2 that you last approved it was July 17th, 2024.

3 CHAIRPERSON PRICE: Okay. All right. Case
4 number 2 is -- and 3. Do you want to combine these?

5 MR. HAREMZA: I think we can have the
6 discussion -- there's one staff report for both of
7 them. And so I think having them combined for
8 discussion is fine. We just separated them because
9 each one of them is their own parcel. So for
10 recordkeeping, it was helpful to do that.

11 CHAIRPERSON PRICE: Now, this was -- David
12 will remember this. Jason will remember this. But
13 this was a long application process. The previous
14 owners -- round and round on some details of, I think,
15 waterline connection, you know, open cut bored under
16 the street, stormwater management near adjacent
17 neighbors. That's what I recall. It just took a lot
18 of time.

19 MS. BARON: That was just for the
20 subdivision.

21 CHAIRPERSON PRICE: Well, I think that's
22 all -- that's all that ever happened. So I think -- I
23 could be wrong, but -- well, I know I'm right. The
24 site plan approvals never got implemented.

25 MS. BARON: Okay. I see what you're saying.

1 MR. HAREMZA: But you recall the site plan
2 was approved, it just never moved forward.

3 CHAIRPERSON PRICE: Yes.

4 MR. HAREMZA: Well, the subdivision
5 happened. There's three lots there.

6 CHAIRPERSON PRICE: So that was filed.

7 MR. HAREMZA: Yup.

8 CHAIRPERSON PRICE: And so tonight we're not
9 touching the subdivision. But we're just revisiting
10 all the details around the site plan and utility.

11 MR. HAREMZA: Correct. And the Town
12 Engineer just completed his memo late yesterday. So I
13 have the printed copy of that for you.

14 No major concerns, but some issues to be
15 resolved. You'll see the County comments were
16 included in the staff report and that's -- they had
17 several, especially from the Department of
18 Transportation.

19 So for that reason, resolving the Town
20 Engineer's issues, confirming the Fire Marshall's
21 approval of the turnaround and location of the fire
22 hydrant and the submission of ARB that just happened
23 today -- they applied to the Architectural Review
24 Board. And I passed out elevation of -- floor plan of
25 one of the two houses. And I think I printed out

1 another one, but I will go through my file and see.
2 So you can have that for your consideration. But that
3 was submitted today.

4 And so I don't think they'll be going to ARB
5 until July. Well, I am not sure, but I can check when
6 the deadline is.

7 For all those reasons, the staff report is
8 recommending tabling for tonight.

9 CHAIRPERSON PRICE: I saw that. Okay. All
10 right. So that's it. Do we have signs tonight?

11 MR. HAREMZA: No signs.

12 CHAIRPERSON PRICE: Two months in a row no
13 signs.

14 I would like to add something to our
15 discussion about the Town Hall site plan after we have
16 reviewed the applications and everybody's had a chance
17 to -- we'll do our resolutions before we talk about
18 that.

19 MS. BARON: Okay.

20 MR. HAREMZA: Okay.

21 CHAIRPERSON PRICE: Thank you. All right,
22 Jason. Let's start off with calling the roll.

23 (Roll was called.)

24 MR. HAREMZA: Sanguinetti is absent.

25 CHAIRPERSON PRICE: Thank you. All right.

1 Folks, we have meeting minutes from our April 16th
2 meeting as well our May 21st meeting. Let's -- well,
3 I guess we can combine them if we so choose. Or we
4 can look at them one at a time.

5 Does anybody move to approve both or one?

6 MR. BABCOCK-STIENER: I move we approve
7 both.

8 MR. FADER: I'll second that.

9 CHAIRPERSON PRICE: Moved and seconded. Any
10 edits or additions? All right. Motion to approve the
11 meeting minutes, the April 16th and May 21st. Jason,
12 do you want to call the roll?

13 (Ms. Altman, abstain; Mr. Babcock-Stiner,
14 yes; Mr. Fader, yes; Mr. Price, yes;
15 Mr. Tsvasman, yes.)

16 (Minutes approved.)

17 CHAIRPERSON PRICE: Okay. We're going to
18 have public hearings now. Jason, can you confirm
19 tonight's public hearings have been properly
20 advertised?

21 MR. HAREMZA: The public hearings were
22 advertised in the Daily Record of June 11th, 2025.

23 CHAIRPERSON PRICE: Okay. Thank you. First
24 up is case number 1.

25 **Case Number 1:**

1 Address/Location: 0 East Henrietta Road (Tax
2 ID parcels 149.06-1-3.11 and 149.06-1-3.12)
3 Type: Site Plan (combined Preliminary/Final),
4 Subdivision, EPOD Permit, and Conditional Use Permit
5 Review
6 Application: 6P-01-25
7 File: PB-25-14
8 Zoning: General Commercial (BF-2)/Incentive Zoning
9 agreement
10 Applicant: Ryan Destro, PE (BME Associates)
11 Description: Application of Ryan Destro, PE (BME
12 Associates), agent, and Westfall Brighton SRE LLC,
13 owner, for combined Preliminary/Final Site Plan,
14 Subdivision, and EPOD (Woodlot) Permit review to
15 combine two lots into one and construct a 48,282 +/-
16 square foot, 2-story golf and entertainment venue
17 (TopGolf) with an outfield hitting area and other
18 associated site improvements, and a Conditional Use
19 Permit request to allow for extended hours of
20 operation, on property located south of Westfall Rd,
21 east of E. Henrietta Rd (CityGate), known as Tax ID
22 parcels 149.06-1-3.11 and 149.06-1-3.12. [Note: This
23 is a re-submittal of previously approved site plan
24 That has expired. No changes to project.]

25 MB. DESTRO: Good evening. I'm Ryan Destro.

1 from BME Associate here on behalf of the TopGolf
2 project, Westfall Brighton SRE, LLC.

3 As mentioned, we are here tonight seeking
4 one-year extensions of the approvals that were granted
5 last July 17th, 2025. They include final site plan
6 approval, subdivision approval, woodlot EPOD permit,
7 as well as the conditional use permit for extended
8 hours of operation.

9 I'd just like to point out that the
10 applicant is fully committed to this project and just
11 needs additional time to finalize the financing for
12 the project.

13 As you mentioned, nothing has changed on the
14 plans that are submitted for this renewal of the
15 approvals.

16 CHAIRPERSON PRICE: Ryan, as you know, you
17 don't have to go too far down the YouTube rabbit hole
18 to find TopGolf videos and what's happened with them
19 and Callaway. Is any of that affecting this
20 particular project to your knowledge? You may not
21 know.

22 MR. DESTRO: Well, no. I would say no. I
23 did see the president of TopGolf on CNBC last week I
24 believe. And currently they have a hundred locations
25 in the U.S. and they said they're committed to

1 expanding to 250. So Rochester is still definitely
2 their projection.

3 CHAIRPERSON PRICE: Okay. I was just
4 wondering where the whole company stood at this point.

5 Okay. My only question for you is, you have
6 stormwater management shown on your plans south --
7 well, there's already a retention pond north --
8 between the two access drives coming into the site;
9 right.

10 MR. DESTRO: That's on the city parcel.

11 CHAIRPERSON PRICE: Right. Right. Yes.

12 MR. DESTRO: So it'd be the Costco project,
13 yes.

14 CHAIRPERSON PRICE: And then you jump over
15 to that southern access drive and then you have
16 bioretention and stormwater. But it looks like the
17 City's approved plan jumps onto your property and that
18 stormwater basin is actually a combined basin. Is
19 that --

20 MR. DESTRO: That's not correct.

21 CHAIRPERSON PRICE: -- news to you?

22 MR. DESTRO: No. The City pond is -- it's
23 next to the common property line between the City and
24 the Town of Brighton next to the TopGolf project, but
25 the drainage does go south.

1 They have an outlet structure and then the
2 outlet pipe goes underneath the southern access
3 roadway and then continues south. They have existing
4 pipes that go to the canal. So that's where their
5 drainage goes for the City. It doesn't connect to the
6 TopGolf property. It's not intended to.

7 CHAIRPERSON PRICE: Yeah. I didn't think
8 so.

9 And can I just show you this? And maybe you
10 can just help me get the orientation. Maybe I've
11 answered my own question.

12 It looks like the existing stormwater pond
13 that's on there is -- they actually make that much
14 bigger.

15 MR. DESTRO: So it's being expanded to the
16 west because the northern access road is slipping off
17 the top portion where that volume -- so in order to
18 maintain that volume, they're expanding the pond to
19 the west up on this drawing here.

20 CHAIRPERSON PRICE: Okay. So it's not
21 adjacent to your more southern stormwater management?

22 MR. DESTRO: No. The limits aren't
23 projected to come any closer to the TopGolf. It's
24 going further to the west onto the City Gate property.

25 CHAIRPERSON PRICE: Okay. Thank you. Only

1 question I had.

2 Anybody have other questions for Ryan?

3 Karen, you good?

4 MS. ALTMAN: I'm good.

5 CHAIRPERSON PRICE: Jason? Lauren? Thank
6 you.

7 MR. DESTRO: Thank you for your time.

8 CHAIRPERSON PRICE: Appreciate it.

9 I do have one question for you. Was this --
10 this was incentive zoning.

11 MS. BARON: Yes. This project was an
12 incentive zoning project.

13 CHAIRPERSON PRICE: And there's no changes
14 in the terms and conditions of any of the amenities?

15 MS. BARON: No. It didn't have to go back
16 through -- the incentive zoning approval doesn't
17 expire, unlike the ZBA and the Planning Board
18 approvals. So they don't have to go back through Town
19 Board for that.

20 CHAIRPERSON PRICE: Okay. Is SEQRA -- SEQRA
21 is done.

22 MS. BARON: Yup.

23 CHAIRPERSON PRICE: SEQRA hasn't expired.

24 MS. BARON: No. SEQRA was done as part of
25 the incentive zoning process.

1 CHAIRPERSON PRICE: Okay. This is a public
2 hearing. Is there anyone that wishes to address the
3 application of TopGolf, East Henrietta Road? Okay.

4 Case number 2. Cases 2 and 3.

5 **Case Number 2:**

6 Address/Location: 0 South Winton Road (Tax ID parcel
7 137.140-01-082.22)

8 Type: Site Plan Review (combined Preliminary/Final)

9 Application: 6P-02-25

10 File: PB-25-16

11 Zoning: Residential - Low Density B (RLB)

12 Applicant: Gregory McMahon (McMahon LaRue)

13 Description: Application of Gregory McMahon, (McMahon
14 LaRue), agent, for combined Preliminary/Final Site
15 Plan Review to construct a 1690 +/- square foot single
16 family house, with an 870 +/- square foot attached
17 garage on property located on the east side of S
18 Winton Rd, north of Hollyvale Dr, opposite Danbury Cir
19 N, known as Tax ID parcel 137.140-01-082.22

20 **Case Number 3:**

21 Address/Location: 0 South Winton Road (Tax ID parcel
22 137.140-01-082.23)

23 Type: Site Plan Review (combined Preliminary/Final)

24 Application: 6P-03-25

25 File: PB-25-17

1 Zoning: Residential - Low Density B (RLB)
2 Applicant: Gregory McMahon (McMahon LaRue)
3 Description: Application of Gregory McMahon, (McMahon
4 LaRue), agent, for combined Preliminary/Final Site
5 Plan Review to construct a 1530 +/- square foot single
6 family house, with an 625 +/- square foot attached
7 garage on property located on the east side of S
8 Winton Rd, north of Hollyvale Dr, opposite Danbury Cir
9 N, known as Tax ID parcel 137.140-01-082.23.

10 CHAIRPERSON PRICE: Good evening.

11 MR. McMAHON: Good evening. Greg McMahon,
12 McMahon LaRue.

13 Several years ago we went through the
14 process of developing plans for this property. There
15 was a subdivision approved. That subdivision has been
16 filed, which created three lots on a private drive.

17 At the time we -- all of the utilities were
18 addressed. Stormwater was addressed. All of that was
19 approved. However, at the time, they did not proceed
20 with any development.

21 We have a new owner who is in the process of
22 developing the property. The applications that we
23 have before you are for lots R2B and R2C. They would
24 be the back two lots.

25 As part of that work, there will be a common

1 access roadway, water services, sanitary sewer and a
2 stormwater detention facility and being -- as part of
3 the work that would be accomplished with this
4 approval.

5 Again, we're here tonight for just site plan
6 approval for lots R2B and R2C.

7 CHAIRPERSON PRICE: Okay. There was a -- a
8 comment in the staff report was that the Town Engineer
9 did not have serious concerns or significant concerns.
10 Did you happen to get a copy of the letter he --

11 MR. McMAHON: I just received it today, yes.

12 CHAIRPERSON PRICE: You just got it. Okay.
13 Anything there that's -- I don't know if you read
14 any --

15 MR. McMAHON: I did. I read through it
16 quickly and I didn't see anything that we can't
17 address with the Town Engineer.

18 CHAIRPERSON PRICE: Okay.

19 MR. McMAHON: We also have -- we also
20 received the comments from County Development,
21 particularly -- most of the comments on that were from
22 County DOT. Winton Road is a county highway.

23 We had previously received approval for the
24 driveway entrance, but as -- a lot of those approvals
25 are good for a two-year period. So we've submitted

1 plans to County DOT and we're in the process of
2 getting that driveway access re-approved.

3 We're working with the sewer -- town sewers,
4 but they require Pure Waters' approval. So we're
5 working through all of the re-approvals for the
6 utilities.

7 CHAIRPERSON PRICE: Greg, the County letter
8 said something about if you want to pursue permits or
9 if you insist on pursuing permits. What was that
10 comment related to? Second or third one down.

11 It almost sounds like you didn't need to
12 bother with something from the County.

13 MR. McMAHON: They talk about backflow
14 preventers, which aren't required on this project.
15 It's residential.

16 We have to -- I think the only option -- at
17 that time we got this originally approved, the Monroe
18 County Water Authority approved the water main with a
19 dead-end hydrant. Since that time, their attitude may
20 have changed.

21 I did meet with the Fire Marshal and if the
22 Water Authority is not willing to approve the water
23 main extension with the fire hydrant, the Fire Marshal
24 will also accept residential sprinklers for these
25 homes due to their distance.

1 So we're still working with the Water
2 Authority and it will either be a water main with a
3 hydrant or they'll be residential sprinklers for any
4 homes that are built more than the required distance
5 from the nearest fire hydrant.

6 CHAIRPERSON PRICE: Okay. I think the only
7 other comment that I saw at all was kind of the
8 transition taper from the private drive to some of
9 just the driveways. The hammerhead is for a fire
10 turnaround.

11 MR. McMAHON: Right. That was a Town
12 Engineer comment, yeah.

13 CHAIRPERSON PRICE: Yeah. Is that -- that's
14 workable?

15 MR. McMAHON: Yeah. Yeah. Because it's a
16 private drive, we have to provide the fire department
17 with a turnaround for emergency vehicles. And he's
18 just looking for some modifications to that
19 turnaround.

20 CHAIRPERSON PRICE: Okay. And at this
21 point, you -- it sounds like the applicant did submit
22 both to the ARB for -- would it be for their June
23 meeting? Or would it be for July?

24 MR. McMAHON: I believe it will be their
25 July ARB meeting, yes.

1 CHAIRPERSON PRICE: Okay.

2 MR. McMAHON: And then, as Jason mentioned,
3 we'll be back on -- I believe it's July 16th at your
4 next meeting once all that is finalized. Hopefully,
5 looking for a resolution to this.

6 SEQRA was done as part of the original
7 subdivision. So there are no requirements at this
8 time for a SEQRA finding.

9 CHAIRPERSON PRICE: Okay. All right. Thank
10 you. Other board members have questions?

11 MR. TSVASMAN: Does that -- does lot R2A
12 have it's -- has a separate application?

13 MR. McMAHON: There will be an application
14 per Town requirements. At the point in time that they
15 have an owner for that, someone who wants to build on
16 that lot, we'll have to submit a separate application
17 to come back before you for approval.

18 MR. TSVASMAN: So these two other lots
19 already have somebody that wants to buy them?

20 MR. McMAHON: Yeah. They have homes that
21 they're proposing. As soon as we can get this
22 approved, they're going to proceed with construction
23 on two homes.

24 MR. TSVASMAN: This may be a Bill question,
25 but from what I can figure out, there's like a 8-foot

1 deep swale along that bottom edge. Is that -- is that
2 typical or --

3 UNIDENTIFIED SPEAKER: Speak up, please.

4 MR. TSVASMAN: From what I can tell, there's
5 a 8-foot-plus deep swale along that south boundary of
6 the two parcels that wraps around to the east.

7 MR. McMAHON: Yup. That's -- that's a
8 stormwater. There's an outlet structure that's part
9 of that. And it's part of this -- even though it's
10 single-family residential, less than five acres,
11 which, per New York State, doesn't require water
12 quality and quantity, the Town did require that as
13 part of their stormwater code. And that pond was
14 designed to meet all of the Town's stormwater
15 requirements. And at the time of subdivision
16 approval, that was part of the approval.

17 MR. TSVASMAN: Okay.

18 CHAIRPERSON PRICE: This is the exact same.
19 I know you weren't on the Board at that time, but this
20 is the exact same plan that we saw --

21 MR. TSVASMAN: Oh, I see.

22 CHAIRPERSON PRICE: -- years ago.

23 Greg, just remind us, is this wet or is this
24 just detention?

25 MR. McMAHON: It's just detention.

1 CHAIRPERSON PRICE: Okay. So the difference
2 here is there won't be standing water.

3 MR. McMAHON: No, deep pools.

4 CHAIRPERSON PRICE: No pools, deep pools.

5 MR. TSVASMAN: Okay.

6 CHAIRPERSON PRICE: It will look like a deep
7 grassy area.

8 MR. TSVASMAN: And did this Board have any
9 comment on the layout or the footprint of the home or
10 the approach into the garage, not to the house on the
11 R2C.

12 CHAIRPERSON PRICE: Yeah. I mean, I had the
13 same concerns that the -- this is really not in our --
14 this is ARB. But as part of the record, I think, you
15 know, we're looking at a couple of garages with a
16 house attached. Not ideal.

17 But by the same token, nobody can see them.
18 I mean, if these were right on the Winton Road, I'd be
19 having serious differences with the design and where
20 the garages are. The garages should be in the back.

21 MR. TSVASMAN: Yeah. And I'm sorry my
22 comments are architectural.

23 MR. McMAHON: And -- I mean, whatever --
24 we're not involved with the architectural side of
25 this. So if we -- if we get input back through the --

1 our client's architect to make some changes, we'll
2 certainly accommodate any changes that the ARB makes.

3 MR. TSVASMAN: Okay. I mean, one comment
4 maybe you could share is it looks like the ridges
5 don't align. You know, they're close, but they -- but
6 they miss, you know, by --

7 MR. McMAHON: I haven't seen those.

8 MR. TSVASMAN: -- 5, 6 inches or so.

9 MR. McMAHON: Yeah. Certainly. And I
10 assume the ARB will have many of those same comments.

11 CHAIRPERSON PRICE: Our comments and the
12 meeting minutes of this meeting will-- will they be
13 shared with the ARB?

14 MR. HAREMZA: They can be. And I would say,
15 particularly, your comment about the garage, insofar
16 as changing the position of the garage can change the
17 site plan, that is closer to your purview than, you
18 know, some of the architectural details.

19 I just want to also update that it won't be
20 going to the June ARB. They missed that deadline. So
21 it will be going to July 22nd I think. Because they
22 just made the application today.

23 And then the other comment, one of the
24 garages exceeds the 900 square feet allowed in the
25 zoning code. So as of right now, that would require

1 an area variance. But I guess I would encourage the
2 applicant to maybe shrink it a bit to meet the size
3 requirement.

4 MR. McMAHON: These plans, as I say, were
5 not -- I wasn't privy to these when we prepared the
6 plan. I had some different sketches.

7 So at the time we prepared the site plan, we
8 were under the 900 square feet.

9 MR. HAREMZA: Understood. I know you're
10 just the messenger to the architect.

11 MR. McMAHON: Yeah. I'll mention these, but
12 we also -- each of these lots are fairly large. So
13 any modifications to these homes, we can certainly
14 accommodate changes on these lots without getting into
15 any setback issues.

16 But I will pass along the 900 square foot
17 requirement so they can reduce the size of that.

18 CHAIRPERSON PRICE: Lauren?

19 MS. BARON: Just one comment from the staff
20 report, number 5, regarding that comment from the
21 Conservation Board that the parcel currently contained
22 a lot of mature trees. Can you speak to how many are
23 going to remain that are currently on the parcel?

24 MR. McMAHON: Most of the trees on the
25 parcel itself will be removed, but all the trees along

1 the property lines, along the line that's shared with
2 the -- I believe it's the church to the north,
3 Brighton schools and to the south is the residential,
4 those tree lines are to be -- that was a big point in
5 our original approval with the subdivision. And as
6 part of this set of plans is -- there is a landscape
7 plan, which includes all of the additional plantings
8 that were required to go in as part of that approval.

9 But on the site proper, there will have to
10 be -- anything that's in the driveways through the
11 house footprints will be --

12 CHAIRPERSON PRICE: Jason, questions?

13 MR. HAREMZA: No.

14 CHAIRPERSON PRICE: Everybody else good?
15 Okay. Thank you. This is a public hearing. Is there
16 anyone that cares to address this application? Come
17 up and give us your name.

18 MR. ORR: My name is Steve Orr. My wife
19 Lesley and I live at 90 Hollyvale, which is the home
20 immediately south of the eastern of the two parcels
21 and, more significantly from my standpoint,
22 immediately south of the retention pond.

23 I -- since -- we moved into our house right
24 as this was -- when it was before the Planning Board
25 20 years ago. And I formed the clear impression that

1 this had not been given final approval.

2 I -- so I guess my first question I would
3 have for the Board is, should we even be bothering to
4 come here if it's already approved by the Planning
5 Board --

6 CHAIRPERSON PRICE: This has been approved
7 for years.

8 MR. ORR: -- as a town, any concerns we have
9 are they even worth mentioning?

10 CHAIRPERSON PRICE: I mean, it's always nice
11 to come out, but you're --

12 MR. ORR: Well, if I point out, for
13 instance, that there's a designated informational
14 wetland on the property that probably was not mapped
15 20 years ago, does that make a difference?

16 If I point out that the landscape plan that
17 has been submitted is 20 years old shows different
18 property owners, shows the old property owners of our
19 property, and shows a bunch of trees on the tree line
20 that apparently there was a lot of discussion about
21 that, at least at our end of the project area, are all
22 dead -- they're all dead. There are no trees there
23 except there's some half-dead ones. All the trees in
24 the back of our property have fallen over. They're
25 almost all ash trees.

1 So maybe that doesn't matter because there
2 was landscaping that --

3 CHAIRPERSON PRICE: Were they on your
4 property?

5 MR. ORR: -- went in to screen the property,
6 but --

7 CHAIRPERSON PRICE: Were they on your
8 property, the ones that died?

9 MR. ORR: Some of them. I mean, a lot of
10 them were on the property line. It's actually hard to
11 tell. And if you look, there are a number of them
12 that are still standing there dead.

13 CHAIRPERSON PRICE: If you recall -- I
14 recall vividly all the property owners coming out. We
15 spent a lot of time with all of you on the landscape
16 plan.

17 MR. ORR: Not me, but --

18 CHAIRPERSON PRICE: Months with you.

19 MR. ORR: I mean, nobody could foresee the
20 emerald ash borer.

21 CHAIRPERSON PRICE: No. Well, I take it
22 that that's not your only issue.

23 MR. ORR: But the point is that it's -- does
24 it matter? Maybe. But I'm just saying the trees are
25 not there anymore.

1 There is an informational wetland on the
2 state map. I don't know if that matters, but it does
3 speak to the concern that we have, which is storm
4 drainage, which is --

5 CHAIRPERSON PRICE: It was the same issue
6 years ago.

7 MR. ORR: Maybe. I didn't think there had
8 been any resolution.

9 CHAIRPERSON PRICE: It was fully approved.

10 MR. ORR: So are you able then to explain
11 how it would work? Or can this gentleman --

12 CHAIRPERSON PRICE: No. You ask us to
13 explain.

14 MR. ORR: Pardon me?

15 CHAIRPERSON PRICE: No. You ask us.

16 MR. HAREMZA: So just if I may, Mr. Chair,
17 interject, the subdivision was approved and completed.
18 The site plan that was approved 19 or 20 years ago has
19 lapsed. So those approvals expired because the
20 project was not advanced.

21 CHAIRPERSON PRICE: Yes. I think the
22 neighbors believe it was not approved. It was
23 approved. Permits were issued for all the utilities.
24 All the utility connections were approved.

25 MR. HAREMZA: Right.

1 CHAIRPERSON PRICE: This was a hundred
2 percent approved.

3 MR. HAREMZA: Right. And, Lauren, correct
4 me if I'm wrong, but we're starting from scratch
5 because all those approvals are moot.

6 MS. BARON: Yeah. I wouldn't use the word
7 moot, but they're expired. This is essentially seeing
8 a new site plan.

9 CHAIRPERSON PRICE: But what we're seeing
10 tonight is no different than what we saw or the
11 residents saw how ever long ago it was.

12 MS. BARON: That may be true, but
13 circumstances may have changed from 19 years ago to
14 today. And you might have different opinions.

15 MR. HAREMZA: And I did see that the
16 landscape plan was dated 2006, but at least the other
17 sheets in the set were dated May 2025.

18 Now, whether they just changed the date and
19 used the same drawings, I can't know that.

20 MR. ORR: The landscape plan was clearly
21 updated, but we don't even appear on it. That's the
22 previous owner. We've lived there 20 years now.

23 MS. BARON: I think if you have specific
24 questions about the stormwater drainage and how it
25 functions, it would be best to put that in writing and

1 send those questions to Jason so that we can perhaps
2 ask the Town Engineer to maybe address some of that.

3 And it might also be in the Town Engineer's
4 letter that was recently submitted and will be online.
5 I don't know if it got up --

6 MR. HAREMZA: It did not get up yet.

7 MS. BARON: It came in too late. Yeah.

8 CHAIRPERSON PRICE: What other concerns have
9 you got?

10 MR. ORR: Well, stormwater is the primary
11 one and possibly lack of screening given that all the
12 trees that they thought would be there are not there
13 anymore. But that -- so the landscape plan, maybe
14 that needs to be updated since it's very, very
15 inaccurate now. But that's, you know, not as major of
16 a point.

17 I mean, you know, the obvious question I had
18 is I know there's -- I guess it was explained earlier
19 that the stormwater retention facility is dry, meaning
20 it's -- there won't be a standing pond. I would
21 assume --

22 CHAIRPERSON PRICE: Except for today.

23 MR. ORR: -- that if it existed right now,
24 it would be a fairly significant pond.

25 And the question I have is when we get one

1 of these, you know, crazy rainfalls, which are
2 becoming more frequent, we're told, what happens when
3 that stormwater detention facility fills up? And
4 which -- I mean I looked at the drawings quickly and
5 it almost looked to me like -- well, there's -- you
6 know, everything's got a high side and a low side.
7 The high side's toward the new property. The low
8 side's towards us.

9 CHAIRPERSON PRICE: That's --
10 MR. ORR: And that would be completely
11 unacceptable. Completely. But we'll put that in
12 writing.

13 CHAIRPERSON PRICE: I mean, unacceptable
14 assumes what? It assumes that you get flooded out
15 or --

16 MR. ORR: Well, our backyard, you know,
17 floods. It's flooded now because we're at the low end
18 of that subdivision.

19 And if the drainage from the new
20 development -- which would be a significant amount of
21 drainage that would be generated by the paved surfaces
22 and other impervious surfaces. If that -- that's all
23 gotta be funneled somewhere. And it was supposed to
24 wind up in that retention facility. And if the
25 retention facility is filled, I don't think any of us

1 on our side of the property line want it draining onto
2 our property, which is already -- has some issues with
3 drainage.

4 And that to me didn't seem like that would
5 be appropriate, but maybe that wouldn't happen. I
6 don't know. So I'll put my questions in writing
7 and --

8 CHAIRPERSON PRICE: I'll ask Greg to come up
9 and I'll ask him some questions.

10 MR. ORR: That'd be helpful.

11 MR. HAREMZA: And my email is on the agendas
12 on the table. So grab one of those and email your
13 comments.

14 MR. ORR: All right. Thanks.

15 CHAIRPERSON PRICE: Greg, do you mind coming
16 up?

17 Were all the trees that are shown on the
18 plan -- they were individually surveyed; correct?
19 This isn't just tree stamps showing a hedgerow.
20 They're the individual trees.

21 MR. McMAHON: They're --

22 CHAIRPERSON PRICE: They're all over a
23 certain size; right?

24 MR. McMAHON: All of the trees -- the darker
25 trees are all proposed. There are -- for example, you

1 know, there are few here on the corner. One, two,
2 three -- you know, half a dozen existing trees that
3 were shown on the plan.

4 But the majority of what you see on this
5 is -- it was proposed landscaping. I don't know the
6 total number. There was --

7 CHAIRPERSON PRICE: Greg, if you went to
8 your existing conditions, can you -- you show the
9 trees that are on that property line kind of running
10 down through backyards of Hollyvale properties.

11 MR. McMAHON: Yeah. I don't have an
12 existing condition plan here with me.

13 CHAIRPERSON PRICE: Well, we do. So I guess
14 the question would be to figure out -- it would
15 probably take a site walk.

16 MR. McMAHON: See if any of those are --

17 CHAIRPERSON PRICE: See which of those are
18 dead.

19 MR. McMAHON: We can certainly do that.

20 CHAIRPERSON PRICE: So do all of you -- have
21 you seen the landscape plan that was proposed before?

22 UNIDENTIFIED SPEAKER: The one from 19 years
23 ago on the Town's website, yeah.

24 UNIDENTIFIED SPEAKER: I haven't seen it.

25 CHAIRPERSON PRICE: Okay. We'll find a way

1 to get you to --

2 UNIDENTIFIED SPEAKER: Was that the one from
3 19 years ago? Or is there an updated one?

4 CHAIRPERSON PRICE: I don't believe it's
5 updated. I don't believe it's changed.

6 MR. HAREMZA: Yeah. The one in the packet
7 that was posted online for this application was dated
8 2006.

9 MR. McMAHON: It was the original plan
10 approved -- as part of this original approval.

11 CHAIRPERSON PRICE: So I guess let's ask a
12 couple questions about -- you know, we had this same
13 conversation in 2006 about where the overflow is,
14 where the water's going and what storm events is this
15 designed to handle.

16 MR. McMAHON: It's designed to handle
17 through the 100-year storm. Where the -- there's an
18 existing catch basin right in the southeast corner of
19 the property.

20 CHAIRPERSON PRICE: That may be on your
21 property.

22 MR. McMAHON: That is -- that's a Town catch
23 basin. It's in a storm sewer that goes through the
24 lots, a Town storm sewer. We tie the overflow from
25 this pond into that catch basin.

1 CHAIRPERSON PRICE: Okay. So that's the
2 overflow.

3 MR. McMAHON: That's the discharge from the
4 pond. The outlet structure and the overflow is in the
5 same location.

6 So if this pond were to overflow, it would
7 overflow to the catch basin, which is in that corner
8 of the property.

9 CHAIRPERSON PRICE: We do have a very
10 recent, as of today or yesterday, Town Engineer
11 report. On the engineering of this -- there was a
12 different engineer at the time. This is our new Town
13 Engineer.

14 I am quickly scanning this to see if any of
15 these comments relate to the -- relate to the
16 stormwater. I'm sorry. Just trying to read this
17 quickly.

18 Yeah. There's some minor details about
19 stone harboring of the catch basins so it doesn't
20 erode around it. Silt fences. Something about
21 sanitary sewer.

22 I would hazard to guess the Town Engineer is
23 satisfied that this design is consistent with the
24 original plans.

25 MR. McMAHON: We'd be happy to address any

1 additional comments you might have, but there was a
2 rather voluminous report that was prepared as part of
3 this design.

4 CHAIRPERSON PRICE: I guess in the --
5 probably going to be approaching a table on this. For
6 next meeting, if we could confirm with the Town
7 Engineer --

8 MS. BARON: We should allow anybody else who
9 wants to make comments --

10 CHAIRPERSON PRICE: I will.

11 -- that this letter is addressed.

12 MR. McMAHON: Sure.

13 CHAIRPERSON PRICE: Steve, come on back up.

14 MR. ORR: Just while the gentleman is there,
15 the other question I had is what conveys the runoff,
16 the stormwater from the new properties and the
17 driveway? What conveys it to the retention facility?
18 Is there an existing swale or is it a new one?

19 MR. McMAHON: The roadway pavement has a
20 gutter and there'll be a catch basin. That catch
21 basin will be hard piped into that pond.

22 Drainage from the lots themselves by swales
23 will be directed to the pond. But the private drive
24 is -- all of that drainage is intercepted by a catch
25 basin in the gutter and then piped to the pond.

1 CHAIRPERSON PRICE: You're saying that the
2 drive itself is guttered?

3 MR. McMAHON: There's a gutter on one side.
4 There's a gutter on the south side. So this drainage
5 comes over, it's intercepted by the gutter, flows to
6 the east and it's collected by a catch basin.

7 There are actually two catch basins. And
8 then those are hard piped into the pond.

9 CHAIRPERSON PRICE: The concrete gutter,
10 catch basins pick up the 18 feet of pavement. The 18
11 feet goes just past the first lot. Then it tapers
12 down to 14 feet for the individual driveways.

13 MR. McMAHON: The bulk of the impervious on
14 the site is actually that private drive.

15 CHAIRPERSON PRICE: From Winton across the
16 first lot. That is all -- it looks like the gutter
17 ends where the hammerhead and fire truck turnaround is
18 proposed.

19 So concrete gutter, catch basin's in the
20 gutter. I'm guessing some could get to the swale
21 that's on the other side of that. It does sound like
22 we're anticipating a hundred-year storm for the volume
23 to be taken up.

24 Greg, I'm going to let some other folks
25 talk.

1 Good evening.

2 MR. TUNIS: Hi. Joe Tunis, 120 Hollyvale
3 Drive, two doors away.

4 Couple things. The bulk of the impervious
5 material would not be the driveway. It would be three
6 structures, right, that are blocking water from
7 hitting the ground. So two to three structures. Just
8 to clear that up.

9 I think a landscaping plan would definitely
10 have to be redone if the last one was done 19 years
11 ago. Considering the comments that were given that no
12 one would, quote, "see the garages from Winton Road,"
13 but we would all see the garages. So I think that
14 should be taken into account.

15 The fact that screening that used to be
16 there is no longer there because of the dead ash
17 trees, I think those should all be kind of looked at
18 again. The landscape has changed over the 20 years.

19 The lot used to be pretty much empty. Every
20 spring you would get little sprouts and then they'd
21 die away in winter. And now it's all overgrown.
22 Nothing mature, but overgrown.

23 Also, 19 years ago an engineer did an
24 investigation of the piping that goes to the dry well
25 or catch basin and did measurements to make sure the

1 flow was going to be able to handle the added runoff.
2 So that'd be great if that was updated given it's 19
3 years ago. I think that's it.

4 CHAIRPERSON PRICE: This is the pipe that's
5 in the easement that runs through properties out to
6 Hollyvale.

7 MR. TUNIS: Yeah. Because I think the catch
8 basin is down towards the east end going towards
9 Lynnwood.

10 And I know a lot of the neighbors on
11 Lynnwood already complained to the Town about their
12 front yards flooding because the storm drainage system
13 down there can't handle moderate rainfall. Today's
14 excessive, but I know there's few people who live at
15 the end -- so the north end of Lynnwood -- that
16 usually have front yards that flood every rainfall.

17 So it'd be interesting to have the engineer
18 actually do that and not assume that the original
19 plan, original inspection from 19 years ago is still
20 valid.

21 CHAIRPERSON PRICE: Okay.

22 MR. TUNIS: That's it. Thanks.

23 CHAIRPERSON PRICE: Thank you. Others?

24 MR. MOWRER: Hello. I'm Joe Mowrer. I'm at
25 110 Hollyvale.

1 I just wanted to just make the point -- I'm
2 here. I share all those concerns. I've been in my
3 house for 11 years and it's just wet. I have -- the
4 sump pump goes all the time. There's always a pond in
5 my backyard and I just -- you know, I just worry that
6 this is not gonna improve, you know, the backyard
7 flooding that I currently have. I don't know. I
8 just -- I'm concerned with that. So I just wanted to
9 hear what the plans were.

10 I also have big concerns about the
11 appearance and the landscaping. And I didn't see the
12 plan. I've only been in my house for 12 years. So I
13 didn't see the original plan. But I'll have to go on
14 and find it and see it. But, yeah.

15 I just -- I'd just like to know kind of what
16 it's going to look like, you know, after two or three
17 new homes are there. That's all. I just wanted to go
18 on record. I'm concerned, you know. That's all.

19 CHAIRPERSON PRICE: Thank you.

20 MR. MARQUES: Good evening. I'm Carlos
21 Marques. I live at 100 Hollyvale Drive, which is one
22 of the lots directly south. And I am here for a
23 couple reasons.

24 First, I just -- for the record, the
25 notification process this time was -- I happened to be

1 driving by the property and the sign was hanging
2 upside down on the street. And after I think about
3 Thursday, it disappeared. So I'm not sure all the
4 neighbors got a notification. I'm not sure if that's
5 appropriate or not, but that was -- just for the
6 record, there was no letters mailed or anything. So a
7 lot of us haven't had time to sit down and review
8 these things. So just for the record.

9 I also have the concerns about the
10 landscaping. I've actually attempted to try to
11 address this with, you know, the previous owner and
12 the town where there's a number of dead ash trees,
13 including one very large one that sits right over the
14 top of my in-ground pool, which is also a concern of
15 mine, as well as my shed.

16 And as you can imagine, having an in-ground
17 pool, patio, shed is tens of thousands of dollars of
18 investment with a large dead ash tree sitting over the
19 top of it.

20 When I've engaged with landscaping
21 companies, tree removal companies, because there's a
22 number of power lines running through the back of my
23 property they have all said, we're not going over
24 those lines. We want to get access behind the lines.
25 And that requires getting onto this property that's

1 being proposed here. And I would go to the Town and
2 the Town would say there's no access allowed. Right.

3 So I've -- we've attempted to deal with this
4 ourselves, but we haven't been able to. So that's --
5 this is another one of our struggles.

6 The other neighbors have already talked
7 about the drainage. So one of my main concerns about
8 the drainage impact is I do have an in-ground pool.
9 Went through the permitting process, did all the
10 necessary things. And we have a French drain
11 installed. We have a lot of different things to try
12 to remediate potential flooding issues, but we
13 still -- like it rains today, we still get concerns.
14 I've already had the liner float on it once because of
15 groundwater. So I'm definitely concerned about that.
16 So I do want to understand the drainage plan better.

17 But I think what's changed -- I've been
18 there 20 years. I think what's changed also for me
19 is, because I've made the investment in my property,
20 that -- you know, the screening is important, but
21 security is also important. And I -- you know, we're
22 now -- we're talking about putting a road from --
23 directly from Winton Road back to my backyard.

24 So that to me -- we've had a heck of a year
25 on the street with some -- you know, a double homicide

1 on the street. Which I know it was an isolated
2 incident, but it just raised some of the security
3 concerns about how people can now get access to our
4 property.

5 And so I just -- I just want to hear more
6 detail and I look forward to working with you all on
7 answering all these comments and concerns. Thank you.

8 CHAIRPERSON PRICE: Thank you for coming
9 out.

10 MR. MOWRER: I have one other question.

11 CHAIRPERSON PRICE: Sure. If you don't
12 mind, just so we can get it on the record.

13 MR. MOWRER: I think I brought this up years
14 ago. The swale, you know, the runoff swale, is that
15 something that the Town is supposed to maintain?
16 Should it be maintained? Like I don't know how that
17 works. Like that's Town property or --

18 CHAIRPERSON PRICE: It's -- okay. So that's
19 a good question. I'm not sure that I'm the guy that's
20 going to answer it, but I can certainly ask the
21 question.

22 The easement that is there for drainage, is
23 it to the Town?

24 Greg, do you have any idea?

25 MS. BARON: We're having some internet

1 difficulties.

2 CHAIRPERSON PRICE: The easement is to the
3 Town.

4 MR. McMAHON: The storm -- it is a storm
5 sewer easement to the Town of Brighton that runs
6 through the lot to the catch basin at the southeast
7 corner.

8 MR. MOWRER: And is that something that's
9 supposed to be maintained? Is that the idea of
10 something like that?

11 As opposed to like, you know, concrete
12 gutters, of course, that'd need to be maintained. The
13 Department of Highway would go in and like fix it if
14 it was cracked. But this is dirt, right? It's never
15 dry. Just so you know. It's never dry. It's always
16 at least swampy. Right now, of course, it's full.

17 But as far as I know, no work has ever been
18 done on that since the first time. So this came up,
19 you know, 19 years ago. I came to my first meeting
20 before I actually owned the house because I saw the
21 sign up. But I'm not sure like if that's something
22 that's supposed to be maintained. And if it is, then
23 it should be looked at as well.

24 CHAIRPERSON PRICE: I'm going to take your
25 question and I think this came up, you know, before,

1 not only in the one direction but in the other
2 direction as well.

3 MR. MOWRER: Right. I remember at the
4 time -- a lot of us were new neighbors 19, 20 years
5 ago. And we were all surprised that that was a thing.
6 Like we just thought it was a mound of dirt. I didn't
7 know it was like an engineered, you know, water
8 retrieval system.

9 CHAIRPERSON PRICE: Deliberate.

10 MR. MOWRER: All right. Thanks.

11 CHAIRPERSON PRICE: Any other questions?
12 Comments?

13 MS. ORR: I'm Lesley Orr. I live at 90
14 Hollyvale.

15 In the very beginning, I misunderstood what
16 you said. Is there eventually going to be a third
17 house on this property or --

18 CHAIRPERSON PRICE: There is a -- there are
19 three lots there. I think the original application
20 was four and was reduced to three during that process
21 20 years ago now. So there will be a third house, I'm
22 assuming, when the lot sells.

23 MS. ORR: Okay. So it's -- we're talking
24 about two, but it's going to be three. Okay.

25 CHAIRPERSON PRICE: Anyone else? Thank you.

1 Okay. That is cases number 2 and 3. Case number 4 is
2 postponed until our July 16th meeting.

3 MR. TSVASMAN: Can I ask a question about
4 the 2B and 2C, whether dry wells for the roof would
5 be -- could be separate from ground water to
6 alleviate -- or as like a second line of protection
7 for the neighbors? They're big lots; right? Do they
8 have a separate conveyance system?

9 CHAIRPERSON PRICE: I'm trying to -- why
10 don't we make the recommendation that the Town
11 Engineer and Greg, the consulting engineer, have a
12 conversation.

13 I understand the question and I also
14 understand some of the neighbors' point of view.
15 These houses that are drawn on here are significantly
16 smaller than the houses that were originally drawn.
17 These were proposed to be much bigger houses.

18 So, you know, I still think road runoff is
19 the majority of the runoff to be handled. House roofs
20 can go to the back. They can go to the sides. It's
21 not all sheeting directly to the south.

22 But the question is, you know, would there
23 be alternatives for either rain gardens or some kind
24 of dry well system. This isn't the best soil for dry
25 wells, but -- it just doesn't -- nothing percolates

1 into it. But we will ask them to talk about it.

2 MR. McMAHON: We'd be happy to discuss it
3 with Ken.

4 CHAIRPERSON PRICE: You can take off roof
5 leaders and eliminate some -- minimize some of it.

6 MR. McMAHON: That's a big issue with
7 Brighton is the clay. And it's just -- Brighton is a
8 tough town to try and percolate it.

9 CHAIRPERSON PRICE: It is hard. All right.
10 Thank you.

11 MR. McMAHON: Thank you.

12 (Public hearings concluded at 8:02 p.m.)

13 (There was a pause in the proceeding.)

14 CHAIRPERSON PRICE: All right. Circle back
15 to our first application, case 1.

16 **Case Number 1:**

17 Address/Location: 0 East Henrietta Road (Tax ID
18 parcels 149.06-1-3.11 and 149.06-1-3.12)
19 Type: Site Plan (combined Preliminary/Final),
20 Subdivision, EPOD Permit, and Conditional Use Permit
21 Review

22 Application: 6P-01-25

23 File: PB-25-14

24 Zoning: General Commercial (BF-2)/Incentive Zoning
25 agreement

1 Applicant: Ryan Destro, PE (BME Associates)
2 Description: Application of Ryan Destro, PE (BME
3 Associates), agent, and Westfall Brighton SRE LLC,
4 owner, for combined Preliminary/Final Site Plan,
5 Subdivision, and EPOD (Woodlot) Permit review to
6 combine two lots into one and construct a 48,282 +/-
7 square foot, 2-story golf and entertainment venue
8 (TopGolf) with an outfield hitting area and other
9 associated site improvements, and a Conditional Use
10 Permit request to allow for extended hours of
11 operation, on property located south of Westfall Rd,
12 east of E. Henrietta Rd (CityGate), known as Tax ID
13 parcels 149.06-1-3.11 and 149.06-1-3.12. [Note: This
14 is a re-submittal of previously approved site plan
15 That has expired. No changes to project.]

16 CHAIRPERSON PRICE: Do we have a motion to
17 close the public hearing?

18 MS. ALTMAN: I move to close the public
19 hearing.

20 CHAIRPERSON PRICE: Is there a second?

21 MR. TSVASMAN: I'll second.

22 CHAIRPERSON PRICE: Moved and seconded. Any
23 discussion to close the hearing? Jason, please call
24 the roll.

25 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;

1 Mr. Fader, aye; Mr. Price, aye;

2 Mr. Tsvasman, aye.)

3 (Hearing closed.)

4 MR. BABCOCK-STIENER: I move that the
5 Planning Board approves the extension of application
6 PB-25-14 for final site plan, subdivision, EPOD permit
7 and conditional use permit based on the testimony
8 given, plans submitted in the Planning Board report.

9 MR. FADER: I'll second that.

10 CHAIRPERSON PRICE: Moved and second. Is
11 there any discussion? Please call the roll.

12 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;

13 Mr. Fader, aye; Mr. Price, aye;

14 Mr. Tsvasman, aye.)

15 (Application extended until July, 17th, 2026.)

16 CHAIRPERSON PRICE: Let's proceed. Can we
17 combine approvals on cases 2 and 3?

18 MR. HAREMZA: I'll let Lauren weigh in, but
19 I was thinking the vote should be taken separately.

20 MS. BARON: Yeah. The vote can be taken --
21 they can be combined.

22 MR. HAREMZA: Combined. Okay.

23 CHAIRPERSON PRICE: It's a table, so...

24 **Case Number 2:**

25 Address/Location: 0 South Winton Road (Tax ID parcel

1 137.140-01-082.22)
2 Type: Site Plan Review (combined Preliminary/Final)
3 Application: 6P-02-25
4 File: PB-25-16
5 Zoning: Residential - Low Density B (RLB)
6 Applicant: Gregory McMahon (McMahon LaRue)
7 Description: Application of Gregory McMahon, (McMahon
8 LaRue), agent, for combined Preliminary/Final Site
9 Plan Review to construct a 1690 +/- square foot single
10 family house, with an 870 +/- square foot attached
11 garage on property located on the east side of S
12 Winton Rd, north of Hollyvale Dr, opposite Danbury Cir
13 N, known as Tax ID parcel 137.140-01-082.22

14 **Case Number 3:**

15 Address/Location: 0 South Winton Road (Tax ID parcel
16 137.140-01-082.23)
17 Type: Site Plan Review (combined Preliminary/Final)
18 Application: 6P-03-25
19 File: PB-25-17
20 Zoning: Residential - Low Density B (RLB)
21 Applicant: Gregory McMahon (McMahon LaRue)
22 Description: Application of Gregory McMahon, (McMahon
23 LaRue), agent, for combined Preliminary/Final Site
24 Plan Review to construct a 1530 +/- square foot single
25 family house, with an 625 +/- square foot attached

1 garage on property located on the east side of S
2 Winton Rd, north of Hollyvale Dr, opposite Danbury Cir
3 N, known as Tax ID parcel 137.140-01-082.23.

4 MR. BABCOCK-STINER: I move that the
5 Planning Board tables applications PB-25-16 and
6 PB-25-17 for site plan review based on the six
7 conditions outlined in the Planning Board report.

8 MS. BARON: And I would ask that the public
9 hearings remain open.

10 MR. BABCOCK-STIENER: Yes. And the public
11 hearing remain open.

12 MS. ALTMAN: I'll second.

13 CHAIRPERSON PRICE: Moved and seconded to
14 table cases 2 and 3. Any further discussion?

15 MR. BABCOCK-STIENER: Do we want to add --

16 CHAIRPERSON PRICE: Yeah. What are our
17 conditions at this point?

18 MR. BABCOCK-STINER: Do we need to add
19 something about updating the landscaping plan?

20 CHAIRPERSON PRICE: Let's take -- let's
21 review the landscape plan. We've got plans.

22 MR. BABCOCK-STIENER: My concern is that
23 they had a plan to -- their landscape plan was
24 designed to supplement screening that -- then if
25 things have disappeared in 20 years, then that's not

1 going to supplement anymore.

2 CHAIRPERSON PRICE: Well, the landscape plan
3 was --

4 MR. BABCOCK-STINER: I wasn't here.

5 CHAIRPERSON PRICE: You weren't here? So it
6 was just me and him.

7 MR. BABCOCK-STINER: I've been here 11 years
8 I think.

9 CHAIRPERSON PRICE: Okay. Certainly if
10 there are trees now that are dead -- I personally had
11 a concern back then that a lot of the trees that were
12 planted were eventually going to grow to the point
13 where they were actually interfering both with each
14 other and with the existing trees and, you know, there
15 was going to be some thinning of the understory. And
16 a lot of this planting was intended to supplement the
17 understory that was being removed. And then the
18 taller, more mature trees with the larger crowns to
19 them were going to be there. So I think -- can I walk
20 on this property?

21 MS. BARON: So you have to -- I would not
22 recommend just going unilaterally, but you can
23 certainly talk to the applicant --

24 (Simultaneous conversation.)

25 UNIDENTIFIED SPEAKER: You're welcome in our

1 yard any time.

2 CHAIRPERSON PRICE: Okay. Yeah. I guess,
3 you know, if there's a way to identify which of these
4 are dead and, you know, get a big X on them and see
5 are there gaps.

6 There's literally -- from Winton Road to the
7 east property line is solid plantings. Whether it's
8 on top of the berm of the retention pond or it's on
9 the other side, it's jammed.

10 But let's find out what isn't there anymore
11 and see if things should be shifted around. I can do
12 that part.

13 Did we vote yet? Moved and seconded for
14 tabling.

15 MR. BABCOCK-STIENER: What conditions are we
16 adding?

17 CHAIRPERSON PRICE: Oh, okay.

18 MS. BARON: So it sounds like the additional
19 condition would just be an investigation of the
20 current landscape, the status of the current landscape
21 to determine --

22 CHAIRPERSON PRICE: Let's also ask the Town
23 Engineer to just confirm that he doesn't have any
24 concerns regarding the -- two things, regarding the
25 stormwater management plan as it was originally

1 written and the reports that are -- that the design is
2 based on. And also -- I guess three things. Two is
3 to confirm that the catch basin and pipe that the
4 overflow discharges to is functioning properly 19
5 years later. And three, let's just see if we can get
6 an answer from Town DPW or the Town Engineer on the
7 responsibility of maintaining the system once it's
8 been dedicated.

9 That make sense?

10 MR. HAREMZA: Yeah. That requires a little
11 bit more research. I know Greg mentioned there is an
12 easement to the Town for stormwater, but it's for the
13 GIS system. So I don't know if that was ever recorded
14 or not.

15 CHAIRPERSON PRICE: This is the one that
16 crosses --

17 MR. HAREMZA: There is one that crosses 80
18 Hollyvale.

19 CHAIRPERSON PRICE: Yes. 80 Hollyvale.

20 MR. HAREMZA: Oh, okay. But there is not
21 one on the vacant lots.

22 CHAIRPERSON PRICE: No. No.

23 MR. HAREMZA: Oh.

24 CHAIRPERSON PRICE: No. But I'm curious
25 if -- yeah. Let's just make sure that that was

1 functioning.

2 Okay. Folks, when it comes to notification
3 issues, it seems like we hear this time and time
4 again. What is the obligation, again, of the Town to
5 notify neighbors?

6 It sounds like the sign was posted. I did
7 see it. I did not notice that it was upside down.

8 UNIDENTIFIED SPEAKER: You know, they're
9 nails and they're cardboard. So it -- the top tore.
10 I had tried to put it back up. You know -- can I talk
11 for this?

12 CHAIRPERSON PRICE: Actually, no. Sorry.

13 MS. BARON: I can speak a little bit to
14 that. So in terms of mailed notices, that's actually
15 not codified in the Town Code and that's not a state
16 law requirement to send out notifications to neighbors
17 regarding pending projects.

18 So that -- but that's certainly something I
19 think staff that is talking about internally about
20 best practices and things like that. So I know we
21 hear that occasionally from people about concerns with
22 notice.

23 CHAIRPERSON PRICE: There are conditions --
24 is subdivision that --

25 MS. BARON: Yup. So subdivision is

1 different. You're right. Subdivision has specific
2 notification processes.

3 CHAIRPERSON PRICE: And ZBA?

4 MS. BARON: ZBA has mail requirements.

5 MR. HAREMZA: The only legally required ones
6 for ZBA and -- as far as I understand, for Planning
7 Board and ZBA is the public notice in a newspaper of
8 general circulation, which is a newspaper that I've
9 never seen or heard of.

10 MS. BARON: And a posting in Town Hall.

11 MR. HAREMZA: Right. The posting on a
12 bulletin board of Town Hall.

13 CHAIRPERSON PRICE: We hear it a lot about
14 the notification issue.

15 What's in the Town Code or what is required
16 by state law for different approvals, subdivision
17 being different than site plan or different for
18 appeals, which to me seems to like it should be the
19 same.

20 MR. HAREMZA: I will say -- and as Bill
21 said, you can't talk now, but I will say we are
22 interested in hearing what folks would find most
23 useful in terms of notification. So please feel free
24 to email or call me with your ideas on what might
25 work.

1 Certainly municipalities can go above and
2 beyond what the minimum state requirement is for
3 notification.

4 So my email is on the agenda. It's on the
5 table by the door. So please feel free to get in
6 touch with me.

7 MR. TSVASMAN: I know the City of Rochester
8 and other towns send postcards. Is that something
9 that the Town would consider?

10 MR. HAREMZA: Absolutely. Postcards are a
11 little bit cheaper than letters. But, you know,
12 figuring out, you know, what radius to send them out
13 to that's, you know, something we need to talk about.
14 And, you know, are postcards any more effective than a
15 letter? Or are they just as easily ignored in the
16 pile of junk you get in the mail? I don't know.

17 MR. TSVASMAN: They usually have a certain
18 like municipal look to them. So they don't get thrown
19 out right away.

20 MR. HAREMZA: If it were up to me, I would
21 make applicants post a 4-by-8 feet -- 8-foot sheet of
22 plywood with the project information on it.

23 CHAIRPERSON PRICE: The yard signs are more
24 effective than anything.

25 Okay. Let's get that done. Please call the

1 roll --

2 **Conditions:**

3 1. Provide time for the Town's standard notification
4 of neighboring properties.

5 2. Submit an application to the Architectural Review
6 Board (ARB) .

7 3. Provide written documentation from the Fire
8 Marshal's office that the design of the private road,
9 turn around, and hydrant placement is acceptable.

10 4. Provide additional information regarding the
11 varying pavement width of the private road and revise
12 the awkward transitions between the various widths.

13 5. Provide additional information on mature trees to
14 be retained, per Conservation Board comment. The
15 landscape plan appears to call out only one tree to
16 remain.

17 6. Address Monroe County comments (attached for
18 reference) .

19 (Ms. Altman, aye; Mr. Babcock-Stiner, aye;
20 Mr. Fader, aye; Mr. Price, aye;
21 Mr. Tsvasman, aye.)

22 (Application tabled.)

23 CHAIRPERSON PRICE: No signs.

24 MR. HAREMZA: No signs.

25 CHAIRPERSON PRICE: You're good to go.

1 Thank you. Oh, wait. You guys all set? We're done.
2 It's tabled. We'll be back in July.

3 (There was a discussion off the record.)

4 CHAIRPERSON PRICE: I would like this on the
5 record. I'm looking for advice from the Board.

6 So you'll recall that we had a presentation
7 last July. We sent a letter under the heading of our
8 Executive Secretary basically saying that we believe
9 that the Town Hall site plan is not consistent with
10 the principles set forth in our comp plan, our
11 bike/ped master plan, our sustainability plan. And we
12 asked them to include us -- us being a member of the
13 Board -- in meetings with the Town Hall renovation
14 committee, which included town staff, library staff
15 and police staff.

16 And then we were given a second presentation
17 in, I believe, it was September or October. Nothing
18 had changed. We sent them a detailed letter. And I
19 did a sketch that was sent to the Board as well
20 showing our ideas for pedestrian circulation, parking,
21 how to be consistent across the site with traffic
22 calming ideas and focusing primarily on the pedestrian
23 and bike circulation, giving them priority over
24 vehicles and vehicular circulation. Made several
25 recommendations on that plan.

1 We started going to the Public Works
2 Committee in March. Serge and David joined me. And
3 they basically at that time said that the Town Board
4 was not aware of our concerns. The Town Board did not
5 receive the letters that we sent. They essentially
6 went to staff and then staff handed those off to their
7 consultants.

8 They said they needed a month to review the
9 documents that we gave them and came back a month
10 later. And we were trumped in April by the toter and
11 Waste Management contract that had just been executed.
12 And people were getting new toters in their driveway
13 and toters were too big and people wanted to drill
14 holes in the bottom so they'd drain.

15 And this took a couple hours of that
16 committee time. The rest of the time devoted to the
17 Town Hall was to a website that would keep people
18 informed about things that are going on with the
19 project, which phases of the project were happening,
20 when the next phase was going to happen.

21 Went again in May. Basically was told that
22 our ideas were considered and that one idea of
23 providing bicycle access to the drive lane from the
24 pool and the park area over to the drive lane
25 associated with the western portion of the library

1 parking lot would be the only thing that they would
2 actually put in their plans and that all the other
3 ideas were considered, but were not being advanced.

4 So here we are today. I guess I would like
5 to know from the Board opinions. Do we continue to
6 push the principles? And it's not only -- at this
7 point it's not only the principles. This is one of
8 Jason's -- Babcock-Stiner's early points was it's not
9 just the principles of design.

10 It's the principles of the process and what
11 we ask of our residents, of our business owners, of
12 our property owners and why are we as a town not
13 willing to do the same thing? Why are we not willing
14 to hold ourselves to the same or higher standard so
15 that we can say to people, look, we're putting our
16 money where our mouth is.

17 If we ask you to enclose a dumpster, if we
18 ask you to put outside shields on your lights, if we
19 ask you to put traffic calming measures in, if we ask
20 you to do a parking study to justify why you're adding
21 so much new parking, then we would, you know -- those
22 are the principles that we're asking the Town to abide
23 by. And they are not only not abiding by them,
24 willingly and intentionally, they are knowingly and
25 willingly openly disregarding them.

1 My opinion runs from quit the Planning Board
2 and protest that way. None of you here, not even
3 David Fader was here in 1992 when I joined the
4 Architectural Review Board. And I was a pain in the
5 butt then over the Town Hall design and the
6 abomination of architecture they call the library.
7 There was no oversight of architecture.

8 Sandy inherited this project from the
9 previous administration, but nobody would let ARB or
10 the Planning Board comment on either.

11 So we've had to live with this for over 30
12 years. And now we have an opportunity to correct some
13 of the wrongs of what is out there, but we clearly
14 don't have the -- I don't even think it's the will. I
15 just think they just -- there is no foresight.
16 There's no direct intention to make this the best
17 project that it can be both architecturally,
18 sustainability wise and from a pedestrian and user
19 standpoint.

20 So should I drop it? Should we just say,
21 hey, we made our time? We went to the three meetings;
22 they ignored it. You did what you could. Move on.

23 MR. FADER: So there are two things about it
24 that bother me. The first one is, I served on both of
25 the comp plans. I served on two of the comp plans.

1 I've been on the Planning Board for many years. And
2 it's just -- it seems unreasonable to me that the Town
3 just says, well, yeah, the Planning Board's nice, but
4 we don't listen to them and the comp plans are nice,
5 but we don't listen to those either. I mean, it makes
6 me think that I'm just totally wasting my time.

7 MR. BABCOCK-STIENER: Sounds like what's
8 going on in DC right now. I mean, quite honestly,
9 it's -- I mean, how can you sit here and talk about
10 being in -- for all the things they say they are for,
11 but yet they don't have to follow their own rules.

12 And I understand that, I think, legally they
13 don't have to.

14 CHAIRPERSON PRICE: They do not have to.

15 MR. BABCOCK-STINER: That is true. But this
16 isn't about that at this point. This is -- that's
17 the -- outcomes aside, that's not -- I'm not
18 concerned -- obviously I am concerned about outcomes,
19 but if -- how can I have concerns about outcomes if I
20 can't be part of the process?

21 MR. FADER: And the second thing is --

22 MR. BABCOCK-STINER: And -- I'm sorry.
23 Just -- this is what breeds discontent in government,
24 I mean, the inability to do something about what your
25 government is doing. Sorry.

1 MR. FADER: The second one -- and I --
2 actually I brought this up when I was at the Public
3 Works meeting. And I told them that they -- it's
4 embarrassing because the Town now has -- you know,
5 they might not say it, but, you know, actions speak
6 louder than words. Their policy now is do as we say,
7 not as we do. And I don't know. It just --

8 MR. BABCOCK-STIENER: Can we start tabling
9 everything?

10 CHAIRPERSON PRICE: Yeah. Yeah.

11 MR. FADER: But saying that, I don't know
12 what to do. Because we went to them like we did. We
13 went to the Public Works meeting. We sent them
14 letters through official channels. And, you know,
15 they're just like, you know --

16 MR. BABCOCK-STIENER: If they don't want to
17 listen that way, what power do we have to make them
18 listen? That's a serious question. What power do we
19 have?

20 MR. FADER: So I think you're right. So
21 here's what you do -- the two ideas I heard here are
22 actually very extreme, but they actually -- like it
23 makes sense. Just like I'm not gonna do the Planning
24 Board anymore. It's a waste of my time. I can stay
25 home and garden.

1 MR. BABCOCK-STINER: They'll find somebody
2 else. It's going to be hard, but they will.

3 MR. FADER: Maybe.

4 MR. BABCOCK-STINER: Alternatively --

5 MR. FADER: We just table everything.

6 MR. BABCOCK-STINER: Just table fricking
7 everything.

8 CHAIRPERSON PRICE: Serge?

9 MR. TSVASMAN: Well, I guess, going back to
10 when I applied for this position, you know, in my
11 mind, you know, talking through with some of the
12 people on the Town Board that encouraged me to apply,
13 you know, some of the projects that were coming up
14 were somewhat motivating me to become part of the
15 Board, which was maybe a new -- a revamping or growing
16 park, you know, expanded, larger Buckland Park,
17 potential rec center for the Town, community center
18 for the older people. And so in my mind, I'm like,
19 oh, that's great. I would like to be a part of that
20 process.

21 In this short time that I've been here,
22 makes me feel like -- like I won't be part of that
23 process because it will be decided through other
24 channels when I thought the Planning Board should be
25 in the position to kind of steer that ship or

1 influence and, you know, even hold public hearings and
2 meetings to explain to the community what the projects
3 are.

4 That's maybe naive, whatever. But, you
5 know, when we showed up for the first Town Board
6 meeting, the Tuesday --

7 CHAIRPERSON PRICE: Public Works.

8 MR. TSVASMAN: Public Works. And I sent an
9 email -- got a response to ours -- to Christine
10 Corrado and I didn't get any, not even a reply back.

11 CHAIRPERSON PRICE: Not even an
12 acknowledgement of your email.

13 MR. TSVASMAN: No acknowledgement. My
14 sentiments were it would be nice -- you know, you
15 could quickly set up, you know, an information session
16 for whoever wants to come and hear about the project.
17 We could do that within, you know, two, three weeks,
18 still make it to the next board meeting agenda. And
19 nothing back from that. So I don't know.

20 You know, I've assumed that at least there
21 was somebody on the Board that, you know, political --
22 that we would get a response because it's an election
23 year. I don't know. I'm just, you know --

24 CHAIRPERSON PRICE: This is --

25 MR. TSVASMAN: Hypothesizing.

1 MS. ALTMAN: You know, when I listen to this
2 conversation, not having been at those meetings with
3 Public Works, I just feel like the whole issue is a
4 missed opportunity because, to your point that, you
5 know, we have plans and we have a code and we're not
6 following any of the same things that we would require
7 of residents. It's a missed opportunity to lead by
8 example. And what the Town should be doing here is
9 leading by example in all of these areas that are the
10 basis of your comments.

11 And so is there a way -- given how far it is
12 down the line, is there a way that anyone in this
13 group -- doesn't include me for sure -- but in this
14 group can build a personal relationship with someone
15 on the Town Board who could go and talk with them
16 one-on-one, instead of in a group setting. I don't
17 know if that would be appropriate or not.

18 But it just seems like they're -- I
19 understand your desire not to just leave it and walk
20 away and throw up your hands and say, well, we tried.
21 That doesn't sit well with me either because we ought
22 to be able to have some more impact than we tried and
23 they said they considered it, but never mind.

24 MR. TSVASMAN: Can we publish that plan on
25 our -- on the Planning Board website for the Town to

1 see it and react to it?

2 MS. BARON: Planning Board doesn't have its
3 own individual town website.

4 MR. FADER: I don't think it will matter.
5 No one's going to see or care.

6 CHAIRPERSON PRICE: I mean there's --

7 MR. TSVASMAN: I think people -- people
8 showed up for the pool, splash pad. People care.
9 They don't know what's going on, but they care.

10 MR. FADER: But, I mean, they would have to
11 know that website is there and find it.

12 CHAIRPERSON PRICE: But I think if the
13 people that complained about the pool -- if the people
14 who complained about the pool staying were aware of
15 what the recommendations of the community center plan
16 study was, they may not have done that.

17 The problem here is that there are elements
18 being proposed -- not the parking and the access, but
19 there's elements of this Town Hall site plan that are
20 clearly meant to be at a community center in Buckland
21 Park.

22 And so we're spending money twice
23 potentially on things because that plan has not seen
24 daylight to the public. And for all I know, not to
25 any of the other Board members either.

1 So these things are somewhat linked. To
2 your point, why wouldn't the Planning Board have some
3 say, once it's a green light to go on the community
4 center, why wouldn't the Planning Board be able to
5 offer some input early on before the thing, you know,
6 gets cast in stone.

7 So every time I've come into the Public
8 Works Committee I've been asked who I'm representing.
9 Who do I represent? And I said, until I hear
10 differently I am representing the Planning Board. And
11 I'm representing myself and I just happen to live
12 right next door.

13 So I guess one thing is, do we confirm that
14 all of us are in agreement with our letters that we've
15 sent so far? And would the concepts -- and the
16 concepts, I'm perfectly willing to sit down and talk
17 with whoever, the design consultants, the Town
18 Engineer, whoever, about specifics. Where should a
19 bike/ped trail go? Where should there be connections?

20 Just seems terribly logical to all of us
21 that the library, Town Hall front door, police
22 station, courts and Brickyard Trail are the primary
23 destinations for people in the community. And the
24 plans still have a sidewalk going into the middle of
25 the parking lot.

1 I don't know what else you got to do -- you
2 know, that might be like a design criteria, but that's
3 just quality of design. That's not -- I don't believe
4 a code says don't dump your sidewalk, women with baby
5 strollers and people walking their dog, in the middle
6 of a parking lot.

7 And why they're expanding the parking lot
8 has never been answered because they have not designed
9 anything. And they've had a million and a half
10 dollars sitting there for a play -- I apologize -- for
11 renovation of the pool and the splash pad and they
12 still say, we can't design that now. There's too many
13 unknowns. I've never heard more BS in my life.

14 They need to design those things so that
15 they know the capacity that is being designed for so
16 they can then translate to what are the modes of
17 transportation and how much parking do we need.

18 MS. BARON: Would it make sense then to pen
19 another letter, perhaps attaching your previous
20 letters and ensure that it actually gets to the Town
21 Board as correspondence and outlining what you just
22 mentioned in terms of that they're -- urging them to
23 actually create additional plans? Perhaps that would
24 be a good next step.

25 CHAIRPERSON PRICE: I think I was hoping to

1 get consensus that you all agree with that.

2 MR. BABCOCK-STIENER: I don't know -- I
3 don't remember exactly what we put in the previous
4 letters, but, again, holding yourselves to the same
5 standards that you hold the residents in the Town to,
6 the same public process, the same type of standards.
7 And, you know, at what point do we say -- should we
8 also include something to the effect of we -- I don't
9 know where we are -- but the next time this comes up,
10 we assume that we will be included in the front end.
11 And if we are not, we will take the measures that we
12 feel are necessary to ensure our inclusion.

13 MR. FADER: What are those measures?

14 MR. BABCOCK-STIENER: I don't know. Like I
15 said, I'll fricking table everything.

16 MR. TSVASMAN: I mean, can we state like
17 why -- why aren't they using the expertise that the
18 Town has on hand to develop these plans?

19 CHAIRPERSON PRICE: I honestly think that
20 somehow somebody thinks that the staff that they've
21 got doing the design on this is doing a good job.

22 MR. BABCOCK-STINER: Because they don't have
23 to. Because they don't have to. And adding
24 additional bodies into the process does take time.
25 And I, mean, that's -- I don't think they --

1 MR. FADER: My opinion --

2 MR. BABCOCK-STINER: They don't have to; so
3 they don't need to.

4 MR. FADER: My opinion is simpler than that.
5 It's basically just human nature. I think a lot of
6 the projects that come before us, if there was no
7 Planning Board and there were no approvals they needed
8 to get, the projects would not be as good as they are
9 and they would take shortcuts and do whatever was most
10 optimal to the developer and not the Town.

11 And unfortunately, our town has the exact
12 same mindset, but there is nobody to make them do it
13 right. That's just like -- I think it's as sad as
14 that.

15 CHAIRPERSON PRICE: I think the next step,
16 Jason -- and I don't know the mechanism -- is to make
17 the public aware that the Town is advancing a project
18 that doesn't enjoy the support of the Planning Board.
19 And we can publish our letters to them. We can
20 publish the plan.

21 Again, it's just -- you know, we spent three
22 months going to meetings. And in that three month
23 time frame, no one ever said, Bill, Serge, Jason,
24 anybody, come on in. We're going to sit down and talk
25 to you guys. They clearly talked about it. They went

1 somehow bullet by bullet and just disregarded
2 everything except one thing.

3 MS. ALTMAN: Well, they didn't give you
4 feedback about why not.

5 CHAIRPERSON PRICE: They absolutely did not.
6 That is correct.

7 MR. TSVASMAN: What was the time frame
8 between when you submitted the sketch plan and the
9 letter and then that meeting that we went to where
10 nobody had even seen it or heard it.

11 CHAIRPERSON PRICE: Quite a while. So that
12 letter went out November 2024. And it went to Rick
13 DiStefano and Ken Hurley. I wanted to make sure that
14 it, you know -- look, I don't want to -- I don't want
15 to get town staff in trouble with a supervisor or
16 anybody. It went to those guys.

17 But I sent Bill Moehle directly our sketch.
18 He never gave it to anybody. For all I know, he never
19 opened it.

20 MR. TSVASMAN: So like six months and
21 nobody's looked at anything.

22 CHAIRPERSON PRICE: I think they looked at
23 the November letter that we kind of drafted. I think
24 I sent it around. And we went through their plans
25 item by item and said this is good; this needs some

1 work.

2 MR. TSVASMAN: I mean, the Board seemed
3 sincere as not having seen that.

4 CHAIRPERSON PRICE: The Board seems sincere
5 about not having seen it. Yes. And they asked for a
6 month to consider it and read it.

7 But Christine is the chair of it. She said
8 some things. Bill was mad about it. And the others
9 didn't say a thing.

10 So it does sound to me like crafting another
11 letter, attaching our previous correspondence and the
12 sketch, you know, is what the next step might be.

13 Nobody has any -- this Ken Hurley cannot
14 talk straight even to the Board. He will not tell the
15 Board where the consultant is with final plans, when
16 they're going to be issued for bid, when the bids are
17 going to open. So for all I know, there's time to
18 make these changes.

19 MS. ALTMAN: Why isn't he answering those
20 questions?

21 CHAIRPERSON PRICE: He will not answer
22 questions and he will not answer emails. He -- I
23 don't understand if it's him or if it's the Supervisor
24 telling him not to talk. I'm blaming him, but it may
25 not be him.

1 MR. TSVASMAN: Is the Board having
2 off-the-record conversations with individuals of the
3 Board?

4 CHAIRPERSON PRICE: I've had off-the-record
5 conversations.

6 MR. BABCOCK-STIENER: I don't think
7 off-the-record --

8 MR. TSVASMAN: Just to express, you know,
9 the frustrations of the Board.

10 CHAIRPERSON PRICE: I think the next is --
11 could even be going to the open forum at a Town Board
12 meeting and entering a letter into the record in
13 public.

14 Why don't we all sit on it for a day or two,
15 think about -- we've never had this problem. So I've
16 been doing this -- you've been doing this how long?
17 20? How many years?

18 MR. FADER: I've lost track.

19 CHAIRPERSON PRICE: I've been doing it 33
20 and never had this -- never had this situation.

21 MR. FADER: At least 20.

22 CHAIRPERSON PRICE: At least.

23 MR. TSVASMAN: So typically you're included
24 in the process? Like Buckland Park --

25 MR. FADER: Yeah. This is a new behavior.

1 CHAIRPERSON PRICE: It is a new behavior.
2 We never had this.

3 MR. TSVASMAN: So what was the typical like
4 process? Like say Buckland Park was established in
5 that time frame --

6 CHAIRPERSON PRICE: I would have said --
7 MR. TSVASMAN: Was the Planning Board
8 involved?

9 CHAIRPERSON PRICE: No. We had a different
10 DPW commissioner, Tim Keith, Mike Guyon, Evert Garcia,
11 Ramsey, Rick, Jason, philosophically we meshed for 30
12 years. I've never had this kind of problem.

13 MR. HAREMZA: But operationally, how did you
14 mesh? It wasn't like they brought it as a formal
15 application to the Planning Board.

16 CHAIRPERSON PRICE: Correct. But I think
17 there was -- you know, we've never had a Town
18 application in front of us or a Town project where the
19 Town essentially acting like the applicant.

20 MR. HAREMZA: So the only thing I'm gonna
21 offer is that with the Town Hall project, you are
22 fighting a noble battle but maybe losing the larger
23 war and the larger war being the policy that the Town
24 does not follow its own processes.

25 Which they're not legally obligated to do

1 so, but in terms of practice, I think it's the right
2 thing to do. And the City routinely does this.

3 CHAIRPERSON PRICE: City of Rochester
4 follows SEQRA, they follow site plan approval for
5 public --

6 MR. HAREMZA: We had firehouses come to the
7 planning commission.

8 MR. BABCOCK-STINER: I would like the next
9 letter to say something to the effect of we should not
10 be shut out like this in the future. We expect to be
11 consulted. We expect the Town to follow their own
12 rules in the future. If not, we'll do what we need to
13 do.

14 MR. HAREMZA: There is an interesting clause
15 in the Code about site plans that you must render a
16 decision within 45 days. And I'm not sure what
17 happens if you don't, but --

18 MS. BARON: There's a couple state ones
19 about default approvals, but I think they only apply
20 to subdivisions if you fail to render a decision
21 within a specific amount of time.

22 CHAIRPERSON PRICE: They could abolish the
23 Planning Board.

24 MR. HAREMZA: They could.

25 CHAIRPERSON PRICE: They could.

1 MS. ALTMAN: They couldn't because who's
2 going to review all these plans? This is not a board
3 that doesn't do a lot of work over the course of a
4 year.

5 CHAIRPERSON PRICE: You know, the political
6 fall out of that would be very interesting.

7 MR. HAREMZA: The Town Board can do
8 conditional use permits and the Zoning Board could do
9 site plans and subdivisions.

10 CHAIRPERSON PRICE: But we would have made a
11 point.

12 MR. FADER: I like that idea. I can garden.

13 CHAIRPERSON PRICE: Clean out your --

14 MR. BABCOCK-STIENER: It's just -- again,
15 it's the point of it all is we -- in the current
16 political climate, our -- particularly this government
17 and what they say, they can't be doing this. This
18 shit just ain't right. Stand up for yourself.

19 Like I said, outcomes aside, the fact that
20 we've just been brushed off again and they don't have
21 to follow their own stuff is what gets me.

22 CHAIRPERSON PRICE: They don't need an
23 approval letter from us, but it would be nice for us
24 to be able to say we support the design and the
25 practices that, you know, led to our support.

1 MR. TSVASMAN: Don't the taxpayers want to
2 have that input?

3 CHAIRPERSON PRICE: They sure do.
4 Technically that's who we're representing is all our
5 neighbors.

6 MR. TSVASMAN: They're more in the dark than
7 we are.

8 CHAIRPERSON PRICE: Oh, my God, yeah.

9 MR. TSVASMAN: Right. So, I mean, what
10 happens at the end of the day when this stuff gets put
11 through? When they say, I never -- I didn't know this
12 was happening. I paid for this.

13 CHAIRPERSON PRICE: Well, there's a storm
14 coming with -- when they -- if they ever do have a
15 public meeting. You know, my neighborhood, they got
16 petitions going around to not have the splash pad and
17 why isn't the splash pad going at Buckland Park
18 Community Center. And, oh, by the way, where is the
19 community center feasibility study?

20 Sorry to put you two in the middle.

21 MR. BABCOCK-STIENER: Awkward.

22 MR. TSVASMAN: So maybe say something about
23 the public as opposed to just being about us because
24 it's ultimately, you know, outside of this Board. If
25 I'm not on this Board and I drive up to the library or

1 you know revised Town site, I'll be very surprised and
2 maybe flabbergasted because I'm sort of use to being
3 included on the -- at least on the information session
4 saying this is coming down the pipe as opposed to,
5 here's your new Town Hall. Thanks for your taxes.

6 MS. ALTMAN: So who is going to draft this
7 letter?

8 CHAIRPERSON PRICE: I can do that.

9 MS. ALTMAN: Will you circulate it to --

10 CHAIRPERSON PRICE: Did I just volunteer for
11 something else?

12 MR. BABCOCK-STIENER: Yes, you did.

13 MS. ALTMAN: Will you circulate it to us for
14 comment?

15 CHAIRPERSON PRICE: Oh, yeah. No. If -- I
16 would love for you guys all to support this. I
17 believe you do. You know, Clara's going to be in a
18 tough spot, but, you know --

19 MR. BABCOCK-STIENER: I'm in the mood for
20 some good trouble.

21 CHAIRPERSON PRICE: For whatever reason I'm
22 not sleeping well because of this stupid Town Hall
23 site plan. I'm losing sleep over the fact that we've
24 been wholly ignored and that we are -- they are not
25 following a process that we make everybody else go

1 through.

2 MR. HAREMZA: But until the Town adopts a
3 policy to do that, there's no reason they have to
4 listen to you. I mean, yes. It's the right thing to
5 do, but --

6 CHAIRPERSON PRICE: Correct. Yeah. And
7 that gets acknowledged in every email that I send to
8 them is that -- now, I have a bone to pick with the
9 school district. The school district is doing the
10 exact same stuff. They're expanding parking,
11 impervious surface, taking down greenspace, all the
12 same things.

13 If I walked into Kevin what's-his-name's
14 office, he'd kick me out of there so damn fast.

15 MR. HAREMZA: That's Doctor.

16 CHAIRPERSON PRICE: Whatever.

17 MS. BARON: Yeah. Unfortunately, as you
18 mentioned earlier, Bill, it's a pretty well settled --
19 actually the Monroe County airport case is the main
20 case that --

21 MR. HAREMZA: The State versus Monroe
22 County.

23 MS. BARON: Yup. About how what local
24 municipalities, including counties don't have to
25 adhere to local --

1 MR. HAREMZA: Maybe that's why the City does
2 it because it was so bitter about losing the case that
3 it subjected itself to --

4 MR. FADER: I think we covered this pretty
5 well. You should draft the letter and I think we can
6 stop the taking of the minutes.

7 MR. HAREMZA: And, yes. I would appreciate
8 that it would come from the Chair and not from me.

9 CHAIRPERSON PRICE: Yeah. Yeah. Now that
10 we have that. We're off the record.

11 (Proceedings concluded at 8:52 p.m.)

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1 REPORTER CERTIFICATE
23 I, Holly E. Castleman, do hereby certify
4 that I did report the foregoing proceeding, which was
5 taken down by me in a verbatim manner by means of
6 machine shorthand.7 Further, that the foregoing transcript is a
8 true and accurate transcription of my said
9 stenographic notes taken at the time and place
10 hereinbefore set forth.

11

12 Dated this 18th day of June, 2025
13 at Rochester, New York.

14

15

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17 *Holly E. Castleman*

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19

20 _____
21 Holly E. Castleman ACR,
22 Official Court Reporter

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