

MINUTES OF TOWN BOARD MEETING
OF THE TOWN OF BRIGHTON, COUNTY OF
MONROE, NEW YORK, HELD AT THE
BRIGHTON TOWN HALL, 2300 ELMWOOD
AVENUE, ROCHESTER, NEW YORK
September 24, 2015

Present:

Supervisor William Moehle
Councilmember James Vogel
Councilmember Jason DiPonzio
Councilmember Christopher Werner

Daniel Aman, Town Clerk
Kenneth Gordon, Attorney for the Town
Mark Henderson, Chief of Police
Tim Keef, Commissioner of Public Works
Suzanne Zaso, Director of Finance

MEETING CALLED TO ORDER AT 7:03 PM:

RECOGNITIONS/PRESENTATIONS:

2015 National Fire Protection Week October 4th – 10th - Proclamation

- Brighton Fire Chief Stephen MacAdam
- Rochester Fire Department Executive Deputy Chief Thomas Szatko
- Brighton Fire Marshal Chris Roth

2016 Proposed Preliminary Town Operating and Capital Improvement Budgets

- Andrew Robinson, Budget Director presenting to Town Board and Town Clerk (*Preliminary Budgets will be available for public viewing on the Town's Website, in the Town Clerk's office and the Brighton Memorial Library on September 25, 2015*).

OPEN FORUM:

Robert Renner - Nixon Peabody
David Grant – 10 Schoolhouse Ln
Matt Duell – 59 Shoreham Dr
Ben Werzinger – 104 Shoreham Dr
Andrew Elder – 94 Shoreham Dr
Tom Gillette – 105 Pickwick Dr
Danny Daniele – Daniele Family
Bob Bergdorf – Nixon Peabody
Harris Honickman – 320 Troy Rd

APPROVAL OF AGENDA

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio to approve the agenda

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

PUBLIC HEARINGS:

MATTER RE:

Proposed removal of four significant trees along the proposed Brickyard Trail (*see Resolution #1 and letter with comments dated September 3, 2015 from Brighton residents Carol Rowley and Katie Bryan to Town Engineer, Michael Guyon, P.E.*)

(Complete transcript available upon request)

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 1 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMUNICATIONS:

FROM:

Dr. Anne Kress PhD, President Monroe Community College dated September 18, 2015 to Supervisor regarding his attendance at the September 11 Remembrance Ceremony.

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel to receive and file the aforementioned communications

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

COMMITTEE REPORTS:

Parks and Recreation & Community Services – Has not met since last Town Board meeting; next meeting 9/28/15 at 4:30 PM at Brookside School.

Finance and Administrative Services – Met on 9/15/15 next meeting 10/6/15 at 3:30 PM in the Stage Conference Room at Town Hall.

Public Safety Services – Met not met since last Town Board meeting; next meeting 10/13/15 at 8:00 AM in the Downstairs Meeting Room at Town Hall.

Public Works Services – not met since last Town Board meeting; next meeting 10/6/15 at 9:00 AM in the Downstairs Meeting Room at Town Hall.

OLD BUSINESS:

NEW BUSINESS:

MATTER RE: Reading and approval of claims

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Supervisor read and approve for payment the claims as set forth in Exhibit No. 2 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE:

Draft Environmental Impact Statement Scope associated with the Incentive Zoning Application for the project known as Palazzo Plaza

(See Resolution #6, letter from Ramsey Boehner, Town Planner and Stantec Consulting Inc, Town Project Consulting firm, both dated September 23, 2015 and;

- *Letter dated September 1, 2015 (AMENDED) from Tom and Kim Gillett to Supervisor regarding the proposed project known as Palazzo Plaza*
- *Letter dated September 8, 2015 from Anthony T. Lee to members of the Town Board regarding the proposed project known as Palazzo Plaza.*
- *Letter dated September 9, 2015 from Michael Sullivan to Brighton Town Board regarding the proposed project known as Palazzo Plaza.*
- *See letters all dated September 10, 2015 received during the Public Comment Period associated with the September 9, 2015 Draft Environmental Impact Statement Scope Public Hearing:*

FROM:

Laura and Martin Kaufman, Alison Elder, Caroline Yates, Ross Lanzafame, Margaret Macara, Stuart Loeb, Andrew Elder, Tom Blasiak, Diane Crossmann, Richard Horsey, Bruce & Kathleen Beardsley, Soralee Cook, Matt and Lindsay Duell and Dave Resch to Town Clerk Dan Aman, and/or Town Planner Ramsey Boehner and/or members of the Town Board regarding the Draft Environmental Impact Statement Scope for the proposed project known as Palazzo Plaza.

- See letters all dated September 11, 2015 received during the Public Comment Period associated with the September 9, 2015 Draft Environmental Impact Statement Scope Public Hearing:

FROM:

Ramsey Boehner, Secretary to the Town of Brighton Planning Board dated September 11, 2015 to members of the Town Board regarding the Draft Environmental Impact Statement Scope for the proposed project known as Palazzo Plaza; and

Stephen Sulkes, MD, Steven Kittelberger, PhD, Richard Gielow Jr., Kathleen Greinier, Mary Lynne Hahn, Ann and Arthur Kolko, Robert Brenner, Diane Resch, Chuck Hertrick, Sheila Pelton, Kevin Gallagher, David Marcus, Dennis Peel, Marjorie Grinols, Judy VanHouten, Bernice Borrelli, Kathy and Ron Ippolito, Ben Werzinger, Devon Marrinan, Miles Zatkowsky, Chris and Debbie Allen, Douglas Clapp and Jane Gordon all dated September 11, 2015 to Town Clerk Dan Aman and/or Town Planner Ramsey Boehner and /or members of the Town Board regarding the Draft Environmental Impact Statement Scoping Outline for the proposed project known as Palazzo Plaza.

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 3 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to increase existing wage rates for all seasonal employees to reflect the New York State minimum wage requirement effective December 31, 2015 (see *Resolution #2 and letter dated September 14, 2015 from Suzanne Zaso, Director of Finance*).

Motion by Councilmember James Vogel seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 4 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to accept donations from various corporate and community sponsors totaling \$4,600 in support of the 2015 July 4th celebration (see *Resolution #3 and letter dated September 14, 2015 from Matt Beeman Superintendent of Parks*).

Motion by Councilmember Jason DiPonzio seconded by Councilmember James Vogel that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 5 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to amend the 2015 Celebration budget by \$3,975 to offset the additional expenditures incurred for the 2015 July 4th Celebration event (see *Resolution #4 and letter dated September 15, 2015 from Suzanne Zaso, Director of Finance*).

Motion by Councilmember Christopher Werner seconded by Councilmember Jason DiPonzio that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. 6 attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTER RE: Approval to appropriate \$4,500 from the General Fund Balance account into the 2015 Tree Program account to support funding needed for Emerald Ash Borer prevention treatment for 60 ash trees along the Brickyard Trail (*see Resolution #5 and letter dated September 15, 2015 from Suzanne Zaso, Director of Finance*).

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner that the Town Board adopt the resolution as prepared by the Attorney for the Town as set forth in Exhibit No. ## attached

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MATTERS OF THE SUPERVISOR:

MATTERS OF THE ATTORNEY TO THE TOWN:

MATTERS OF THE TOWN CLERK:

MATTERS OF THE BOARD:

MOTION TO GO INTO EXECUTIVE SESSION AT 9:12 PM:

Motion by Councilmember Christopher Werner seconded by Councilmember James Vogel to go into executive session to discuss employment of a particular person.

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

MOTION TO EXIT EXECUTIVE SESSION AT 9:55 PM:

Motion by Councilmember James Vogel seconded by Councilmember Christopher Werner to come out of executive session at 9:55 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

ADJOURNED AT 9:56 PM:

Motion by Councilmember Jason DiPonzio seconded by Councilmember Christopher Werner to adjourn at 9:56 PM

UPON ROLL CALL VOTE

MOTION UNANIMOUSLY CARRIED

CERTIFICATION:

I, Daniel Aman, 131 Elmore Road, Rochester, NY do hereby certify that the foregoing is a true and accurate record of the proceeding of the Town of Brighton, County of Monroe, State of New York meeting held on the 24th day of September 2015 and that I recorded said minutes of the aforesaid meeting of the Town Board of the Town of Brighton, New York.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 24th day of September, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, pursuant to the provisions of the Chapter 175 of the Town Code, the Town Board previously received and filed communication and a report regarding the removal of four significant town trees consisting of a 36" Willow (2 bole), 60" Willow, 36" Cottonwood and 48" Willow in connection with the planned construction of the Brickyard Trail, and

WHEREAS, the Town Board duly scheduled a Public Hearing to be held on the 24th day of September 2015 at 7:00 p.m., to consider the proposed removal of said trees; and

WHEREAS, pursuant to the provisions of Section 175-8 of the Town Code, notice of such public hearing was sent by first class mail at least 20 days prior to the scheduled hearing addressed to the owners of each of the properties adjoining the above referenced trees and the owners directly across the Town highway from and the properties contiguous to the adjoining properties, and

WHEREAS, such public hearing was duly called and held on September 24, 2015 at 7:00 pm and all persons having an interest in the matter having had an opportunity to be heard;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____,

BE IT RESOLVED, that all written comments provided to the Town at or before the Public Hearing held on September 24, 2015 regarding the proposed tree removal be received and filed as part of the record of the hearing; and further

BE IT RESOLVED, that pursuant to the provisions of Chapter 175 of the Town Code, and based on the record of the Public Hearing, the Town Board hereby authorizes the Commissioner of Public Works, and or his designee, to remove the above referenced trees in accordance with the provisions of Chapter 175 including but not limited to the arboricultural specifications and standards of practice in the Town Forestry Plan.

Dated: September 24, 2015

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

September 24, 2015

THAT THE CLAIMS AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE TOWN BOARD AUDIT COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL	\$	<u>413,283.55</u>
D - HIGHWAY		<u>169,027.02</u>
L - LIBRARY		<u>20,808.04</u>
SB - BUSINESS IMPROVM		<u>216.00</u>
SK - SIDEWALK DIST		<u>690.00</u>
SL - LIGHTING DIST		<u>20,308.64</u>
SN-NEIGHBORHOOD DIST.		<u>0.00</u>
SP-PARKS DISTRICT		<u>100.00</u>
SS - SEWER DIST		<u>71,541.99</u>
TA - AGENCY TRUST		<u>30,323.22</u>
TE - EXPENDABLE TRUST		<u>200.00</u>
	TOTAL \$	<u>726,498.46</u>

UPON ROLL CALL MOTION CARRIED _____

APPROVED BY: _____
SUPERVISOR

COUNCIL MEMBER

COUNCIL MEMBER

TO THE SUPERVISOR:

I CERTIFY THAT THE VOUCHERS LISTED ABOVE WERE AUDITED BY THE TOWN BOARD ON THE ABOVE DATE AND ALLOWED IN THE AMOUNTS SHOWN. YOU ARE HEREBY AUTHORIZED AND DIRECTED TO PAY TO EACH OF THE CLAIMANTS THE AMOUNT OPPOSITE HIS NAME.

DATE

TOWN CLERK

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 24th day of September, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, the Town Board previously issued a positive declaration under the State Environmental Quality Review Act (SEQRA) as lead agency with respect to the review of the Daniele Family Companies' proposal for Palazzo Plaza (the "Project"); and

WHEREAS, based on the positive declaration, the Town Board determined that there was to be a public scoping process in connection with the preparation of an environmental impact statement under SEQRA for the Project; and

WHEREAS, the developer submitted a Draft Scope for such Environmental Impact Statement to the Town for public review; and

WHEREAS, a public hearing on Scoping for the purposes of environmental review under the State Environmental Review Quality Review Act (SEQRA) in connection with the preparation of an Environmental Impact Statement for the Project was duly noticed and held on September 9, 2015 at 7:00 P.M. at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, and all people having had an interest to be heard had an opportunity to appear and give testimony at said hearing; and

WHEREAS, pursuant to SEQRA the public comment period on said Draft Scope for the Project was open through 5:00 p.m. on September

11, 2015, and all comments submitted in writing have been made part of the public record of the comments on the proposed scope for the Project;

NOW THEREFORE BE IT RESOLVED, that correspondence dated September 23, 2015 from Environmental Review Liaison Officer Ramsey A. Boehner and correspondence dated September 23, 2015 from Michael J. Flanigan of Stantec Consulting Services, Inc. together with the Final Scope for the Project submitted therewith, be received and filed; and

BE IT RESOLVED, that the Town Board hereby adopts, pursuant to the provisions of SEQRA and as lead agency for environmental review of the Project, the Final Scope for the Project, dated September 23, 2015 received and filed this day as the Final Scope pursuant to SEQRA for the Environmental Impact Statement to be prepared by the Project sponsor.

Dated: September 24, 2015

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____

Draft Environmental Impact Statement

FINAL SCOPE

PROJECT: Palazzo Plaza, Daniele Family Companies
Monroe Avenue Redevelopment –
Incentive Zoning Application
10.1+ Acres

APPLICANT: Daniele Family Companies

LEAD AGENCY: Town of Brighton Town Board

This Final Scope is intended to define the extent of potential significant adverse environmental impacts to be addressed in the Draft Environmental Impact Statement (DEIS), required by the Town of Brighton Town Board, as Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA).

Daniele Family Companies is seeking an Incentive Zoning Application for the development of approximately 10.1 acres of commercial development including a 50,000 square-foot organic foods market/grocery; 34,000 square-foot retail plaza building; 2,000 square-foot specialty coffee retailer; and 4,000 square-foot outparcel building. The redevelopment occurs on four parcels of property located on Monroe Avenue, approximately 800 feet west of the Clover Street and Monroe Avenue intersection, in the Town of Brighton, Monroe County.

The proposed development will include the following:

- The total site includes four (4) parcels and 10.1 acres;
- 50,000 square-foot organic foods market/grocery;
- 34,000 square-foot retail plaza building;
- 2,000 square-foot specialty coffee retailer;
- 4,000 square-foot outparcel building; and
- Development of an Access Management Plan and associated improvements along the south side of Monroe Avenue.

The DEIS shall include an evaluation of all listed topics. In accordance with Section 617.9(b) of the SEQRA regulations, the evaluation of potential adverse environmental impacts shall consist of relevant and material facts on the project's potential significant adverse environmental impacts. The DEIS shall be analytical, but

not encyclopedic. Pertinent data and conclusions that originate from other technical studies, reports or calculations need only be summarized in the DEIS with a reference to the source of such data or conclusions.

The following Scope is intended to provide specific direction on the preparation of the Draft Environmental Impact Statement (DEIS) for the referenced project.

I. Cover Sheet

The Cover Sheet shall contain all information required under SEQRA, Part 617.9(b)(3)(i)-(vii).

II. Table of Contents

This section will identify all relevant sections of the DEIS and shall indicate page numbers. Appendices shall also be referenced.

III. Executive Summary

The Summary section of the DEIS shall contain:

- A brief description of both the overall project proposal and each significant element of the project, including the proposed amenities and incentives;
- Significant beneficial and adverse impacts;
- Mitigation measures proposed;
- Alternatives considered; and
- Regulatory requirements.

IV. Description of the Proposed Action

A. Project Purpose, Need and Benefits

This section shall identify the background of the proposal and project, including public need, market needs, objectives of the project sponsor, and discussion of potential social, economic and other benefits related to the proposal/project. An overview of the incentive zoning proposal and subsequent amenities will be presented, including a description of how each proposed amenity is truly an “amenity” and not a “mitigation measure”. The project area is comprised of approximately 1 acre within the RLA zone of the project, and approximately 9 acres within the BF2 zone.

Proposed Incentive Zoning amenities – the DEIS will include an evaluation

of the improvements offered by the project sponsor that are not otherwise mandated by the Town’s Comprehensive Development Regulations; how such amenities will assist the Town to implement specific physical, cultural and social policies in the Comprehensive Plan as supplemented by the Town’s other local laws and ordinances; and the cost and responsibilities for maintaining such amenities. A list of proposed incentives and variances “by lot” will be provided.

The DEIS shall present the anticipated value of the proposed amenities currently defined as:

- Improvement Of The Auburn Trail at the eastern portion of the Site;
- Pedestrian & Bicycle Access;
- Traffic Signal & Pedestrian Crosswalk on Monroe Avenue;
- Preservation of Passive & Active Open Space;
- Development & Implementation of An Access Management Plan on the South Side of Monroe Avenue in the Project Area; and
- Any additional amenities to be proposed by the project sponsor.

B. Location

This section shall establish the geographic location of the project area, using location map(s) of suitable scale and identifying known landmarks such as street names, adjacent buildings, and other facilities, etc.

C. Design and Layout

This section shall depict and describe the existing and proposed access to the site, existing and proposed zoning, and development of the site and the adjacent parcels under the Town’s Comprehensive Development Regulations and under the Town’s Comprehensive Plan.

This section will also include the following:

1. A comprehensive metes and bounds survey map delineating what is being proposed at the project site and where, including but not limited to all structures, paved areas, pedestrian access, landscaping, buffer areas, utilities, etc.;
2. Description of zoning, planning process, required approvals and particulars of the individual zoning districts proposed as part of the Incentive Zoning (IZ);
3. Total site area and individual tax parcel identification;
4. Total proposed impervious area and ratio of green space versus impervious area by lot for the total project, along with the total

- amount of land to be disturbed;
5. Total building area as well as a description of the height, square footage, number of floors, etc. Architectural building elevations shall be included as part of the DEIS;
 6. Discussion of existing and proposed vehicular, pedestrian and bicycle access routes and intersections to serve the project, including which intersections will be ADA compliant;
 7. Total parking requirements by lot and layout, including a bicycle parking plan;
 8. Discussion of proposed traffic control features and patterns (including pedestrian crossings and signals at Clover Street and Allens Creek Road for the Auburn Trail);
 9. Summary of existing and proposed drainage improvements, sanitary sewers and water supply;
 10. Proposed and existing buffers and areas to be preserved;
 11. All areas to be disturbed;
 12. Location and ownership of all proposed public and private amenities and improvements, including specification of and reference to existing deed, rights of way, easements, licenses and all other rights to use, occupancy or ownership claimed by the project sponsor or any entity affiliated with or under contract to the project sponsor;
 13. Proposed lighting levels, including spacing, fixture type, height and location;
 14. Stormwater Management Facility – identify location of all discharge points;
 15. Brief description of all proposed project components (50,000 square-foot organic foods market/grocery; 34,000 square-foot retail plaza building; 1,920 square-foot specialty coffee retailer; and 6,500 square-foot outparcel building, and open space amenities), including hours of operations, delivery schedules, study of operating peaks and valleys of anticipated customer, employee shift changes, etc.;
 16. Listing of all local, state and federal permits and approvals from the Interested and Involved reviewing agencies needed to construct and operate the proposed project;
 17. Description and location of any State or Federal regulated wetlands;
 18. Discussion of pedestrian and bicycle trails linkage between the subject parcel and surrounding facilities;
 19. Total acreage of developed and undeveloped lands;
 20. Discussion regarding how the project is consistent with the following:
 - Town of Brighton Comprehensive Plan;
 - Town of Brighton Bicycle and Pedestrian Master Plan;
 - BikeWalk Brighton;
 - Climate Smart Communities; and
 - Monroe Ave. Charrette

21. The applicant's "right to access" Clover Street and Allens Creek Road shall be provided, including but not limited to easements, with liber and page, licenses or other agreements. The access routes and rights-of-way will be clearly depicted on a site plan, along with disturbance limits needed to gain access;
22. Applicant's right to access the area south of Monroe Avenue for implementation of the Access Management Plan;
23. All proposed buffers identified throughout the DEIS will be clearly depicted on the site plan. Photo simulations or other three dimensional models of the proposed buffer areas will also be provided; and
24. All curb cut alignments will be clearly shown on the site plan in order to evaluate how they relate to existing curb cuts.

D. Neighborhood Input / Communications

This section shall identify meetings and communications from neighboring businesses and residents for the project, as well as identifying any concerns raised by the neighbors through their communications. A description of any future planned meetings and how they will be coordinated shall also be provided.

E. Approvals

This section shall include a discussion of how the project complies with all applicable permit and approval standards, including an explanation of how the applicant proposes to satisfy the requirements and criteria for obtaining the change in zoning category and incentive zoning incentives in accordance with the Town of Brighton's Comprehensive Development Regulations; New York State Department of Transportation (NYS-DOT) Highway Access Permits, and any other required approvals and/or permits. This section shall also include a detailed justification for the need for all proposed relief from District Use and Bulk Regulations by lot, including signage, as requested as incentives for the project.

This section shall also identify permits and approvals from the all local, regional and state agencies including the New York State Department of Environmental Conservation (DEC) and Monroe County Department of Transportation (MCDOT).

F. Construction and Operation

This section shall identify the proposed schedule for demolition and construction of the onsite and offsite improvements for the project, as well as a discussion of any proposed project phasing including the particular

facilities, demolition requirements of the Comprehensive Development Regulations, infrastructure improvements and amenities that will be developed during each phase, maintenance responsibilities, and funding sources.

A description of construction and demolition methods will be presented that identifies any and all noise impacts, any need for blasting, and any need for asbestos containment and remediation during the demolition phase will also be provided.

Permitted construction hours, access for construction vehicles, storage of equipment and materials will also be discussed. The amount of imported or exported material, coordination with peak hour traffic and maintenance and protection of traffic plans in the proposed project site and on all public highways bordering the site will also be provided.

V. Environmental Setting

A. Geology, Soils and Topography

This section should include a detailed description of the existing site conditions including generalized subsurface geology, surface topography, seasonal high groundwater depth, and surface soils. Maps shall be included showing surface topographic contours and soils mapping (list of soil types, soil classification, soil groups per USDA Monroe County Soil Survey).

The geotechnical report prepared by Foundation Design will also be utilized to identify soil conditions and types. Include a discussion of any development limitations, hydrologic classification, and the presence of hydric or potentially hydric soils. Soil permeability consistent with DEC guidelines for infiltration analysis will also be included.

B. Surface Water

A description of the stormwater drainage patterns, surface water bodies, and floodplains should be outlined in this section. This would include an identification and size of the Irondequoit Creek watershed area draining through the site including water quality, and a description of ultimate disposition of the surface water from the site. All discharge points and downstream receiving waters shall be identified.

Projections shall be made of stormwater peak rates and total volumes exiting the site from all discharge points under existing conditions for the 1, 2, 10, 25, and 100 year, 24-hour storm events. Projections shall be made of

the existing annual average stormwater pollutant loads leaving the site using NYSDEC recommended or other published loading rates, in accordance with the Irondequoit Creek Watershed Collaborative criteria. This section should also discuss the south side of Monroe Avenue.

C. Terrestrial and Aquatic Ecology

This section shall locate all NYSDEC wetlands (if any) and identify the potential for Federally regulated wetlands on and adjacent to the site which may be affected by the proposed project. The primary and secondary benefits derived from the functions of these wetlands (if any) shall be generally described. Wetland delineation mapping and associated reports shall be included as exhibits and attachments. Habitat species and movement corridors shall be based on field observations and documented.

A discussion shall outline site vegetation (including shrubs, screening and other habitat growth), habitat, and the type of dominant vegetation found on the site, as well as, identify amphibians, reptiles, mammals and birds, which are likely to be present on or near the site.

A tree survey for all areas of the project to be disturbed shall be provided. The tree survey shall also specify any trees to be disturbed that would come under the definition of Town Trees or Significant Trees pursuant to the Town's Tree Ordinance. The NYSDEC Natural Heritage Program Office will be contacted to obtain records of reported rare, threatened, or endangered species on or near the project site and any identified will be noted.

D. Transportation

This section will provide a discussion of multimodal transportation for the project and project area. The discussion of multimodal transportation will include vehicular traffic, public transit, pedestrian, bicycle traffic. This section will also include an evaluation of an Access Management Plan from the intersection of Clover Street and Monroe Avenue to the I-590 North exist ramp to Monroe Avenue managed access plan for the Monroe Avenue Corridor within the project area, specifically the parcels located on the south side of Monroe Avenue across from the proposed development. This Plan will consider engineering and zoning including topography, drainage, stormwater management, turning movements, setback, coverage, easements and parking requirements. The Plan will identify who will be responsible to construct, own and maintain the access improvements.

Background (existing) traffic volumes and patterns around the project area will be presented. A traffic impact analysis has been prepared for the project, which will be included as an appendix to the DEIS. The scope of this

analysis was determined through meetings with the applicant, the applicant's traffic engineers, New York State DOT and Monroe County DOT. The core study area for the traffic assessment shall be defined by the following intersections:

- Monroe Avenue - Mario's Restaurant Entrance;
- Allens Creek – Mario's Egress;
- Clover Street – Shoreham Drive;
- Monroe Avenue – Clover Street;
- Monroe Avenue – Proposed Access Point;
- Monroe Avenue – I590 Northbound Exit and Entrance Ramps;
- Monroe Avenue – I590 Southbound Exit 2B Ramp;
- Monroe Avenue – Edgewood Avenue;
- Monroe Avenue – Westfall – Allens Creek;
- Clover Street – Warren Avenue;
- Clover Street – Allens Creek Road;
- Allens Creek – Whitestone Lane;
- Allens Creek – Schoolhouse Lane; and
- Clover Street – Towpath Lane.

The following items shall also be addressed in a further traffic study:

- Increases in segment traffic volumes shall be estimated for Monroe Avenue, Clover Street and Allens Creek;
- To establish Existing Conditions for the core study intersections, turning movement counts and field observations shall be conducted;
- Trip generation estimates for Palazzo Plaza shall be applied to Background Conditions traffic volumes and used to create future Conditions for both the core study intersections and Monroe Avenue Corridor segments. Alternatives for eliminating some of the proposed access points and restricting the square-footage to be developed shall be reviewed for their impact on traffic volumes and flows;
- The analysis shall evaluate the alternatives with and without the implementation of an Access Management Plan on the south side of Monroe Avenue;
- Compliance with the 'Town of Brighton Monroe Avenue Corridor Community Vision Plan, February 2011' to be addressed;
- The analysis shall evaluate the development alternatives based on access scenarios at Clover Street and Allens Creek. Access scenarios shall include no access, partial access (i.e. right-in/right-

- out or delivery only) and full access;
- The analysis shall include development scenarios that are in conformance with the existing zoning;
- Address any decrease in existing volumes from 2010 to 2015;
- A proposed signalized entrance option on Monroe Avenue shall evaluate the use of left turn arrows and address NYSDOT request to operate as a 2-phase signal and be time based coordinated with either Clover Street and/or the 590 ramp signals, or other locations as further stipulated by the NYSDOT;
- Demonstrate that the proposed access trail is consistent with the latest AASHTO shared use trail requirements;
- The analysis should evaluate internal traffic circulation;
- Synchro analysis and time based coordination shall be calibrated to reflect the existing queue lengths along Monroe Avenue. A queue analysis shall be completed with a comparison of pre and post development conditions;
- Queue analysis shall incorporate Monroe Ave and 590 ramp priority and include a discussion on impacts to trip distribution based on Clover St/Allens Creek access scenarios;
- Evaluate existing trail connections at Clover Street and Allens Creek and ped-bike accommodations at these locations with and without development;
- Address the potential for cut-through traffic internal to the site and its impact on internal site layout, cross access and driveway locations;
- Address the access management plan and cross access plans for the businesses on the south side of Monroe Ave.
- Address the potential for cut-through traffic on any adjacent residential streets;
- A vehicle gap analysis shall be performed for the adjacent residential neighborhood streets on Clover Street and Allens Creek. The following segments shall be studied:
 - Clover Street between Warren Ave and Monroe Ave
 - Clover Street between Monroe Ave and Allens Creek
 - Allens Creek between Monroe Ave and Clover
 - Allens Creek between Clover St and Allendale Columbia;
- Include a discussion on the high seasonal traffic volumes between Thanksgiving and Christmas and the potential impacts to internal circulation and access point traffic volume distribution; and
- Address the project's impacts on school bus traffic during drop off and pick up at both the Harley and Allendale Columbia schools relative to traffic at the proposed project site; and
- Discuss internal circulation challenges resulting from snow storage and removal and the potential extent to which this may effect internal and

external traffic ingress/egress.

E. Land Use and Zoning

This section shall identify the existing land uses and current zoning on the site and surrounding parcels. Current and proposed land use densities of surrounding parcels shall be calculated and presented. Permitted uses consistent with the current zoning of the site shall be listed. A plan for development for the site consistent with the current zoning and all other land use restrictions shall be presented for comparison to the current development proposal. This section shall also summarize land use recommendations for the project site as contained in the Town Comprehensive Plan, Open Space Index, and all other local and regional planning documents.

This section will detail the existing land use and zoning classification of the site and surrounding properties. The Town's Comprehensive Plan will also be discussed. A description of the overall neighborhood character north and east of the project site will also be provided.

F. Community Services

This section should include the availability and/or capacity of each of the services listed below, including the jurisdictional agency of each service noted:

- Water Service;
- Sanitary Sewer Service – discuss the capacity and limitations, if any, of the existing sewers;
- Private Utilities;
- Police Service;
- Fire Service;
- Ambulance Service;
- Educational Services;
- Health Care Services;
- Fiscal analysis including current and post development Town and School District tax base, tax rates and budget raised through property tax levies; and Parks, Recreational and Open Space;
- Available sidewalks; and
- Available pedestrian and bicycle trails.

G. Visual Resources

This section should present and describe the existing views of the site from

vantage points along Monroe Avenue, Clover Street, Shoreham Drive and Allens Creek.

H. Cultural Resources

This shall include results from a Phase IA archeological survey completed for the site. If recommended by the Phase 1A Cultural Resources study, a Phase 1B archeological resource study shall be performed and a summary included in the DEIS.

I. Noise

The existing/ambient noise in the project area shall be identified and discussed. Predominant noise generators and sensitive noise receptors shall be identified and characterized.

VI. Environmental Impacts and Mitigation

This section shall summarize those impacts, which are considered to have a significant effect on the environment. This section shall identify and summarize both adverse and positive impacts.

This section shall also identify available mitigation measures for all adverse impacts previously identified. A thorough analysis of each measure is required, including any standard details or other means of clarification, which may be appropriate.

This section will analyze impacts and mitigation in the same order as they are presented in the immediately preceding Environmental Setting Section and include any significant impacts on the environmental assets identified therein. Specifically, this section will be formatted as follows:

A. Geology, Topography and Soils

This section shall include a conceptual grading plan. A discussion of the storage and re-deposition of site topsoil shall be included. The suitability of the site soils and subsurface conditions to support the planned use, including structural support, utility installation and the potential for stormwater infiltration, shall be evaluated. "Remedial" grading issues to mitigate soils that have no structural value and need to be removed and replaced shall be identified.

This section shall also include a discussion of any woodlots present in the development area and the measures taken to avoid/minimize the impacts of the proposed development on woodlot areas.

This section shall also include a detailed discussion of soil erosion control measures, which will be taken to avoid discharge of sediment to downstream receiving waters. These measures shall be in compliance current Federal, State and local stormwater and erosion control guidelines.

B. Surface Waters/Stormwater Management

This section shall contain projections of the post-development peak flow rates and total runoff volumes from the site for the 1, 2, 10, 25, and 100 year, 24 hour storm events as well as the annual average post-development stormwater pollutant loads. The effect of any proposed mitigation measures shall be estimated and compliance shown with both the Town Code regarding drainage, Watercourse EPOD's, I.W.C. and the NYSDEC guidelines on stormwater management and the most recent SPDES General Permit.

All development areas located within designated floodways and/or 100 year flood plain areas shall be identified and suitable mitigation measures proposed, if necessary.

The discharge of stormwater to these regulated areas will be outlined in the Stormwater Pollution Prevention Plan (SWPPP) and measures taken to address water quantity and quality impacts from these discharge areas will be described and mitigated as needed.

This section shall also evaluate:

- The stormwater generated by the proposed improvements contemplated by the Access Management Plan along the south side of Monroe Avenue;
- The compliance of the proposed project with Chapter 215 of the Code of the Town of Brighton, the latest NYSDEC General Construction Permit and the Irondequoit Watershed Collaborative requirements;
- The installation of green infrastructure including documentation supporting the operation of these improvements;
- The geologic documentation must demonstrate that the existing soils can support the proposed stormwater improvements;
- The surface water section must discuss the existing downstream drainage conditions in the Whitestone Lane and Shoreham Drive area, the projects impact on this area and mitigating measures to reduce this impact. Supporting documentation must be provided;
- Anticipated discharges expected to be generated during demolition

- and construction; and
- An analysis of surface water runoff impacts resulting from snow storage and salting of the parking lots.

C. Terrestrial and Aquatic Ecology

A quantification of the loss of trees, (tree survey), vegetative cover types (including shrubs, screening and other habitat growth) and associated wildlife habitats shall be provided. Impacts to woodlots, with proposed mitigation measures need to be discussed and quantified. Impacts to grassland/meadowland areas, treed areas, and wetland areas, including those due to changes in stormwater quantity and quality, direct encroachment in wetland or adjacent areas, and the construction, use and maintenance of the proposed amenities shall be analyzed.

Buffers and preservation areas shall be discussed and quantified. All buffers and areas to be preserved shall be identified and mapped. Proposed habitat areas and existing areas designated for restoration shall be discussed and quantified. Legal methods to ensure protection of existing and proposed habitat, buffers and areas to be preserved shall be identified.

D. Transportation

This section will provide a comprehensive overview of the completed traffic impact analysis as originally scoped by NYS Department of Transportation and Monroe County Department of Transportation (See Section V. D.). The entire report will be included as an appendix to the DEIS.

The traffic study must compare the project site/study area to the following multiple development scenarios:

- Existing Condition;
- Full buildout as proposed;
- Alternative access to Clover Street and/or Allens Creek Rd;
- Proposed development minus one or both of the proposed drive through facilities;
- Other alternative combinations of proposed development uses;
- Full buildout without access onto Clover Road and Allens Creek Road;
- Full Buildout with access onto Monroe Ave. and only delivery access from Allens Creek Road; and
- Full buildout in accordance with current zoning.

Identification of the offsite impacts and required mitigation shall be

provided for each of the development scenarios. Offsite mitigation shall include the incorporation of sidewalk along the project frontage as required by NYSDOT.

The scoping document must include an analysis of the air pollutants generated by the additional traffic and drive through volume. The pollutants should be expressed in metric tons per person/vehicle.

A description of how the existing trail easement and pedestrian-bicycle activity will be incorporated into the proposed development scenarios will be provided.

A subsection on the anticipated increase in truck and/or delivery traffic will also be provided, including time of day for scheduled deliveries.

E. Land Use and Zoning

This section shall include an analysis of the potential impact to land uses and development patterns on the surrounding lands, including the potential impacts on land use mix and land use intensity.

Consistency of the proposed project should be demonstrated with the Town Comprehensive Plan, as well as with all other state and local planning documents. Impacts and mitigation for compliance with the Comprehensive Plan shall be discussed. Mitigation measures for all impacts resulting from the requested incentives shall be identified. For purposes of this analysis, the “requested incentives” shall consist of all ways in which the project does not comply with the density, setback, buffering, height, parking, signage, lighting and other standards in the Comprehensive Development Regulations that are applicable to development in the General Commercial (BF-2) and Residential Low Density (RLA) districts.

This section will also address:

1. How the project has been developed to substantively reduce impervious surface and include more parking lot landscaping to help break up the “sea of asphalt”. The parking lot islands should remain green, and/or be porous concrete and/or asphalt, and should also be considered for stormwater management and/or landscaping areas;
2. How the project has been developed to address the construction of large impervious surfaces which will cause the immediate area to become warmer than the surrounding land forming an island of higher temperatures known as the “heat island effect” will be mitigated.

Trees of substantial size should be provided along roadways and parking areas to create a canopy large enough to offset the “heat island effect”. In addition, light roof colors should be provided which further reduces this phenomenon;

- 3. How the project has been developed to address the awkward geometry of the access driveways and interior site conflicts;**
- 4. If pervious pavements will be considered where applicable such as sidewalks, trails, parking areas and drive aisles;**
- 5. The proposed project should include provisions for public transportation. The applicant should contact the Rochester Genesee Regional Transportation Authority to promote the use of public transportation to and within the proposed development;**
- 6. What level of LEED standards is proposed and a listing of the LEED components should be provided. Will the construction of all the building consider LEED standards;**
- 7. If the applicant is considering utilizing green infrastructure practices such as green roofs and porous pavements to control the stormwater generated by the proposed development; and**
- 8. How the proposed project is consistent with Climate Smart Community guidelines.**

This section will also evaluate potential impacts resulting from commercial truck deliveries, snowplowing operations, refuse removal, odors and other operations that can have a potential adverse impact on residents that live north of the project site. Appropriate mitigation measures for each of the impacts will also be presented.

An analysis of the lighting proposed at the project site to ensure that the proposed lighting does not cause adverse effects on the adjacent residential neighborhoods during night time hours. This analysis should be conducted from the Shoreham/Clover and Schoolhouse/Allens Creek neighborhoods.

F. Community Services

This section shall include an evaluation of the demand and subsequent need for mitigation created by the proposed project in each of the community service categories listed in Section V.F. An analysis of the projects’ per year contribution to the tax base (based on the current town/county/school tax per thousand) shall be included. Discuss whether or not tax abatements

(including mortgage or sales tax abatements) will be sought from COMIDA or Section 485-b, and estimate the value of such abatements.

Opportunities to enhance pedestrian and bicycle access to the project will also be presented.

G. Visual Resources

This section shall present through renderings, cross sectional profiles or computer-modified photographs and other modeling techniques, the visual appearance of the site after development, as related to the locations listed in Section V.G.

Impacts and mitigation relative to the requested incentive of reducing the required setbacks will also be presented. Before and after visual analyses of the sightlines will be presented.

H. Cultural Resources

Findings from a Phase 1A and Phase 1B archaeological search along with potential impacts and mitigations shall be discussed, along with any recommendations for further study.

I. Noise

Impacts to the existing noise levels due to the proposed development shall be evaluated, and an assessment made of the effect of the increased noise on any sensitive receptors identified in Section IV.G above, and any mitigation measures. More specifically an evaluation of potential noise impacts resulting from delivery trucks, snow plowing, refuse removal and routine operations of the facilities on the neighborhoods will be provided.

Any special construction methods and/or other mitigation measures to address this shall be evaluated.

J. Construction Impacts

This section shall contain a quantitative evaluation of all temporary construction-related impacts including noise, dust and soil erosion control measures. Emphasis shall be placed on impacts to residents in adjacent and nearby residences and any intrusions to users of Auburn Trail. Suitable mitigation measures shall be recommended to minimize construction impacts. Construction related traffic impacts and mitigation shall also be

addressed. Disposal of construction waste / spoils will also be addressed.

This section shall investigate the use of regional materials to construct the proposed project. A listing of possible regional materials shall be provided. Additionally, a waste reduction plan shall be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.

This section shall discuss the construction of LEED certified buildings and development. This section shall identify which components will be certified and the level of certification.

VII. Unavoidable Significant Adverse Environmental Impacts

This section will identify those unavoidable adverse environmental effects in Section VI that can reasonably be expected to occur.

VIII. Alternatives

The following alternatives shall be identified and assessed at a level of detail sufficient to permit a comparative assessment of costs, benefits and environmental impact for each alternative:

1. Development of the site under the density limits permitted under the existing zoning designations or amenities;
2. Alternative land uses allowed under existing zoning including residential, retail, and other non-residential uses;
3. An investigation of design and layout alternatives, including a reduction in size of either the proposed grocery building and plaza building; elimination of some or all of the proposed drive through facilities; and alternative paving surfaces to provide green space at the project site consistent with the requirements of the Town Code;
4. Potential allowable future uses of the buildings for tenants other than those intended and disclosed, with a commensurate discussion of the potential greater or lesser impacts associated by such alternative relative to the proposed alternative;
5. No action alternative.

IX. Appendices

This should include all supporting maps, reports, documents, exhibits and correspondence, including but not limited to:

- Original and amended Incentive Zoning applications;

- **SEQRA notices and documentation;**
- **Excerpts of 2000 Comprehensive Plan applicable to the project site;**
- **Traffic analysis;**
- **Drainage analysis;**
- **Preliminary Engineers Report (utilities analyses);**
- **SWPPP Report;**
- **Zoning Audit & Mapping for Monroe Avenue Corridor Properties effected by the Managed Access Plan;**
- **Geotechnical analysis;**
- **New York State Department of Transportation Correspondence;**
- **Monroe County Department of Transportation Correspondence; and**
- **Metes and Bounds Survey Map.**



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

September 23, 2015

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Brighton, NY 14618

Re: Palazzo Plaza Draft Environmental Impact Final Scope

Honorable Supervisor and Members of the Board:

I recommend that your Honorable Body receive and file this communication, and the attached letter dated September 23, 2015, from Michael Flanigan and Draft Environmental Impact Statement Final Scope dated September 23, 2015 for the Palazzo Plaza Project.

I also recommend that the Town Board adopt the Draft Environmental Impact Statement Final Scope.

Respectfully Submitted,



Ramsey A. Boehner
Environmental Review Liaison Officer

attachments





Stantec Consulting Services Inc.
61 Commercial Street, Suite 100, Rochester NY 14614-1009

September 23, 2015

Town of Brighton
Town Planner
2300 Elmwood Avenue
Rochester, New York 14618

Reference: Palazzo Plaza Final Scope

Dear Ramsey,

Attached please find the "Final Scope" for the proposed Palazzo Plaza project. This Scope was prepared with the assistance and collective input from many individuals, organizations and sources, including:

- Draft Scoping Outline prepared by the Applicant;
- Written and verbal comments received from the public during the Public Comment period;
- Comments received by other Involved and Interested Agencies;
- Town Staff and Town Attorney input;
- Stantec Consulting Services, Inc.; and
- Comments received by the Brighton Town Board (SEQRA Lead Agency).

It is our pleasure to work with you and the Town Board in the SEQRA review of this project. Please feel free to contact me at any time regarding this project.

Sincerely,

STANTEC CONSULTING SERVICES INC.

A handwritten signature in cursive script that reads "Michael J. Flanigan".

Michael J. Flanigan
Associate, Environmental Services
Phone: (585) 413-5270
Fax: (585) 424-5951
mike.flanigan@stantec.com

Final Scope document

Draft Environmental Impact Statement

FINAL SCOPE

PROJECT: Palazzo Plaza, Daniele Family Companies
Monroe Avenue Redevelopment –
Incentive Zoning Application
10.1+ Acres

APPLICANT: Daniele Family Companies

LEAD AGENCY: Town of Brighton Town Board

This Final Scope is intended to define the extent of potential significant adverse environmental impacts to be addressed in the Draft Environmental Impact Statement (DEIS), required by the Town of Brighton Town Board, as Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA).

Daniele Family Companies is seeking an Incentive Zoning Application for the development of approximately 10.1 acres of commercial development including a 50,000 square-foot organic foods market/grocery; 34,000 square-foot retail plaza building; 2,000 square-foot specialty coffee retailer; and 4,000 square-foot outparcel building. The redevelopment occurs on four parcels of property located on Monroe Avenue, approximately 800 feet west of the Clover Street and Monroe Avenue intersection, in the Town of Brighton, Monroe County.

The proposed development will include the following:

- The total site includes four (4) parcels and 10.1 acres;
- 50,000 square-foot organic foods market/grocery;
- 34,000 square-foot retail plaza building;
- 2,000 square-foot specialty coffee retailer;
- 4,000 square-foot outparcel building; and
- Development of an Access Management Plan and associated improvements along the south side of Monroe Avenue.

The DEIS shall include an evaluation of all listed topics. In accordance with Section 617.9(b) of the SEQRA regulations, the evaluation of potential adverse environmental impacts shall consist of relevant and material facts on the project's potential significant adverse environmental impacts. The DEIS shall be analytical, but

not encyclopedic. Pertinent data and conclusions that originate from other technical studies, reports or calculations need only be summarized in the DEIS with a reference to the source of such data or conclusions.

The following Scope is intended to provide specific direction on the preparation of the Draft Environmental Impact Statement (DEIS) for the referenced project.

I. Cover Sheet

The Cover Sheet shall contain all information required under SEQRA, Part 617.9(b)(3)(i)-(vii).

II. Table of Contents

This section will identify all relevant sections of the DEIS and shall indicate page numbers. Appendices shall also be referenced.

III. Executive Summary

The Summary section of the DEIS shall contain:

- A brief description of both the overall project proposal and each significant element of the project, including the proposed amenities and incentives;
- Significant beneficial and adverse impacts;
- Mitigation measures proposed;
- Alternatives considered; and
- Regulatory requirements.

IV. Description of the Proposed Action

A. Project Purpose, Need and Benefits

This section shall identify the background of the proposal and project, including public need, market needs, objectives of the project sponsor, and discussion of potential social, economic and other benefits related to the proposal/project. An overview of the incentive zoning proposal and subsequent amenities will be presented, including a description of how each proposed amenity is truly an “amenity” and not a “mitigation measure”. The project area is comprised of approximately 1 acre within the RLA zone of the project, and approximately 9 acres within the BF2 zone.

Proposed Incentive Zoning amenities – the DEIS will include an evaluation

of the improvements offered by the project sponsor that are not otherwise mandated by the Town's Comprehensive Development Regulations; how such amenities will assist the Town to implement specific physical, cultural and social policies in the Comprehensive Plan as supplemented by the Town's other local laws and ordinances; and the cost and responsibilities for maintaining such amenities. A list of proposed incentives and variances "by lot" will be provided.

The DEIS shall present the anticipated value of the proposed amenities currently defined as:

- Improvement Of The Auburn Trail at the eastern portion of the Site;
- Pedestrian & Bicycle Access;
- Traffic Signal & Pedestrian Crosswalk on Monroe Avenue;
- Preservation of Passive & Active Open Space;
- Development & Implementation of An Access Management Plan on the South Side of Monroe Avenue in the Project Area; and
- Any additional amenities to be proposed by the project sponsor.

B. Location

This section shall establish the geographic location of the project area, using location map(s) of suitable scale and identifying known landmarks such as street names, adjacent buildings, and other facilities, etc.

C. Design and Layout

This section shall depict and describe the existing and proposed access to the site, existing and proposed zoning, and development of the site and the adjacent parcels under the Town's Comprehensive Development Regulations and under the Town's Comprehensive Plan.

This section will also include the following:

1. A comprehensive metes and bounds survey map delineating what is being proposed at the project site and where, including but not limited to all structures, paved areas, pedestrian access, landscaping, buffer areas, utilities, etc.;
2. Description of zoning, planning process, required approvals and particulars of the individual zoning districts proposed as part of the Incentive Zoning (IZ);
3. Total site area and individual tax parcel identification;
4. Total proposed impervious area and ratio of green space versus impervious area by lot for the total project, along with the total

- amount of land to be disturbed;
5. Total building area as well as a description of the height, square footage, number of floors, etc. Architectural building elevations shall be included as part of the DEIS;
 6. Discussion of existing and proposed vehicular, pedestrian and bicycle access routes and intersections to serve the project, including which intersections will be ADA compliant;
 7. Total parking requirements by lot and layout, including a bicycle parking plan;
 8. Discussion of proposed traffic control features and patterns (including pedestrian crossings and signals at Clover Street and Allens Creek Road for the Auburn Trail);
 9. Summary of existing and proposed drainage improvements, sanitary sewers and water supply;
 10. Proposed and existing buffers and areas to be preserved;
 11. All areas to be disturbed;
 12. Location and ownership of all proposed public and private amenities and improvements, including specification of and reference to existing deed, rights of way, easements, licenses and all other rights to use, occupancy or ownership claimed by the project sponsor or any entity affiliated with or under contract to the project sponsor;
 13. Proposed lighting levels, including spacing, fixture type, height and location;
 14. Stormwater Management Facility – identify location of all discharge points;
 15. Brief description of all proposed project components (50,000 square-foot organic foods market/grocery; 34,000 square-foot retail plaza building; 1,920 square-foot specialty coffee retailer; and 6,500 square-foot outparcel building, and open space amenities), including hours of operations, delivery schedules, study of operating peaks and valleys of anticipated customer, employee shift changes, etc.;
 16. Listing of all local, state and federal permits and approvals from the Interested and Involved reviewing agencies needed to construct and operate the proposed project;
 17. Description and location of any State or Federal regulated wetlands;
 18. Discussion of pedestrian and bicycle trails linkage between the subject parcel and surrounding facilities;
 19. Total acreage of developed and undeveloped lands;
 20. Discussion regarding how the project is consistent with the following:
 - Town of Brighton Comprehensive Plan;
 - Town of Brighton Bicycle and Pedestrian Master Plan;
 - BikeWalk Brighton;
 - Climate Smart Communities; and
 - Monroe Ave. Charrette

21. The applicant's "right to access" Clover Street and Allens Creek Road shall be provided, including but not limited to easements, with liber and page, licenses or other agreements. The access routes and rights-of-way will be clearly depicted on a site plan, along with disturbance limits needed to gain access;
22. Applicant's right to access the area south of Monroe Avenue for implementation of the Access Management Plan;
23. All proposed buffers identified throughout the DEIS will be clearly depicted on the site plan. Photo simulations or other three dimensional models of the proposed buffer areas will also be provided; and
24. All curb cut alignments will be clearly shown on the site plan in order to evaluate how they relate to existing curb cuts.

D. Neighborhood Input / Communications

This section shall identify meetings and communications from neighboring businesses and residents for the project, as well as identifying any concerns raised by the neighbors through their communications. A description of any future planned meetings and how they will be coordinated shall also be provided.

E. Approvals

This section shall include a discussion of how the project complies with all applicable permit and approval standards, including an explanation of how the applicant proposes to satisfy the requirements and criteria for obtaining the change in zoning category and incentive zoning incentives in accordance with the Town of Brighton's Comprehensive Development Regulations; New York State Department of Transportation (NYS-DOT) Highway Access Permits, and any other required approvals and/or permits. This section shall also include a detailed justification for the need for all proposed relief from District Use and Bulk Regulations by lot, including signage, as requested as incentives for the project.

This section shall also identify permits and approvals from the all local, regional and state agencies including the New York State Department of Environmental Conservation (DEC) and Monroe County Department of Transportation (MCDOT).

F. Construction and Operation

This section shall identify the proposed schedule for demolition and construction of the onsite and offsite improvements for the project, as well as a discussion of any proposed project phasing including the particular

facilities, demolition requirements of the Comprehensive Development Regulations, infrastructure improvements and amenities that will be developed during each phase, maintenance responsibilities, and funding sources.

A description of construction and demolition methods will be presented that identifies any and all noise impacts, any need for blasting, and any need for asbestos containment and remediation during the demolition phase will also be provided.

Permitted construction hours, access for construction vehicles, storage of equipment and materials will also be discussed. The amount of imported or exported material, coordination with peak hour traffic and maintenance and protection of traffic plans in the proposed project site and on all public highways bordering the site will also be provided.

V. Environmental Setting

A. Geology, Soils and Topography

This section should include a detailed description of the existing site conditions including generalized subsurface geology, surface topography, seasonal high groundwater depth, and surface soils. Maps shall be included showing surface topographic contours and soils mapping (list of soil types, soil classification, soil groups per USDA Monroe County Soil Survey).

The geotechnical report prepared by Foundation Design will also be utilized to identify soil conditions and types. Include a discussion of any development limitations, hydrologic classification, and the presence of hydric or potentially hydric soils. Soil permeability consistent with DEC guidelines for infiltration analysis will also be included.

B. Surface Water

A description of the stormwater drainage patterns, surface water bodies, and floodplains should be outlined in this section. This would include an identification and size of the Irondequoit Creek watershed area draining through the site including water quality, and a description of ultimate disposition of the surface water from the site. All discharge points and downstream receiving waters shall be identified.

Projections shall be made of stormwater peak rates and total volumes exiting the site from all discharge points under existing conditions for the 1, 2, 10, 25, and 100 year, 24-hour storm events. Projections shall be made of

the existing annual average stormwater pollutant loads leaving the site using NYSDEC recommended or other published loading rates, in accordance with the Irondequoit Creek Watershed Collaborative criteria. This section should also discuss the south side of Monroe Avenue.

C. Terrestrial and Aquatic Ecology

This section shall locate all NYSDEC wetlands (if any) and identify the potential for Federally regulated wetlands on and adjacent to the site which may be affected by the proposed project. The primary and secondary benefits derived from the functions of these wetlands (if any) shall be generally described. Wetland delineation mapping and associated reports shall be included as exhibits and attachments. Habitat species and movement corridors shall be based on field observations and documented.

A discussion shall outline site vegetation (including shrubs, screening and other habitat growth), habitat, and the type of dominant vegetation found on the site, as well as, identify amphibians, reptiles, mammals and birds, which are likely to be present on or near the site.

A tree survey for all areas of the project to be disturbed shall be provided. The tree survey shall also specify any trees to be disturbed that would come under the definition of Town Trees or Significant Trees pursuant to the Town's Tree Ordinance. The NYSDEC Natural Heritage Program Office will be contacted to obtain records of reported rare, threatened, or endangered species on or near the project site and any identified will be noted.

D. Transportation

This section will provide a discussion of multimodal transportation for the project and project area. The discussion of multimodal transportation will include vehicular traffic, public transit, pedestrian, bicycle traffic. This section will also include an evaluation of an Access Management Plan from the intersection of Clover Street and Monroe Avenue to the I-590 North exist ramp to Monroe Avenue managed access plan for the Monroe Avenue Corridor within the project area, specifically the parcels located on the south side of Monroe Avenue across from the proposed development. This Plan will consider engineering and zoning including topography, drainage, stormwater management, turning movements, setback, coverage, easements and parking requirements. The Plan will identify who will be responsible to construct, own and maintain the access improvements.

Background (existing) traffic volumes and patterns around the project area will be presented. A traffic impact analysis has been completed for the project, which will be included as an appendix to the DEIS. The scope of this

analysis was determined through meetings with the applicant, the applicant's traffic engineers, New York State DOT and Monroe County DOT. The core study area for the traffic assessment shall be defined by the following intersections:

- Monroe Avenue - Mario's Restaurant Entrance;
- Allens Creek – Mario's Egress;
- Clover Street – Shoreham Drive;
- Monroe Avenue – Clover Street;
- Monroe Avenue – Proposed Access Point;
- Monroe Avenue – I590 Northbound Exit and Entrance Ramps;
- Monroe Avenue – I590 Southbound Exit 2B Ramp;
- Monroe Avenue – Edgewood Avenue;
- Monroe Avenue – Westfall – Allens Creek;
- Clover Street – Warren Avenue;
- Clover Street – Allens Creek Road;
- Allens Creek – Whitestone Lane;
- Allens Creek – Schoolhouse Lane; and
- Clover Street – Towpath Lane.

The following items shall also be addressed in the traffic study:

- Increases in segment traffic volumes shall be estimated for Monroe Avenue, Clover Street and Allens Creek;
- To establish Existing Conditions for the core study intersections, turning movement counts and field observations shall be conducted;
- Trip generation estimates for Palazzo Plaza shall be applied to Background Conditions traffic volumes and used to create future Conditions for both the core study intersections and Monroe Avenue Corridor segments. Alternatives for eliminating some of the proposed access points and restricting the square-footage to be developed shall be reviewed for their impact on traffic volumes and flows;
- The analysis shall evaluate the alternatives with and without the implementation of an Access Management Plan on the south side of Monroe Avenue;
- Compliance with the 'Town of Brighton Monroe Avenue Corridor Community Vision Plan, February 2011' to be addressed;
- The analysis shall evaluate the development alternatives based on access scenarios at Clover Street and Allens Creek. Access scenarios shall include no access, partial access (i.e. right-in/right-

- out or delivery only) and full access;
- The analysis shall include development scenarios that are in conformance with the existing zoning;
- Address any decrease in existing volumes from 2010 to 2015;
- A proposed signalized entrance option on Monroe Avenue shall evaluate the use of left turn arrows and address NYSDOT request to operate as a 2-phase signal and be time based coordinated with either Clover Street and/or the 590 ramp signals, or other locations as further stipulated by the NYSDOT;
- Demonstrate that the proposed access trail is consistent with the latest AASHTO shared use trail requirements;
- The analysis should evaluate internal traffic circulation;
- Synchro analysis and time based coordination shall be calibrated to reflect the existing queue lengths along Monroe Avenue. A queue analysis shall be completed with a comparison of pre and post development conditions;
- Queue analysis shall incorporate Monroe Ave and 590 ramp priority and include a discussion on impacts to trip distribution based on Clover St/Allens Creek access scenarios;
- Evaluate existing trail connections at Clover Street and Allens Creek and ped-bike accommodations at these locations with and without development;
- Address the potential for cut-through traffic internal to the site and its impact on internal site layout, cross access and driveway locations;
- Address the access management plan and cross access plans for the businesses on the south side of Monroe Ave.
- Address the potential for cut-through traffic on any adjacent residential streets;
- A vehicle gap analysis shall be performed for the adjacent residential neighborhood streets on Clover Street and Allens Creek. The following segments shall be studied:
 - Clover Street between Warren Ave and Monroe Ave
 - Clover Street between Monroe Ave and Allens Creek
 - Allens Creek between Monroe Ave and Clover
 - Allens Creek between Clover St and Allendale Columbia;
- Include a discussion on the high seasonal traffic volumes between Thanksgiving and Christmas and the potential impacts to internal circulation and access point traffic volume distribution; and
- Address the project's impacts on school bus traffic during drop off and pick up at both the Harley and Allendale Columbia schools relative to traffic at the proposed project site; and
- Discuss internal circulation challenges resulting from snow storage and removal and the potential extent to which this may effect internal and

external traffic ingress/egress.

E. Land Use and Zoning

This section shall identify the existing land uses and current zoning on the site and surrounding parcels. Current and proposed land use densities of surrounding parcels shall be calculated and presented. Permitted uses consistent with the current zoning of the site shall be listed. A plan for development for the site consistent with the current zoning and all other land use restrictions shall be presented for comparison to the current development proposal. This section shall also summarize land use recommendations for the project site as contained in the Town Comprehensive Plan, Open Space Index, and all other local and regional planning documents.

This section will detail the existing land use and zoning classification of the site and surrounding properties. The Town's Comprehensive Plan will also be discussed. A description of the overall neighborhood character north and east of the project site will also be provided.

F. Community Services

This section should include the availability and/or capacity of each of the services listed below, including the jurisdictional agency of each service noted:

- Water Service;
- Sanitary Sewer Service – discuss the capacity and limitations, if any, of the existing sewers;
- Private Utilities;
- Police Service;
- Fire Service;
- Ambulance Service;
- Educational Services;
- Health Care Services;
- Fiscal analysis including current and post development Town and School District tax base, tax rates and budget raised through property tax levies; and Parks, Recreational and Open Space;
- Available sidewalks; and
- Available pedestrian and bicycle trails.

G. Visual Resources

This section should present and describe the existing views of the site from

vantage points along Monroe Avenue, Clover Street, Shoreham Drive and Allens Creek.

H. Cultural Resources

This shall include results from a Phase IA archeological survey completed for the site. If recommended by the Phase 1A Cultural Resources study, a Phase 1B archaeological resource study shall be performed and a summary included in the DEIS.

I. Noise

The existing/ambient noise in the project area shall be identified and discussed. Predominant noise generators and sensitive noise receptors shall be identified and characterized.

VI. Environmental Impacts and Mitigation

This section shall summarize those impacts, which are considered to have a significant effect on the environment. This section shall identify and summarize both adverse and positive impacts.

This section shall also identify available mitigation measures for all adverse impacts previously identified. A thorough analysis of each measure is required, including any standard details or other means of clarification, which may be appropriate.

This section will analyze impacts and mitigation in the same order as they are presented in the immediately preceding Environmental Setting Section and include any significant impacts on the environmental assets identified therein. Specifically, this section will be formatted as follows:

A. Geology, Topography and Soils

This section shall include a conceptual grading plan. A discussion of the storage and re-deposition of site topsoil shall be included. The suitability of the site soils and subsurface conditions to support the planned use, including structural support, utility installation and the potential for stormwater infiltration, shall be evaluated. "Remedial" grading issues to mitigate soils that have no structural value and need to be removed and replaced shall be identified.

This section shall also include a discussion of any woodlots present in the development area and the measures taken to avoid/minimize the impacts of the proposed development on woodlot areas.

This section shall also include a detailed discussion of soil erosion control measures, which will be taken to avoid discharge of sediment to downstream receiving waters. These measures shall be in compliance current Federal, State and local stormwater and erosion control guidelines.

B. Surface Waters/Stormwater Management

This section shall contain projections of the post-development peak flow rates and total runoff volumes from the site for the 1, 2, 10, 25, and 100 year, 24 hour storm events as well as the annual average post-development stormwater pollutant loads. The effect of any proposed mitigation measures shall be estimated and compliance shown with both the Town Code regarding drainage, Watercourse EPOD's, I.W.C. and the NYSDEC guidelines on stormwater management and the most recent SPDES General Permit.

All development areas located within designated floodways and/or 100 year flood plain areas shall be identified and suitable mitigation measures proposed, if necessary.

The discharge of stormwater to these regulated areas will be outlined in the Stormwater Pollution Prevention Plan (SWPPP) and measures taken to address water quantity and quality impacts from these discharge areas will be described and mitigated as needed.

This section shall also evaluate:

- The stormwater generated by the proposed improvements contemplated by the Access Management Plan along the south side of Monroe Avenue;
- The compliance of the proposed project with Chapter 215 of the Code of the Town of Brighton, the latest NYSDEC General Construction Permit and the Irondequoit Watershed Collaborative requirements;
- The installation of green infrastructure including documentation supporting the operation of these improvements;
- The geologic documentation must demonstrate that the existing soils can support the proposed stormwater improvements;
- The surface water section must discuss the existing downstream drainage conditions in the Whitestone Lane and Shoreham Drive area, the projects impact on this area and mitigating measures to reduce this impact. Supporting documentation must be provided;
- Anticipated discharges expected to be generated during demolition

- and construction; and
- An analysis of surface water runoff impacts resulting from snow storage and salting of the parking lots.

C. Terrestrial and Aquatic Ecology

A quantification of the loss of trees, (tree survey), vegetative cover types (including shrubs, screening and other habitat growth) and associated wildlife habitats shall be provided. Impacts to woodlots, with proposed mitigation measures need to be discussed and quantified. Impacts to grassland/meadowland areas, treed areas, and wetland areas, including those due to changes in stormwater quantity and quality, direct encroachment in wetland or adjacent areas, and the construction, use and maintenance of the proposed amenities shall be analyzed.

Buffers and preservation areas shall be discussed and quantified. All buffers and areas to be preserved shall be identified and mapped. Proposed habitat areas and existing areas designated for restoration shall be discussed and quantified. Legal methods to ensure protection of existing and proposed habitat, buffers and areas to be preserved shall be identified.

D. Transportation

This section will provide a comprehensive overview of the completed traffic impact analysis as originally scoped by NYS Department of Transportation and Monroe County Department of Transportation (See Section V. D.). The entire report will be included as an appendix to the DEIS.

The traffic study must compare the project site/study area to the following multiple development scenarios:

- Existing Condition;
- Full buildout as proposed;
- Alternative access to Clover Street and/or Allens Creek Rd;
- Proposed development minus one or both of the proposed drive through facilities;
- Other alternative combinations of proposed development uses;
- Full buildout without access onto Clover Road and Allens Creek Road;
- Full Buildout with access onto Monroe Ave. and only delivery access from Allens Creek Road; and
- Full buildout in accordance with current zoning.

Identification of the offsite impacts and required mitigation shall be

provided for each of the development scenarios. Offsite mitigation shall include the incorporation of sidewalk along the project frontage as required by NYSDOT.

The scoping document must include an analysis of the air pollutants generated by the additional traffic and drive through volume. The pollutants should be expressed in metric tons per person/vehicle.

A description of how the existing trail easement and pedestrian-bicycle activity will be incorporated into the proposed development scenarios will be provided.

A subsection on the anticipated increase in truck and/or delivery traffic will also be provided, including time of day for scheduled deliveries.

E. Land Use and Zoning

This section shall include an analysis of the potential impact to land uses and development patterns on the surrounding lands, including the potential impacts on land use mix and land use intensity.

Consistency of the proposed project should be demonstrated with the Town Comprehensive Plan, as well as with all other state and local planning documents. Impacts and mitigation for compliance with the Comprehensive Plan shall be discussed. Mitigation measures for all impacts resulting from the requested incentives shall be identified. For purposes of this analysis, the “requested incentives” shall consist of all ways in which the project does not comply with the density, setback, buffering, height, parking, signage, lighting and other standards in the Comprehensive Development Regulations that are applicable to development in the General Commercial (BF-2) and Residential Low Density (RLA) districts.

This section will also address:

1. How the project has been developed to substantively reduce impervious surface and include more parking lot landscaping to help break up the “sea of asphalt”. The parking lot islands should remain green, and/or be porous concrete and/or asphalt, and should also be considered for stormwater management and/or landscaping areas;
2. How the project has been developed to address the construction of large impervious surfaces which will cause the immediate area to become warmer than the surrounding land forming an island of higher temperatures known as the “heat island effect” will be mitigated.

Trees of substantial size should be provided along roadways and parking areas to create a canopy large enough to offset the “heat island effect”. In addition, light roof colors should be provided which further reduces this phenomenon;

3. How the project has been developed to address the awkward geometry of the access driveways and interior site conflicts;
4. If pervious pavements will be considered where applicable such as sidewalks, trails, parking areas and drive aisles;
5. The proposed project should include provisions for public transportation. The applicant should contact the Rochester Genesee Regional Transportation Authority to promote the use of public transportation to and within the proposed development;
6. What level of LEED standards is proposed and a listing of the LEED components should be provided. Will the construction of all the building consider LEED standards;
7. If the applicant is considering utilizing green infrastructure practices such as green roofs and porous pavements to control the stormwater generated by the proposed development; and
8. How the proposed project is consistent with Climate Smart Community guidelines.

This section will also evaluate potential impacts resulting from commercial truck deliveries, snowplowing operations, refuse removal, odors and other operations that can have a potential adverse impact on residents that live north of the project site. Appropriate mitigation measures for each of the impacts will also be presented.

An analysis of the lighting proposed at the project site to ensure that the proposed lighting does not cause adverse effects on the adjacent residential neighborhoods during night time hours. This analysis should be conducted from the Shoreham/Clover and Schoolhouse/Allens Creek neighborhoods.

F. Community Services

This section shall include an evaluation of the demand and subsequent need for mitigation created by the proposed project in each of the community service categories listed in Section V.F. An analysis of the projects’ per year contribution to the tax base (based on the current town/county/school tax per thousand) shall be included. Discuss whether or not tax abatements

(including mortgage or sales tax abatements) will be sought from COMIDA or Section 485-b, and estimate the value of such abatements.

Opportunities to enhance pedestrian and bicycle access to the project will also be presented.

G. Visual Resources

This section shall present through renderings, cross sectional profiles or computer-modified photographs and other modeling techniques, the visual appearance of the site after development, as related to the locations listed in Section V.G.

Impacts and mitigation relative to the requested incentive of reducing the required setbacks will also be presented. Before and after visual analyses of the sightlines will be presented.

H. Cultural Resources

Findings from a Phase 1A and Phase 1B archaeological search along with potential impacts and mitigations shall be discussed, along with any recommendations for further study.

I. Noise

Impacts to the existing noise levels due to the proposed development shall be evaluated, and an assessment made of the effect of the increased noise on any sensitive receptors identified in Section IV.G above, and any mitigation measures. More specifically an evaluation of potential noise impacts resulting from delivery trucks, snow plowing, refuse removal and routine operations of the facilities on the neighborhoods will be provided.

Any special construction methods and/or other mitigation measures to address this shall be evaluated.

J. Construction Impacts

This section shall contain a quantitative evaluation of all temporary construction-related impacts including noise, dust and soil erosion control measures. Emphasis shall be placed on impacts to residents in adjacent and nearby residences and any intrusions to users of Auburn Trail. Suitable mitigation measures shall be recommended to minimize construction impacts. Construction related traffic impacts and mitigation shall also be

addressed. Disposal of construction waste / spoils will also be addressed.

This section shall investigate the use of regional materials to construct the proposed project. A listing of possible regional materials shall be provided. Additionally, a waste reduction plan shall be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.

This section shall discuss the construction of LEED certified buildings and development. This section shall identify which components will be certified and the level of certification.

VII. Unavoidable Significant Adverse Environmental Impacts

This section will identify those unavoidable adverse environmental effects in Section VI that can reasonably be expected to occur.

VIII. Alternatives

The following alternatives shall be identified and assessed at a level of detail sufficient to permit a comparative assessment of costs, benefits and environmental impact for each alternative:

1. Development of the site under the density limits permitted under the existing zoning designations or amenities;
2. Alternative land uses allowed under existing zoning including residential, retail, and other non-residential uses;
3. An investigation of design and layout alternatives, including a reduction in size of either the proposed grocery building and plaza building; elimination of some or all of the proposed drive through facilities; and alternative paving surfaces to provide green space at the project site consistent with the requirements of the Town Code;
4. Potential allowable future uses of the buildings for tenants other than those intended and disclosed, with a commensurate discussion of the potential greater or lesser impacts associated by such alternative relative to the proposed alternative;
5. No action alternative.

IX. Appendices

This should include all supporting maps, reports, documents, exhibits and correspondence, including but not limited to:

- Original and amended Incentive Zoning applications;

- SEQRA notices and documentation;
- Excerpts of 2000 Comprehensive Plan applicable to the project site;
- Traffic analysis;
- Drainage analysis;
- Preliminary Engineers Report (utilities analyses);
- SWPPP Report;
- Zoning Audit & Mapping for Monroe Avenue Corridor Properties effected by the Managed Access Plan;
- Geotechnical analysis;
- New York State Department of Transportation Correspondence;
- Monroe County Department of Transportation Correspondence; and
- Metes and Bounds Survey Map.

105 Pickwick Drive
Rochester, NY 14618
September 1, 2015 AMENDED

William Moehle, Supervisor
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Bill,

On April 14th, we sent a letter to members of the Planning Board which raised a number of questions regarding the incentive zoning request by the Danieles for Palazzo Plaza. We are hoping you can answer some of the questions we posed, as well as a few others, before we address the Town Board at the September 9th meeting.

Our understanding is that the town has a 10' pedestrian access agreement for the Auburn Trail along the length of the old railroad tracks, a parcel formerly owned by RG&E and now part of the Mamasan's, Clover Lanes, Mario's, and Executive Square properties.

As we stated in our April letter, we find it puzzling that the Danieles are professing an interest in the Auburn Trail and that they are using its improvement as one of three Proposed Amenities.

"An important asset included in the project is a trail, which crosses the properties and is part of a trail system which extends from the Village of Pittsford, through the Town of Pittsford, the Town of Brighton and into the City of Rochester. While parts of the trail are regularly used by walkers and cyclists, that portion of trail which crosses the subject properties was never improved or used, and is currently used by RG & E as a maintenance road." Amended Letter of Intent, pg 3

Thus far, their twenty year track record with the trail—which, in fact, is used regularly by bicyclists and walkers—is uninspiring.

For example, they extended—in violation of Town Code, we understand—a parking lot at the back of the restaurant. According to the Amended Letter of Intent:

"...approximately 15 years ago, the parking lot was expanded onto the First Baptist Church property. Although the expanded parking lot is necessary to the business, it encroaches into the RLA District..." This parking lot extension runs across the old RG&E property onto church land. In the process, they:

- Black topped over (obliterated) the trail.
- Paved residentially-zoned land.
- Put speed bumps across the trail at either edge of their property.
- Allowed parking on what should be the trail.

The markings on the pavement give no indication of the trail's existence. Drivers in the Mario's parking lot are not warned about the trail nor are they alerted to be on the lookout for bicyclists and walkers.

In preparing our comments for next week, Kim went to the Building Permits office last Wednesday to find out more about the Town's easement or pedestrian access agreements for the Auburn Trail with Mamasan's, Clover Lanes, Mario's, and the adjacent Executive Square. When the gentleman at the counter was unable to find anything regarding the trail easements on the zoning map on the computer, he went to the back and beyond to ask others. Curiously, no one seemed to know how to find out anything about the easements or the agreements between those businesses and the Town of Brighton re the trail. They asked Kim for her name and number, which were provided. Although they said they would call, she hasn't heard from anyone yet.

In addition, while at the office, Kim asked to see a copy of the Palazzo Plaza's existing parcel plan. It is our understanding that every request for incentive zoning must be submitted with a set of proposed plans, which includes a copy of the existing site with all easements, utilities, buildings, parking, zoning districts, etc, indicated on it. A different staff person came out from the back with an expanding file. There were only two large size plans in the file—neither of which showed the existing parcel plan. He thumbed through a thick plastic-bound proposal book and said he couldn't find an existing plan.

So Kim left without any information. Since then, we've again looked through the documents included with the May 15th Amended Letter of Intent. Nothing in that document shows the location of the current trail or, at least, the access easement to the trail across those properties.

We're uncertain whether you've travelled along the trail from Allens Creek Road to Clover, so here's a very brief description of the area. The trail runs along the old Auburn rail bed which is generally located between two parallel sets of RG&E power poles. RG&E once owned the property. East of Clover Lanes, the old RG&E parcel is ~60' wide. From Mario's to Allens Creek, the property is ~96' wide. There is a significant (4' or 5') drop from the railroad bed to the residential lots. RLA abuts BF2 zoning lengthwise at the center of the former RG&E parcel. Without a map showing the detail of existing features, easements, and the trail on the properties, we're finding it hard to say what portion of the trail is on residential land.

We believe the Danieles said the NYSDOT, as a sort of a compensation for the use of the property behind Clover Lanes as the area to stage equipment for the recent improvements on Monroe Avenue, used the left over asphalt from each night's paving on Monroe to pave the length of the trail from Mario's to Allens Creek Road.

So here are our questions:

The Trail

1. Can you get us the copies of the trail access easement agreements between the Town of Brighton and Mamasan's, Clover Lanes, Mario's, and Executive Square?
2. So correct information is available to the public, will the Town Board require the Danieles to provide a site map showing all existing structures, property lines, easement agreements, zoning district lines, parking, RG&E poles, improvements, etc, prior to the hearing on September 9th? It's hard to imagine that they have been working without one. We think this map should include 90 and 95 Allens Creek Road.

The Road

3. Was the Town of Brighton a party to any agreements between the above businesses and NYSDOT with respect to the use of their land during the Monroe Avenue construction and the paving of the road using left-over asphalt?
4. Who approved the establishment of a 14'+ wide road from Allens Creek Road to the Mario's property?
5. How could a commercial road be approved by the Town on residentially zoned land—land that is intended to provide a buffer to RLA zoned properties from BF2 zoned properties?
6. How can a road intended for vehicular traffic be placed on top of a pedestrian easement for a trail?
7. If the Town agreed to the placement of the road, why did not they approve it contingent on developing the trail alongside the road?
8. Can a 10' wide portion of the road be marked as the trail?
9. Can vehicular traffic on the trail be restricted to school buses (with high school bowling teams) and (for the drivers' safety) the pizza delivery cars from Salvatores?
10. If the road and its construction did not go through proper approval channels, what action has the Town taken to: 1) penalize those who violated town code, 2) stop the use of this road from cars and commercial vehicles, or 3) remove the road?

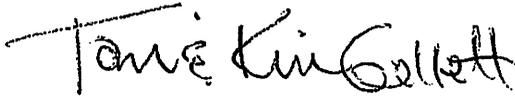
The Parking Lot

11. What permits were filed and who approved the extension of Mario's parking lot over the trail, so that it "encroaches into the RLA District" land belonging to a church exempt from paying property taxes?

12. Has the Town received a copy of any agreement between the restaurant and the church regarding the establishment of this parking lot, and has or does the church receive reimbursement for use of their land?
13. Who approved the addition of a large light on a high pole at the edge of the parking lot on residential land?
14. Who is paying taxes on the use of this property for commercial purposes? If no one has paid, then Mario's or the church is 15 years in arrears.
15. What consequences is the Town imposing for what appears to be a brazen flouting of Town Code?

We hope to hear answers from you prior to the September 9th meeting. Our thanks for your assistance in this matter.

Sincerely,



Tom and Kim Gillett

Anthony T. Lee
117 Shoreham Drive
Rochester, New York 14618

September 8, 2015

Brighton Town Board Members
2300 Elmwood Avenue
Rochester, New York 14618

Re: Proposal to Develop Commercial Strip Mall at 2740/2750 Monroe Avenue

Dear Brighton Town Board Members:

My wife, Jacqueline (“Gig”), and I have resided at 117 Shoreham Drive for 16 years. When we bought our house on Shoreham Drive, our daughter, Bailey, was 10 years old. Gig and I both were born and raised in Brighton and in 1999 we decide to relocate from Penfield to Brighton in order to give Bailey the benefit of an excellent education in the Brighton school system and to allow our family to enjoy the amenities that the Town of Brighton and, in particular, our neighborhood has to offer. Bailey is now 26 and, after graduating from the University of Pittsburgh, chose to settle down in Pittsburgh, Pennsylvania. Meanwhile, Gig and I continue to enjoy our house on Shoreham Drive and the surrounding Clover Street/Allens Creek Road neighborhood.

During the 16 years that Gig and I have lived on Shoreham Drive, we have watched many young families move into the neighborhood for the same reasons we did so back in 1999. Our residential neighborhood is peaceful, safe and quiet while, at the same time, located within a convenient distance from all the commercial amenities that the Monroe Avenue corridor in Brighton and Pittsford has to offer. Although we are right around the corner from all the commerce on Monroe Avenue, our neighborhood has, to date, been buffered from the commercial district that is so close by. We hope that things will stay that way.

My understanding is that Anthony Daniele, the developer behind the proposal to develop a commercial strip mall at 2740/2750 Monroe Avenue, including a Whole Foods grocery store, is seeking an increase in permissible square footage density from 60,000 square feet (the limit prescribed by the Brighton zoning code) to 90,000 square feet – a 50%

Brighton Town Board Members

September 8, 2015

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increase! I also understand that the scale of the proposed project will require vehicular access roads to be developed off of Clover Street (very close to the intersection of Clover and Shoreham Drive) and Allens Creek Road, in addition to access directly from Monroe Avenue.

The development of these access roads will destroy the buffer between the Monroe Avenue commercial district and the Clover Street/Allens Creek Road residential neighborhood, resulting in a significant increase in vehicular traffic on Clover Street and Allens Creek Road and, in effect, mixing the proposed commercial development on Monroe Avenue with our residential neighborhood to the detriment of the character of the neighborhood. The increased vehicular traffic on Clover Street, in particular, will also result in safety risks to those of us in the neighborhood who use the bicycling lanes on Clover Street for recreation.

I also understand that Mr. Daniele has offered certain community amenities to the Town of Brighton in exchange for Town Board approval of his proposal to build a project that is 50% over code in terms of permissible square footage density. I have been advised by legal counsel that the monetary value of these amenities is approximately \$100,000 to \$125,000. These amenities and their relatively low value do not justify what Mr. Daniele is proposing to do in this case.

I do not object to further development of commercial space on Monroe Avenue – in fact I fully support it. However, I strongly object to any development that will destroy the buffer between the commercial zone on Monroe Avenue and the residential neighborhoods just off of Monroe Avenue. I urge the Town Board to preserve the character of residential Brighton by upholding the Brighton zoning code so that any and all vehicular access to Mr. Daniele's proposed project from Clover Street and Allens Creek Road is denied and prohibited. This can easily be done by requiring Mr. Daniele to scale back the proposed size of his project so that his proposed strip mall can be accessed only from Monroe Avenue without degrading the current traffic situation on that busy commercial section of roadway. My understanding is that the Town Board could accomplish this while still allowing Mr. Daniele to build his proposed project so that the permissible square footage density exceeds the current zoning code limit of 60,000 square feet by some amount (but, obviously, something less than the proposed 90,000 square feet).

On behalf of all my neighbors in the Clover Street/Allens Creek Road neighborhood, I urge the Town Board to do the right thing for the Town of Brighton in this case and

Brighton Town Board Members

September 8, 2015

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preserve the residential character of our neighborhood. Please do not set a precedent in this case which will not only adversely affect our neighborhood in the near future, but also potentially lead to more mixed commercial/residential areas in Brighton, thereby destroying the essential character of the Town itself.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony T. Lee". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Anthony T. Lee

cc: Mr. Benjamin Werzinger
Robert W. Burgdorf, Esq.

To: Brighton Town Board

Brighton Town Board Meeting

September 9, 2015

Hello,

My name is Mike Sullivan, Karen and I have lived in Brighton for 40 years, with 30 of those at our current residence 79 Shoreham Dr. We certainly enjoy living in Brighton and have raised our three children here.

We have lived with and tolerated the traffic congestion at the corner of Clover and Monroe. I can't tell you how many times we have heard that telltale sounds of a screech followed by a load thud, then the ringing of sirens that follow. Karen and I often turn to each other and say another accident; I hope it's not someone we know. I constantly fear for my wife who travels through the Clover and Monroe intersection to and from her work daily. Her return home has often been delayed because of an accident at that corner. It has been well documented that the traffic accident level is 3x the state average. Thankfully some steps have been taken to improve existing traffic flow, although the congestion and level of traffic has not changed.

However I find it hard to believe that the Brighton Town Board could allow the proposed Palazzo Plaza development to proceed as proposed. Particularly when you consider the increase in traffic this proposed development will generate.

First Off – the primary businesses planned for the new Palazzo Plaza development will generate significantly higher traffic per Sq. ft. of development than those currently occupying the property. This will be particularly evident during the critical peak times. We are moving from a Restaurant and Bowling alley that generate minimal traffic during peak hours, to an oversized food market and retail stores with drive through services such as Starbucks.

And 2nd, why would the Brighton Town Board allow the developer to obliterate the existing Commercial Building codes which restrict the development size to only 60,000 sq. ft. for a property of this size. The current plan calls a development of 90,000 sq. ft. This is not a slight increase over allowable size but it is 50% larger than what code allows.

I'm imploring the Town Board to guard the right of residential home owners and prohibit any adjustment to the property exist that will cause an increase in vehicle traffic to residential areas of Clover and Allens Creek. We currently have difficulty exiting Shoreham Drive onto Clover St. I cannot imagine the increase in accident danger and traffic congestion on Clover Street if traffic is allowed to exit from the proposed development onto Clover Street.

Thank you for allowing me to address the Town Board and offer my views on this critical town development.

Michael Sullivan

Mary Ann Hussar

From: Laura Kaufman <lauralkaufman@gmail.com>
Sent: Thursday, September 10, 2015 2:09 PM
To: william.moehle@townofbrighton.org; jrvogel@rochester.rr.com; ljinovros@aol.com; cwerner@boylancode.com; jdiponzio@diponziolaw.com
Cc: maryann.hussar@townofbrighton.org; Ben Werzinger
Subject: Whole Foods Project

This is my second correspondence to you. My previous one was sent to you by regular mail a few months ago and was requested to be part of public record. I am requesting that this email be made part of the public record as well.

My husband, Dr. Martin Kaufman, and I attended last night's Town Board Meeting and I hope it became very clear to you how concerned the community is about the proposed project that is being considered for Monroe Avenue. It is obvious that so many residents are concerned about the magnitude of the project and how it will impact the surrounding neighborhoods and the traffic along Monroe Avenue.

As indicated last night by many, we are in agreement that the size of the project is too large for the site that is proposed. It goes against zoning codes. Brighton is a community that prides itself in preserving green space and this project does not respect the little existing space that currently exists as it will infringe upon the trail behind the proposed building. (This walking/biking/running trail has already been "taken over" by the Danielli property as they illegally paved this road. What is being done to address this illegal act by the Daniellis?) As many people expressed last night, this trail needs to be restored to it's original purpose so that it can be enjoyed by the community and not be used by trucks and deliveries.

In addition, and most importantly, the proposed access roads leading to/from Clover Street and Allens Creek Road will pose major traffic issues for the adjacent neighborhoods (Shoreham Drive and School House Lane). As we live on Shoreham Drive, it is already very difficult to exit/enter our street onto Clover Street particularly at key times during the day (7:30 - 9:00 a.m., 3:00 - 4:00 p.m., 5:00 - 6:00 p.m.). Traffic and SAFETY are key factors that are of great concern and we would hope this is a concern of yours as well.

The impact of the magnitude of this proposed project will have enormous effect on Monroe Avenue which is already a major problem. We do not need more traffic and additional traffic lights on Monroe Avenue. The number of accidents that occur on Monroe in this area is significant and the delays along the road are also great (and not just during the holiday period).

The Daniellis clearly are not concerned with the impact their proposed project will have on the surrounding neighborhoods. Our neighborhood, in particular, is a quiet, family neighborhood. We have lived in our home for over 30 years and have enjoyed a sense of calmness and serenity. This project will change the atmosphere tremendously and will surely effect the value of our homes.

We are not opposed to a Whole Foods moving into the area, but the project needs to be scaled back to accommodate the needs of the community (no access onto/from Clover Street and Allenscreek), the greenspace, and the concerns of increased traffic in the area.

We hope you will respect the concerns of the community and the more than 150 people who attended the meeting last night, when you make your decision about this project. Be assured that although many people showed up for the meeting last night, this did not include everyone who is opposed to this project.

I would like to add, that I have not heard anything positive about this project. It seems as though the only people excited about this project is the Daniellis and for obviously financial reasons.

Thank you very much for what we hope will be a thoughtful decision and one based on the concerns of your constituents.

Sincerely,

Laura and Martin Kaufman
175 Shoreham Drive
Rochester, NY 14618

September 10, 2015

Alison Elder
94 Shoreham Drive
Rochester, NY 14618

Dear Brighton Town Board,

I write to you as a concerned citizen of the Town of Brighton in regards to the planned redevelopment of the Clover Lanes complex, now apparently also known as Palazzo Plaza. The street on which I live, Shoreham Drive, meets Clover Street just across from a proposed entrance to the new development. I, therefore, have serious concerns about the impact that a 92,000 square foot combined grocery and retail space will have on traffic safety and the overall quality of life in my neighborhood.

I am dismayed with the redevelopment process as it has played out so far. I attended the Board meeting on the evening of September 9, 2015, and had the opportunity to listen to the Board's description of the zoning process, the Daniele family counsel's brief comments, and the more extensive comments from community members. The message that I heard from Mr. Goldman was that we had all wasted our time in participating because this is only the beginning of a long development approval process. That is at odds with what the Daniele family conveyed to our neighborhood group at an April, 2015, meeting at the First Baptist Church, specifically that the redevelopment is a 'done deal'. I also recall a neighbor's claim during the meeting that Whole Foods announced on May 6, 2015, that they will be opening a 55,000 square foot market in Brighton, NY. As of today's date, this announcement is still available on the Whole Foods Market online newsroom: <http://media.wholefoodsmarket.com/news/whole-foods-market-on-tap-for-brighton-new-york>

The mixed messages and ever-changing information about development plans leave me with the impression that residents' concerns are being ignored and that the developer is receiving special treatment or benefitting from back-door deals at some level of the local government. I was somewhat reassured by the Brighton Town Board discussions, but it is unclear to me why the plan – as described in documentation provided at the meeting – has been allowed to proceed as far as it has. As far as I am aware, the Daniele family's redevelopment plan has been oversized from the very beginning. I would like to know why they have not been told unequivocally that the stated plan is impermissible.

I reiterate what almost every speaker said at last evening's session: it is not the proposed tenant, Whole Foods Market, that creates concern, it is the size of the overall project. The small stretch of Monroe Avenue that includes the intersection with Clover Street and the 590 freeway entrances is a nightmare and is apparently one of the most dangerous traffic zones in Monroe County. I do everything I can to avoid that area as a driver. I do not allow my children to cycle on Monroe or Clover because of the traffic congestion, nor do I permit them to walk from our house towards Twelve Corners along Monroe, both because of the wild traffic and because Clover has no sidewalks whatsoever and Monroe's sidewalks are intermittent. Increased traffic density will make the problems even worse. Shoreham Drive is not a through street, so increased

traffic density will also make it difficult to safely exit our neighborhood. These concerns and certain decline in safety will be amplified if the Daniele family is permitted to create Plaza access points on Clover and Allens Creek. The biking/walking trail should remain – and be completely returned to – pedestrian and cycle access only, just as it is from the east side of Clover to Pittsford. Even if the current over-sized plan is allowed without these access points, I believe that traffic density on Clover and Allens Creek will nevertheless increase. Thus, in addition to the proposed new traffic light on Monroe (we already have 5 in the space of ~400 yards!), it is likely that other lights will have to be added. This is not the current flavor of our neighborhood and I do not wish to see that changed for the worse for the sake of an inappropriately-sized retail development.

I return briefly to the topic of the biking/walking trail, which lies incomplete at the moment to the west of Clover and extending to Highland Avenue. From the discussion last evening, its fate seems rather uncertain. A former Zoning Board member stated that if the traffic along Monroe Avenue worsens, this will catch the attention of the State government and the solution that will be forced upon Brighton is to convert the trail to the exact thing that the neighborhood residents dread the most: secondary access to the retail Plaza. It seems to me that if this trail were to be completed and returned entirely to its intended purpose and only that purpose, such a likelihood would be significantly lessened. Incidentally, this would have the added benefit of providing safe access for the children of our neighborhood to Twelve Corners (via Elmwood Avenue), thus allowing them to bike to the Brighton Middle and High Schools and to the Harley School. This could also have an added benefit of reducing traffic density overall during peak times.

In conclusion, I urge the Brighton Town Board to unequivocally oppose the current redevelopment plan for Palazzo Plaza and to require the Daniele family to revise said plan before proceeding any further in the zoning approval process. It is time that the Danieles finally listen to the residents of this community that will be most impacted by their overly ambitious project and act in good faith to bring a redevelopment plan before the Board that is more equitably beneficial to all.

Respectfully submitted,



Alison C.P. Elder

5 Pickwick Drive
Rochester, NY 14618
September 10, 2015

Town Board
Town of Brighton
2300 Elmwood Avenue
Brighton, NY 14618

Gentlemen:

Enclosed please find my written comments on the draft scope of the DEIS for Palazzo Plaza, Daniele Family Companies Monroe Avenue Redevelopment. I respectfully request that they be entered into the scoping record.

1. The proposed scope of the DEIS does not address the many potential negative impacts from animal vectors associated with the development of a supermarket. Large amounts of food waste and storage of cardboard boxes for recycling can harbor or attract to the site: insects, rodents, feral cats, raccoons and other pests. Inattention to solid waste management by Whole Foods or subsequent tenants of the proposed project can cause serious problems for the adjoining residential neighborhoods. Animal and insect vectors may migrate away from the facility by air, surface water and walking across the proposed buffer into adjoining neighborhoods.
2. Supermarkets and restaurants with drive thru windows produce blowing litter in and around the buildings and parking lots resulting from poor housekeeping of shopping carts, garbage pails placed near drive thru windows, and from people dropping litter out their car windows after eating their purchases. Blowing plastic bags trapped in trees and cigarette butts on access roads are also very much of a concern to the neighborhoods surrounding the project site. Due to the anticipated increased traffic on Clover Streets and Allens Creek Road as a result of the project the scope of the DEIS must review the potential negative impacts of increased litter on the residential neighborhoods surrounding the project site. Who will assume responsibility for preventing degradation of our beautiful roadways- the developer, the tenants or the Town of Brighton?
3. Surface water quality of stormwater runoff migrating off site is of special concern. Due to an increase in the percentage of impervious surface area for the proposed project over existing surface area of impervious surfaces at the site, storm water volumes will be increased for the proposed project. Additionally, due to an increase in automobile and truck traffic volumes over the impervious surfaces (relative to current volumes), pollutant loads (grease, oil, gasoline, road dirt) will increase as well. Neighborhood children play in the creeks east of the project site and immediately east of Clover Street. Neighborhood dogs drink the water and bath in them in the summertime. Any discussion of surface water quality in the project area and in the

residential surrounding the project area should address the potential for negative impacts to surface water quality, local ecology and human health as a result of development of the project.

4. With regard to transportation, the proposed scope of the DEIS presented in Section V. C. of the Draft Scope Palazzo Plaza, fails to consider potential negative impacts to corridor segments for Allens Creek Road (Monroe Avenue to Clover Street, Clover Street to East Avenue) Elmwood Avenue (Elmwood Avenue to East Avenue) and Clover Streets (Monroe Avenue to Allens Creek Road and Allens Creek Road to Elmwood Avenue) as a result of development of the project.

The scope of the traffic evaluation should extend all the way to the Route 490 entrances/exits as many local residents already use these routes to relieve the burden of increased travel times along Monroe Avenue. It should also consider the Clover Street to Elmwood Avenue segments all the way to Twelve Corners as many neighbors use Clover Street and Elmwood Avenue to access Twelve Corners for school and shopping. While the involved agencies may have determined the scope of the transportation evaluation to include only those corridor segments and intersections stated in the Draft Scope of the DEIS (Section V.C.), every resident of the neighborhoods immediately surrounding the proposed project site know: 1- Allens Creek Road is an essential ingress into our neighborhoods as a left turn (north bound) is prohibited on Clover Street at the intersection with eastbound Monroe Avenue; 2- an efficient route to Route 490 is to take Allens Creek Road or Clover Street north to Elmwood Avenue (east); 3- and the best way to Twelve Corners is north along Clover Street to Elmwood Avenue. Any increase in traffic volumes experienced along Monroe Ave as a result of project development will increase the volume of traffic along Clover Street, Elmwood Avenue and Allens Creek Road because the neighbors will further avoid driving along Monroe Avenue if possible.

5. With regard to transportation, the proposed scope does not specifically address the increase in truck traffic to the site. Supermarkets receive their food and supplies in delivery by truck. Special attention needs to be paid to evaluating the potential negative impacts of truck traffic on the roadways, air quality and noise pollution. Important considerations for evaluating potential negative impacts from the increased truck traffic to the site include: hours for delivery of goods to the supermarket (evening, overnight and weekend quiet hours); hours for the removal of solid waste, compostables and recyclable materials; routes to be traveled by these trucks increasing congestion on the surrounding road ways; visual impacts of the staged vehicles; air quality and noise pollution from diesel trucks. Additionally, vehicles which haul solid waste often leak liquid waste which fouls surface water and on-site roadways.
6. The proposed scope of the DEIS does not address snow removal and on-site or off-site storage. With the increased surface area of impervious surfaces proposed for the project the increased loading from salt and other de-icing constituents as well as road dirt from cars and trucks may cause significant negative environmental impacts

to our surrounding surface waters and surrounding area. Will parking be modified in the Wintertime to accommodate large piles of snow in the parking area?

I respectfully submit these six comments for the written record.

Caroline Yates
5 Pickwick Drive
Rochester, NY 14618

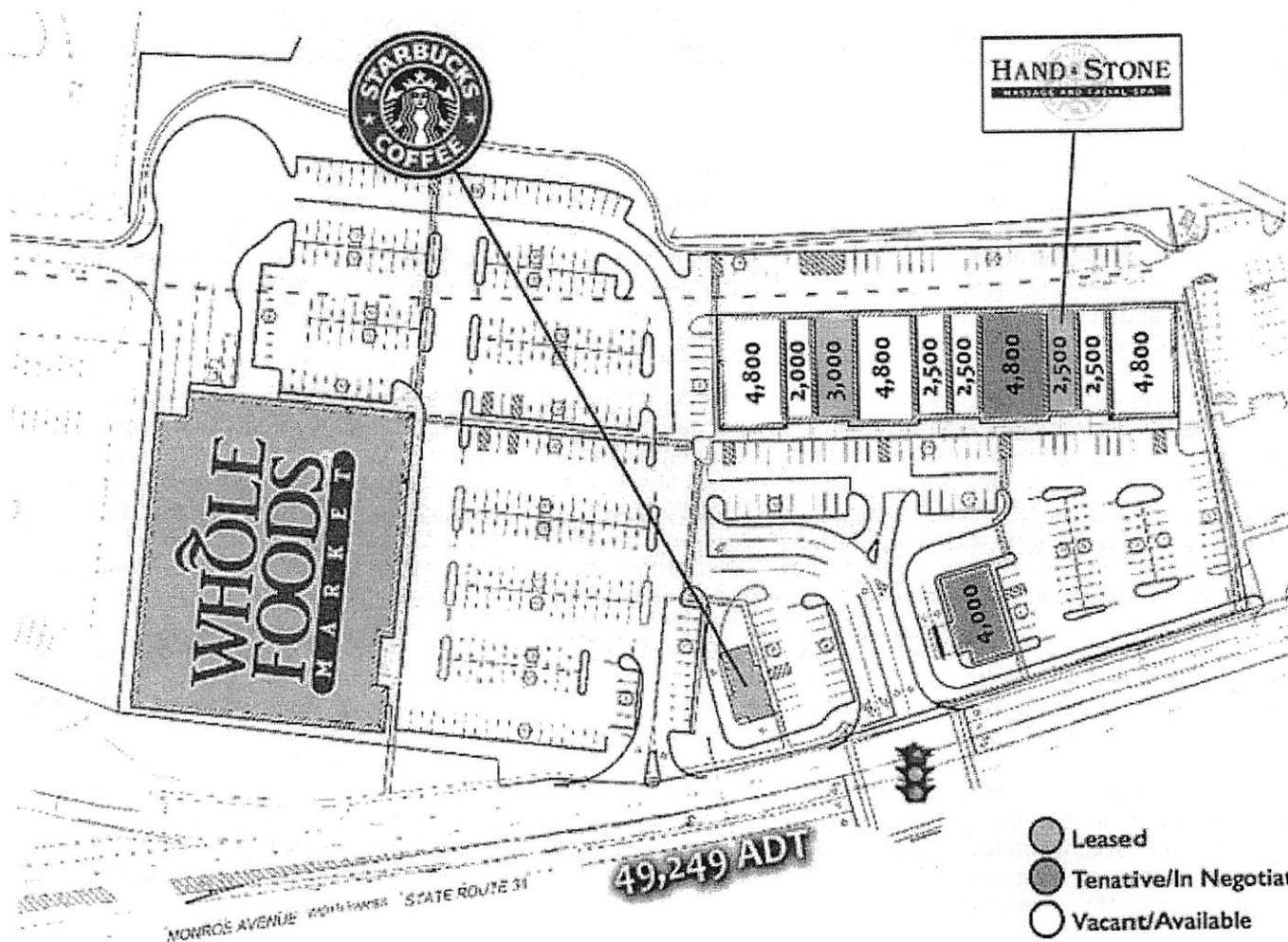
Daniel Aman

From: rosslanzafame@netscape.net
Sent: Thursday, September 10, 2015 3:36 PM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org
Cc: daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
 louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
 chris.werner@townofbrighton.org
Subject: Daniele Family Companies Application - Scope Comments

Dear Mr. Boehner and Supervisor Moehle,

Thank you for the opportunity to speak at the Town Meeting on September 9, 2015 regarding the Daniele Family Application sometimes referred to as "Palazzo Plaza," or the "Whole Foods Plaza." For the record, I wanted to supplement my oral remarks with this written communication.

As I noted when I spoke, although the Town and we believe we are quite early in the process, the developer is behaving as if the project is essentially approved. The project is actively being marketed for rent, in a >90,000 sq ft configuration and layout. According to the real estate entity marketing the project (J. Fiorie & Co.), the vast majority of the space available for rent is already leased or is "Tentative/In Negotiation." The following is an image from the real estate entity's web postings displaying a layout for the as yet unapproved project:



The text accompanying this and the other marketing images also give the distinct impression that, at least as far as the developer and the real estate marketer are concerned, this is an approved project of the scope and size as submitted.

Description

Located in the heart of the Pittsford-Brighton Retail Corridor, on Monroe Ave, just off I-590. This Whole Foods anchored plaza is a new development with great exposure & easy access to I-590. 49,149 cars pass this location every day. Retail in-line and 1 pad site currently available. Approved traffic light. Projected delivery Fall 2016/Spring 2017.

Located in the heart of the Pittsford Retail Corridor, on Monroe Ave, just off I-590. Whole Foods Plaza is Rochester's newest development with great exposure & easy access to I-590. Located between I-590 and Clover Street.

This information may be found at:

<http://www.loopnet.com/xNet/MainSite/Listing/Profile/Profile.aspx?LID=18779441&SRID=6228475539&StepID=101>

The project is being rented and, from what is available information from the real estate entity, the base rental rates range from \$30-\$40 per sq ft (although on the Daniele Family Companies website the rates are stated as between \$35-\$45). As I understand retail space leases, a percentage of retail sales is paid to the landlord in addition to the base rent. Be that as it may, just looking at base rents, and utilizing mid range rate of \$35 per sq ft, the developer would collect annual rents of approximately \$3,000,000. So, on the one hand the developer collect \$3,000,000 per year. On the other hand, the Town and we "near neighbors" receive:

- 1) Some improvements or restoration of the trail (which the developer appears to have willfully altered and now offers to restore)
- 2) A traffic light on Monroe Avenue
- 3) Destruction of the mature treeline that buffers the development site from the neighbors
- 4) Increased traffic

The inequity is stark.

As the Town evaluates redevelopment of the parcel, I would ask that you consider the following:

- 1) The proposed project is simply too large. 90,000 sq ft grossly exceeds the parcels zoning. The current zoning size limitation is sensible, given the volume of traffic already on Monroe Avenue. To supersize the development only means added traffic on and off Monroe Avenue. The only way a project of this size works is to dump traffic onto Allens Creek and onto Clover. To do so will destroy the residential neighborhood.
- 2) The types of retailers proposed are not all appropriate for the parcel. There is a reason the parcel is not currently zoned for drive through retail, drive through banking, and a 50,000 sq ft grocery store. That is because each of these creates a high volume of traffic - traffic that Monroe Avenue can ill handle in the stretch between Clover and 590. I would note that on the image copied above, the developer displays an exit to the west of the drive through coffee shop, directly onto Monroe, woefully close to the 590 entrance ramp. As I stated at the meeting, does anyone seriously believe that people who cannot get out of their car to buy a cup of coffee will patiently wait 2 minutes at a traffic light in order to exit the project, or is there a reasonable chance they will attempt unsafe maneuvers to exit the plaza?? Again, there is a reason the parcel is not zoned for drive trough retail.
- 3) Please keep in mind that the traffic estimates, even from DOT, are generic. What is proposed for this site is a food store that is unique and that will, by virtue of its uniqueness, draw greater numbers of shoppers than a generic grocery store. This will be the only Whole Foods between Toronto and Albany. This is a novelty retailer to which people will flock.
- 4) Traffic is a major concern for any of us who live near or travel the stretch of Monroe between Clover and 590. The addition of another traffic light will likely lead some to avoid the area on their way to 590 and 490. Easy alternate routes are from these drives to take Clover up to Elmwood, or Clover to Allens Creek, in order to avoid the certain congestion in front of the development. This is an unintended - but quite real - consequence of the supersizing of this development.

Redevelopment of the parcel can and should be a net-net-net positive for the Town, the near neighbors, and the developer. However, it needs to be scaled back to a sensible size, configuration and composition that will preserve the neighborhoods that are adjacent to the site.

Thank you for your consideration.

Best regards.

Ross P. Lanzafame
70 Schoolhouse Lane

Daniel Aman

From: mmacara@frontiernet.net
Sent: Thursday, September 10, 2015 9:22 PM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org
Cc: daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Subject: Clover Lanes Plaza Redevelopment Proposal

Drive,

14618-4107

2015

Members of the Town Board,
Town of Brighton,
2300, Elmwood Avenue,
Rochester,
New York, 14618

Re: Clover Lanes Plaza Redevelopment Proposal

Dear Town Board Members,

I have lived on Shoreham Drive for 32 years; it is a beautiful quiet residential street with sidewalks and mature trees, friendly neighbors, small children at play, people strolling with their dogs. Tucked away behind Monroe Avenue, many people have told me that they didn't even know that there were houses there.

Whilst I believe that the development of the Clover Lanes plaza (currently not the prettiest of strip malls) could be a great improvement to the area, there are many aspects which could prove to be severe detrimental impacts the surrounding residential community. All of these concerns have already been raised and I would add my voice to those concerns: traffic, environmental impacts (lighting, storm drainage, noise, air pollution).

One of the main concerns is the proposed development of the existing trail at the rear of the plaza to allow for vehicular traffic entering and exiting from Allen's Creek Road and Clover Street. Such a development would add traffic to Clover Street, make exiting from Shoreham Drive difficult, possibly cause accidents and potentially cause Shoreham Drive to become 'overflow' parking if the parking areas in the new Plaza are insufficient. Additionally, the proposed entry and exit point at the Clover Street end is currently the entrance to the parking area belonging to the Animal Hospital of Pittsford and is often full. I am a client of the Hospital and use this parking area frequently. What will the Animal Hospital have to say about such a development? Is someone working with the Animal Hospital about this?

At the Public Hearing on Wednesday, September 9th, a speaker from the neighborhood raised the issue that, in the event that when the project is completed, if severe traffic problems occur on Monroe Avenue, Monroe County or even the State of New York could require that such an access road be built to alleviate

89, Shoreham

Rochester,
New York,

September 10,

the problem. I hope that additional **accurate** traffic studies will be done to avoid such an outcome. One of the Daniele brothers was interviewed on WHAM 13 News on Wednesday, and said that because the additional traffic on Monroe Avenue would be spread throughout the day, there would actually be LESS traffic on Monroe.....er..... I don't quite follow his logic.

I hope that this project will eventually be crafted and implemented to meet the needs of the Brighton community, and that it will be a great success.

Yours very sincerely,
Margaret Macara

Daniel Aman

From: loeb72@aol.com
Sent: Thursday, September 10, 2015 10:05 PM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org
Cc: daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Subject: Whole Foods Plaza Proposal

Dear Mr. Boehner and Mr. Moehle,

I would like to comment on the impact this project will have on the 950 children attending the Harley School and Allendale Columbia School.

As you know, the quickest way to reach 490 East from the proposed plaza will be either Clover to Elmwood, or Allens Creek to East Avenue. Each of these routes will increase traffic in front of one of the schools in question, complicating entrance and egress for the 20 buses and the hundreds of parents picking up children.

The situation is bad now and the increased traffic will make it much worse. Even now parents need to arrive 10-15 minutes early to find parking at the end of the school day. If there is increased traffic, it will force children to sit longer in their buses, and also raise the risk of accidents.

I would remind you that these children cannot advocate for themselves, but their comfort and safety are in your hands.

At present there is a delicate balance, and we are proud to have these beautiful schools in our neighborhood. I hope that profit and business will not be increased at the cost of these children's needs and rights.

Sincerely,

Stuart Loeb
60 Pickwick Drive
Rochester, NY 14618

Daniel Aman

From: Andrew Elder [andrew_elder@pobox.com]
Sent: Thursday, September 10, 2015 10:06 PM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org
Cc: daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Subject: Palazzo Plaza development

Dear Mr Boehner and Mr Moehle,

I live at 94 Shoreham Drive and have been following the Clover Lanes redevelopment with interest.

I attended Wednesday's open forum and was planning to speak, but my points were covered at least two times by other speakers. But I still want to go on record as opposing use of incentive zoning for the current plans the developer has submitted because it allows the project to be too large for the property. I also oppose vehicular traffic access from Clover and Allens Creek into the new development.

I understand Wednesday's meeting was primarily about scope for the SEQR report, but I would think the Town Board has enough information at this stage to make a ruling as to whether the developer gets to "build exactly what they want". From the perspective of this resident listening to the process, it seems the developer gets to call the shots and that the board is rather passive. The developer seems to be signing contracts for buildings that the developer doesn't have permission to build. Either a) the developer is stupid or b) the developer has already has some assurance that he can build what he wants somehow. I do very much appreciate the lengths that the Town of Brighton has gone to in order to hear all voices on the proposed development, but I also think a public clarification of the board's current position would be helpful.

Sincerely,
Andrew Elder

09/11/15

Daniel Aman

From: Tom Blasiak [tomblasiak@hotmail.com]
Sent: Thursday, September 10, 2015 1:10 PM
To: daniel.aman@townofbrighton.org; Tina Bray
Subject: Comment Period - Draft environmental Impact Statement Draft Scope Palazzo Piazza

Dear Mr. Aman,

Please accept my comments regarding the above subject.

Section IV.A Project Needs and Benefits -

Proposed amenities: -

1. The Auburn Trail. Please cover to the fullest extent. Not just site improvements, but safety and access, including traffic, crossings, and trail improvements to the town borders especially if any zoning incentives are conceded.
 - a. Please consider road bike lanes for all trail access points.
 - b. please consider cross walks with bike access for all road crossings within 1 mile of the site.
 - c. please consider bike parking on the site.
 - d. please consider snow removal for winter running access on the Auburn trail.
 - e. please consider maintenance within the project area.
2. For open space withing the residential area, this should be very large with respect to the amount of commercial activity planned in the residential area, without tax relief for the commercial owner.

V. B - surface water.

Please consider National and International best practices to eliminate run-off of solvent wastes, cleaning waste, pesticides. Please consider a comprehensive review of the Irondequoit Creek with regard to current run-off and contribution to the Great Lakes Water shed pollution with baseline to all tributaries in the county and region.

Please consider more than 24 hour / 100 year storm events for the baseline models.

Please consider snow removal and salt migration.

Please consider the benefit and model the performance of a run-off collector basin.

V.D.

Land use and Zoning -

Please place special attention to this section as zoning incentives are a very special treatment for a commercial developer, especially since this development is being done for a national chain. Maybe the site should make use of more adjacent commercial space, and none of the residential space.

Please consider what will happen to this site if the developer defaults.

Please consider all current zoning violations within proposed parcel, and enforce the standards.

Lighting - please apply the best national standards and practices for all lighting and update the Brighton lighting standards accordingly. Not just for safety, but with regard to light pollution, aesthetics and perpetual costs.

V E. Community Services -

Please consider as part of the Sanitary Sewer Service, the occurrence of past sewer overflows and the co-mingling of Sewer and storm run-off, including up-stream and down stream system elements.

VI B. again - go beyond the 24 hour storm / 100 year event.

VI C. Reference to V.E should be V.C. (Traffic)

VI E reference to V.F should be V.E Community Service.

Regarding Tax contribution base please consider commercial defaults of either this commercial venture or other commercial ventures within the town as a result of this project.

Perhaps TOPS in Brighton will go out of business as a result of this project. What will become of that site?

Regards,

Tom Blasiak
152 Barnford Rd.

Daniel Aman

From: Diane Croessmann [dcroessmann@lenovo.com]
Sent: Thursday, September 10, 2015 3:43 PM
To: daniel.aman@townofbrighton.org
Cc: william.moehle@townofbrighton.org; Bill Loughlin
Subject: RE: Comment letter for Scoping of Palazzo Plaza

Mr Aman,

In addition to the list of issues I have already submitted in my earlier email (attached), I have taken a closer look at the developer's sketch for the property and have noticed a disturbing issue that has not yet been addressed.

When you examine the project schematic, it's very obvious that the Danielli family has again used 'smoke and mirrors' in creating an 'amenity' in the form of an access road for residential 'shoppers'. The schematic clearly shows that for commercial trucks to have easy access to the rear of the property, they require either an access road or the encroachment of zoning into the residential property. This is more likely the Danielli's disguised intent. The circular turnaround would accommodate tractor trailers. There is no other current logical access for trucks via the customer parking lot from Monroe other than via this access road. Use of the proposed access road will force the trucks onto Allens Creek and Clover.

As part of the scoping exercise, the Danielli family should be required to address commercial delivery access to the stores. If commercial vehicles cannot easily enter and exit from Monroe Avenue, they should be required to redesign the site to accommodate this issue.

If commercial delivery vehicles become a burden for Allen's Creek and Clover, we will see a much more serious deterioration in property values. This should be prohibited.

Approval of this current design would be inexcusable. The template for grocery store commercial truck management on Monroe should be Wegman's. Commercial vehicles enter and exit from Monroe exclusively.

Again, thank you for the opportunity to comment,

Diane Croessmann
 2262 Clover Street



From: Diane Croessmann
Sent: Wednesday, September 09, 2015 11:37 PM
To: 'daniel.aman@townofbrighton.org'
Cc: 'william.moehle@townofbrighton.org'
Subject: Comment letter for Scoping of Palazzo Plaza

Mr. Aman,

I would like to comment on the scoping exercise for Palazzo Plaza as part of the Sept 11th submission requirement.

As a resident at 2262 Clover Street, we are directly across from the current wetland area that the Danielli family is proposing should 'stay as is' as one of the amenities of the project. As someone who has seen the regular flooding on that property from any substantial rainfall, I find it almost humorous that they would consider this a protection of the green space. It's a

09/10/15

'swamp'....it will always be a swamp and might be more of a swamp when the parking lot creates even more runoff. The impact of their project has obvious consequences to anyone on Clover or the vicinity. More importantly, for other residents of Brighton, the fact that there would be any consideration of such a flagrant disregard for zoning creates a disturbing realization that the Town is changing...and not for the better. The Town of Brighton has attracted a residential base because of its' commitment to community, schools, lifestyle and the preservation and protection of greenspace. None of these are present in the proposal as it currently stands.

I wholeheartedly support development of this retail space... with appropriate concessions.

As the Nixon Peabody attorney shared....the private benefit of the developer should 'do no harm' to the town or the residents. In the definition of 'incentive zoning', it is clear that this is a lousy deal for the residents of the town of Brighton and a 'sweetheart deal' for the Danielli family.

For the record, had the attorney from Nixon Peabody not taken the time to explain the differences in zoning to the attendees, the risk of incentive zoning abuses would not have been clearly understood. I take exception to the comment of the Brighton Town Legal advisor, Ken (?) asking the Nixon attorney to bypass this conversation when the clear intent of the meeting was to 'listen and learn'.

Key concerns of the project include the following:

- Zoning variances are excessive. The most egregious being the fact that the retail space exceeds zoning/density by 150%. This should be scaled back to the restricted levels for grocery stores (20K vs. the proposed 55K)
- An access road between Clover and Allen's Creek should be disallowed.
 - If the facts are correct, it's appalling to find out the Danielli's had paved the road behind Mario's without going through the appropriate process to enable commercial traffic and have used the Church for commercial parking....(without paying commercial property tax since the Church is tax exempt).
 - This access road being proposed was compared to Wegmans being permitted to do the same thing between French Road and Clover to allow for more commercial traffic to flow to their store by integrating it into a residential neighborhood, which is absurd but something actually being proposed by the Danielli's as an 'amenity'. This is a flagrant disregard by the developer in assuming that they 'know what is best' for the community.
- Green Space encroachment:
 - Almost 3 acres of Residential Acreage being turned into a commercial parking lot with consequences to the green space buffer to Clover Street
 - The developer has sold a bill of goods based on a 'lifestyle' shopping complex. However, there is not one bit of greenspace. It is almost 100% impervious materials.
 - Light and noise pollution: As the parking lot and the retail shops expand to within 90 feet of Shoreham, the light pollution is something that needs to be considered. During the winter, the light from Monroe is very apparent to anyone on Clover. The added lighting for the parking lots and the other retail shops will have a dramatic impact to the light and noise pollution for the residents.
 - Other pollution: one of the presenters at the hearing was familiar with the impact of increased general pollution as a result of the traffic. If this can be quantified by the traffic engineer, it would be another important aspect to consider.
- Traffic: The Developer is assuming a best case situation for traffic. The Town should do an independent examination of the traffic to include the following:
 - This is the only Whole Foods store between Toronto and Albany. Although Whole Foods may have provided an 'average' for the number of daily shoppers to their stores, they are traditionally in locations that have more than one store in the city. If this was not factored into the traffic study, it should be.
 - Traffic will naturally reroute itself into residential neighborhoods when the increase in traffic on Monroe makes it unbearable for commuters or shoppers. There is already a pattern of commuters who bypass the 590 exit on Monroe on their way home from downtown Rochester. They can exit on Elmwood and travel down Clover vs dealing with traffic on Monroe. This happens regularly during the Christmas season. I do not believe the Danielli's examined this impact in their study. They measured the flow of traffic from 590 exit ramps heading in either direction on Monroe. They did not look at Clover street traffic flow based on the meeting that was held in February.
 - Accident rate increases. This stretch of Monroe has 3 times the normal rate for traffic accidents already. Our family has personally been rear-ended at traffic lights on two occasions at the intersection of Monroe and Clover.
 - Anomaly or key Rush hour traffic: The stretch from 4 Corners to Pittsford gets seriously congested at during rush hours and seasonal shopping. Congestion will only increase with inclement weather issues.
- The retail complex:
 - It's very unsettling that Whole Foods and the Danielli's have both advertised that contracts have been signed. As was presented during the hearing, the estimated annual revenue to the Danielli family is in excess of \$3.5M each year (excluding % of sales). It's arrogant that they should assume and disclose these signed contracts under the assumption that the Town of Brighton has already conceded to their proposal. This is precisely why the 'incentive zoning' restrictions were implemented...to prevent abuses by powerful families who will profit at the expense of others.
 - What protection do residents have if the 'super-size' retail store is approved but Whole Foods pulls out? There is no protection that this retail will remain 'luxury'.
- Concessions: Should the Danielli's be given a concession on the retail space, it would be appropriate to disallow the access road and any intrusion into the residential zoning. They should also be required to 'give back' to Brighton in the form of development of the walking path or beautification project.

Lastly, the Clover/Allen's Creek residential community has chosen to build, restore, renovate and protect residential property values because it has been a good investment. We pay for the right to be part of the community in the form of very high property taxes. Any decision that negatively impacts property values along the Clover corridor will result in a slow but steady deterioration in the Brighton community...sadly with many who will look to live elsewhere.

Thank you for the privilege of being able to express my concerns.

Diane Croessmann

Diane Croessmann
2262 Clover Street
Rochester, New York 14618
dcroessmann@lenovo.com
Mobile Cell: 585-507-1887

Daniel Aman

From: Richard Horsey [rhorsey@windstream.net]
Sent: Thursday, September 10, 2015 11:06 PM
To: daniel.aman@townofbrighton.org
Subject: Public Input on Scope of Clover Lanes Redevelopment Project

Hello Daniel,

Please add the following points on the Clover Lanes Redevelopment Project to the public comments:

- 1) I am a bit surprised at the considerable pile of variances that have been requested to move forward with the plans for the Clover Lanes Redevelopment Project. The project immediately jumps to the need for Incentive Zoning because the family wishes to "Supersize" a project in a space that is too small. They seem to be saying that we should give up all these variances because their project is more important than the town regulations that have made this wonderful town into what it is today. One or two variances would not be surprising, but what has been requested is a desire to have the board go against numerous regulations that have been put in place for very good reasons. And, if you allow all the variances, then the next guy who comes along will expect the same treatment with any changes he wants to make. You really need to hold the line on this!
- 2) Not surprisingly the firm has come in with a huge document (300+ pages) which I skipped through some but read word for word through a lot of it. It appears that some of the intent was to overwhelm the board and the public with so much "data" that one almost gives up reading and begins to assume that the conclusions must be correct. Having served as a school board president in a small rural community, I am well aware of this tactic and the reasons for it. I'm sure that you will also find that the statistics provided will "prove" that their requests and conclusions are fault-free. Unfortunately it appears that we the public and the board are being misled.
- 3) The listed amenities seem to not be amenities at all! The walkway apparently has been paved over by the family for their own benefit for additional parking and additional access. Hopefully this was approved by the town somewhere along the way. Now this proposal says that it will make it "safe" in the redevelopment. Yet it appears that they were the ones to make it "unsafe" to begin with. The traffic light is not an amenity, rather a requirement if this project goes forward. The only reason to have the light in the first place is because they want to do the redevelopment. And lastly, purchasing the church property benefits the church not the town as a whole.
- 4) Lastly I am concerned where the additional delivery truck traffic will be entering/exiting the property. Does it mean that large eighteen wheelers will be going out onto Allen's Creek Road and Clover St? Or will they be pulling out into and crossing traffic trying to go up the 590 ramp entrances either north or south. Also, an additional light will very likely back up the traffic coming down the off ramp from 590 north and cause further traffic stoppages in one lane on 590 north. In spite of what the proposal seems to imply, there will be more traffic in the entire area as a result of the redevelopment. I am not against the redevelopment, but I am concerned about the oversized nature of it.

Thank you for consideration of these points in your scope,

Richard Horsey
199 Village Lane

49 Modelane
Rochester, NY 14618-4015
Sept. 10, 2015

FURTHER COMMENT RE: DRAFT SCOPE -- PROPOSED PALAZZO PLAZA

Dear sir:

We are **Bruce & Kathleen Beardsley**, address **49 Modelane** in the Willowbend Neighborhood. Not much was heard from Willowbend during this past Wednesday's hearing on the Daniele Brothers' proposal, at least while we were there, but it does affect us to the west of Monroe Ave. as well. The newest additional traffic light at the Monroe/590 intersection may indeed help those westbound on Monroe who intend to turn onto 590 west. But it's made things worse on Westfall as we approach Monroe wishing to turn eastbound towards Pittsford, as traffic now bunches up at that new light and at busy times causes a mess on Westfall extending back as far as, or even beyond, the Edgewood Ave. intersection.

So speaking incrementally, what might yet one more traffic light likely accomplish in that section of Monroe (as the developer proposes)? Very likely one step closer to Monroe becoming a parking lot of its own.

Associated question: Why a 34,000-sq.-ft. multiple-tenant retail plaza building in addition to a 50,000-sq.-ft. (vs. 20,000 Code) Whole Foods? There are plenty of empty storefronts already -- we call it the "Jefferson Road Effect" -- along Monroe between Westfall/Allens Creek and Pittsford Plaza. We think "oversized" also equals "overkill" in this case. We feel that there shouldn't be any particular "enhanced incentives" for a project which oversteps its reasonable bounds as much as this one does.

Brighton leadership, in our 40-plus years here, has consistently measured citizen input very thoroughly -- advocating affordable housing projects, re-doing rather than replacing the high school, and more recently making sure that Brighton does not house something with the exclusivity of a "gated community". We trust that this fair and common-sense approach will maintain through the current negotiations.

Sincerely and with thanks,



Bruce Beardsley



Kathleen Beardsley

Daniel Aman

From: William Moehle [william.moehle@townofbrighton.org]
Sent: Friday, September 11, 2015 4:09 PM
To: Ramsey Boehner; daniel.aman@townofbrighton.org; jaysoralee@frontiernet.net
Subject: FW: Plaza

Dear Ms. Cook:

By copy of your email to Town Clerk Dan Aman and Town Planner Ramsey Boehner, I am directing that your comments be added to the written record of comments received concerning the SEQRA scoping hearing for the Clover Lanes Redevelopment. I want to make clear that no decisions have been made by the Town concerning this proposal. The public hearing on Wednesday night was simply the first opportunity for public input, specifically related to the development of the scope for the environmental review under the State Environmental Quality Review Act. There will be additional opportunities for public input as the environmental review process continues, and also for input to the incentive zoning application itself. I encourage you to remain engaged as this review process proceeds, which will involve additional opportunities for public comment.

Bill Moehle
William W. Moehle
Supervisor, Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618
(585) 784-5252

—Original Message—

From: Soralee Cook [mailto:jaysoralee@frontiernet.net]
Sent: Thursday, September 10, 2015 12:42 PM
To: william.moehle@townofbrighton.org
Subject: Plaza

To whom it may concern..I feel that we are being manipulated by the town and the developer.We need reasonable guide lines for future plans.The drive on Monroe Ave. at times is pure torture, with back ups and accidents. This issue has never been solved, stop thinking about the taxes,think about the residents, their quality of life living in the neighborhood..

Sent from my iPad

Ramsey Boehner

From: Matt Duell <matt.duell@gmail.com>
Sent: Thursday, September 10, 2015 9:19 AM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org;
daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Cc: Lindsay Muller
Subject: Fwd: Note
Attachments: Clover Lanes Redevelopment - Duell Family.docx

Hello

Thank you all for hosting many of our neighbors at the Town Board Meeting last night and allowing us to share our concerns of the Clover Lanes redevelopment project as it is currently proposed. I've attached a letter from my wife and I echoing many of the same concerns that we would like to be included in the records for this project. If nothing else comes of this it has been an education in the process of town governance and sparked in me a deeper level of engagement in our town and what happens in our community for which I am grateful.

Thanks again for your time,

Matt and Lindsay Duell
59 Shoreham Dr

**Matthew and Lindsay Duell
59 Shoreham Dr
Rochester, New York 14618**

9/9/2015

William Moehle
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

RE: Clover Lanes Redevelopment Proposal

Dear Mr. Moehle:

In July of 2009 my wife and I settled in Brighton's Roselawn neighborhood. As our family grew from two to four we needed more space and desired a neighborhood with more young families. We could not stand the thought of moving out of Brighton to find that! Luckily, in August of 2014 we were able to move in to the Shoreham/Pickwick neighborhood. The people there have been overwhelmingly welcoming. There are many young families with small children that we hope our two daughters can grow up with. However, that community is being threatened by the Clover Lanes/Mario's redevelopment.

Before I present my concerns, I must admit too that the prospect of Clover Lanes parcel being redeveloped was intriguing, exciting, and probably inevitable. Whether it is the Daniele family or someone else, the project must seriously consider the impact on traffic, safety, and character of the Town of Brighton.

One of the primary concerns is with traffic. After recently seeing the developer's proposal presentation I believe that the projected impact on traffic is grossly underestimated. The developer proposes a 1% increase in the number of cars passing by the property on a daily basis. The rumored tenant is an up-scale grocery store that is highly sought after and will likely bring upwards of 5000 customers each day. That number would represent 10% of the current car count that passes by each day, as presented by the developers. More importantly is that a great percentage of the cars traveling that section of Monroe Ave will in fact *not* be passing by and will rather stop, enter, and exit the plaza resulting in more congestion. If the developer believes that there will be only a minimal impact on cars/customers entering their property then I highly question their business decision.

To mitigate the traffic concerns on Monroe Ave, the developers wish to permit access via Clover and Allens Creek Road. Frustrated Monroe Avenue motorists will undoubtedly use these new access points. Both roadways already have their own congestion issues which will in turn result in attempts to avoid the congestion by finding alternative routes via the residential neighborhoods that our families and pets use.

With the increased vehicle congestion comes the concern of safety. Clover and the connecting neighborhoods are frequently travelled by pedestrians, runners, bikers, and buses to deliver children to their schools. The increased volume puts them at even more risk of injury from distracted or frustrated drivers.

Lastly, regarding the character of the town, its commercial zones are nearly exceeding the perceived or actual capacity. As I compare our town to other towns with extensive development, namely our neighbor Henrietta, and our original hometown Greece, we, in Brighton, still are known for having a

good balance of desirable and manageable commercial zones and residential. When I think of those two other towns all I think of is their overextended commercial areas making them undesirable places to live. Brighton is known to be a highly desirable residential town where the quality of life is based on the people, neighbors, and schools. This balance can be preserved by upholding the zoning guidelines that were put in place to protect it.

It is for these reasons that I ask that you:

(1) do not allow this developer to change the character of the neighborhood by opening up Clover and Allen's Creek road access for vehicular access

(2) do not let this developer exceed the existing code requirements on size and density.

If those two items were enforced by the Town, we would support this project. Thank you for your careful consideration of our concerns.

Sincerely,

Matthew and Lindsay Duell

I submit this letter for your consideration during the zoning process for the Project, and ask that you make this letter part of the official record.

Ramsey Boehner

From: Dave Resch <dpr@postreschtallon.com>
Sent: Thursday, September 10, 2015 7:00 PM
To: ramsey.boehner@townofbrighton.org
Cc: Dave Resch
Subject: Whole Foods proposal

Ramsey,

My wife Diane and I live at 2180 Clover St at Allens Creek corner and have for 20 years .

Would very much like to see an upgrade to the Palazzo (Whole Foods (Danielli) property but not with any excess traffic flow onto Clover St thru the church property or onto Allens Creek ..please keep that,or shouldb I say return the trail to a bike and hiking trail.

All traffic for the proposed project must be from Monroe Ave. Please.....

Allens Creek and Clover is a great neighborhood. .please keep it that way

Respectfully submitted

Dave Resch

President

Post Resch Tallon Group

and long time Brighton resident

Sent from my Verizon Wireless 4G LTE smartphone



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

September 11, 2015

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

RE: Planning Board comments regarding the Draft Scoping Outline for the Palazzo Plaza Project

Dear Board Members:

The Planning Board reviewed the Draft Scoping Outline for the Palazzo Plaza and offers the following comments. The Planning Board looks forward to providing additional project review and comment as requested by the Town Board.

1. Section III should discuss the amenities and incentives proposed.
2. Section IV.A, second paragraph should read ~1 acre in RLA and 9 acres in BF2.
3. Section IV.C.5 should include bicycle in the list of vehicular and pedestrian access routes.
4. Section IV.C.16 should also discuss bicycle trail linkage.
5. Section VI.C should examine an alternate entrance onto Clover Street and the intersection of Clover and Allens Creek.
6. Section VI.D should address:

a. How the plan has been revised to substantively reduce impervious surface and include more parking lot landscaping to help break up the "sea of asphalt". The parking lot islands should remain green and should be considered for stormwater management and/or landscaping areas.

b. How the plan has been revised to address the construction of large impervious surfaces which will cause the immediate area to become warmer than the surrounding land forming an island of higher temperatures known as the "heat island effect" will be mitigated. Trees of substantial size should be provided along roadways and parking areas to create a canopy large



enough to offset the "heat island effect". In addition, light roof colors should be provided which further reduces this phenomenon.

c. How the plan has been revised to address the awkward geometry of the access driveways and interior site conflicts.

7. Section VIII.1 should read "incentives or amenities."

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ramsey A. Bohner". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ramsey A. Bohner
Executive Secretary
Planning Board

Daniel Aman

From: Sulkes, Steve [Steve_Sulkes@URMC.Rochester.edu]
Sent: Friday, September 11, 2015 8:28 AM
To: 'ramsey.boehner@townofbrighton.org'; 'william.moehle@townofbrighton.org'
Cc: 'daniel.aman@townofbrighton.org'; 'james.vogel@townofbrighton.org';
'louise.novros@townofbrighton.org'; 'jason.diponzio@townofbrighton.org';
'chris.werner@townofbrighton.org'; Schiff, Melissa; 'ben.werzinger@gmail.com'
Subject: Daniele Proposal

As a 32-year resident of Brighton on Whitestone Lane, I share the concerns of my neighbors regarding traffic issues associated with the development proposal presented by the Daniele brothers.

The proposed auto exits may provide benefits in terms of Monroe Avenue congestion, but I believe that traffic lights and other flow control strategies can effectively keep business traffic on Monroe and off Clover Street and Allens Creek Road, leaving them open for the residential traffic for which they are configured.

Although I understand that business development on the Monroe Avenue corridor is appropriate and to be expected, having automobile overflow spill into surrounding residential neighborhoods is not in line with the development goals of the Town of Brighton. I am unaware of any business areas along Monroe Avenue that count on neighborhood residential streets for auto access, and I strongly oppose this aspect of the development plan.

Stephen Sulkes, MD
33 Whitestone Lane

Daniel Aman

From: Steve [stevekit@rochester.rr.com]
Sent: Friday, September 11, 2015 9:45 AM
To: daniel.aman@townofbrighton.org
Cc: william.moehle@townofbrighton.org
Subject: Palazzo Plaza DEIS Scope Comment

Dear Mr. Aman-

Please file the following comment on the Scope of the Project.

One of the most significant aspects of the proposed project is vehicular traffic flow along Clover, Allen's Creek and Monroe Avenue. The Scope of the Project should include traffic flow on Clover from Monroe to Allen's Creek, Allen's Creek between Clover and Monroe and, especially, Monroe from Clover to Edgewood.

Traffic flow along Monroe is presently stop-and-go northbound from Clover through the three access lights at 590, the light at Allen's Creek and shortly north of that, at Edgewood. If the proposed traffic light to access Palazzo Plaza were to be added, that would be a total of six lights in a half -mile stretch of Monroe. It should be obvious that traffic flow will be further slowed and restricted, especially with the additional traffic to and from Palazzo Plaza.

This traffic problem can be ameliorated by *coordinating or synchronizing all the traffic lights along Monroe Avenue within the affected zone, which is Clover through Edgewood.* This was done partially, but not completely, along Winton during the construction of the "diverging diamond" project at Winton and Rte 590. The reason traffic flow along Winton through the Diamond is still halting is because the synchronization is incomplete: the traffic lights at Cambridge Place and Meriden Place were not included in the synchronization. This is an example of why traffic flow *all the way from Clover to Edgewood must be included in the Palazzo project scope.*

Without adding this traffic flow synchronization element to the scope of the proposed project, considerable harm will be done to the area by the proposed project.

Thank you for including this in the proposed project scope comments.

Steve Kittelberger PhD
Environmental Consultant
160 Penarrow Road
Brighton, NY

Town of Brighton Town Board.

Subject: Monroe Ave Redevelopment
Palazzo Plaza

I attended the public hearing on September 9th 2015 and have some concerns.

1. Traffic, Brighton has seen a large increase in traffic in the past few years, this increase has caused more drivers to use neighborhoods to avoid Monroe Ave. Warren Ave is one of the streets which has residents concerns. I suggest a traffic study be done on the following streets, which are affected by traffic on Monroe Ave: Warren, Edgewood, Clover, Westfall, and Allens creek. All of these feed into Monroe or are used as a bypass. The Daniele Family Company which owns the building at 2851 Monroe Ave and who are trying to lease it, states on their website that 49, 567 is the daily car traffic for Monroe Ave.

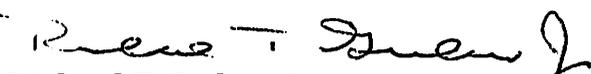
In regards to Monroe Ave, depending on the time of day, or day of the week I have found that since the reconstruction between Westfall/Allens Creek and Clover street, with new traffic lights and turn lanes installed, traffic has backed up numerous times. Under the proposal another light would be installed with a possible two minute delay, which will just add to the problem. Finally I do not believe any traffic should be allowed to exit from the plaza out the back onto Clover or Allens Creek.

The only other question that needs to be looked at is Large truck traffic into and out of the proposed plaza.

2. The proposed development is calling for a 50,000 square foot Whole Foods market, at the same time Whole Food is looking at decreasing it's store sizes, right now they average between 40,000 and 45,000 square feet. Current State/ Town code needs to followed for this building if built, no incentive zoning.

I believe that the 34,000 square foot strip mall development, should follow current State and Town codes and no incentive zoning be granted. Also I question the possible vacancy rate of this mall, right now alone there is the Friendly;s and Rumi's restaurant which are vacant at this time on the south side of Monroe Ave.

Finally, I think that the 1,920 sf and 6,500 sf out parcel building should be removed from the proposal, We do not need another specialty coffee retailer or possible spa, this would allow for more green space along Monroe Ave.



Richard T Gielow Jr
334 Warren Ave
September 11, 2015

Sept. 11, 2015,

Dear Bill,

I attended the Sept. 9th Town board meeting and was very impressed by many of my neighbors' thoughtful comments about the proposed Palazzo Plaza for the Monroe Avenue site. I hope you follow the suggestion of one of the speakers who recommended you visit the area streets that would be harmfully impacted by the proposed Daniele development. There are many stately homes in the Allens Creek / Clover Street neighborhood ~~as~~ ^{as} well as more modest ones that would be adversely affected by the increased traffic,

pollution and noise that the Daniele proposal would bring to a beautiful neighborhood where I've enjoyed living for the past 35 years. Please make the concerns of the residents who live in this area a priority as you consider the hurtful effects the proposed Palazzo project will have. I would like Brighton to remain a community where residents and their neighborhoods are considered more important than strip malls.

Thank you,
Kathleen Brennan
2080 Clover Street
473-2588

Daniel Aman

From: ML Hahn [mhahn2@rochester.rr.com]
Sent: Friday, September 11, 2015 1:41 PM
To: Daniel.Aman@townofbrighton.org
Subject: Fw: Palazzo Plaza Project Comments

— Original Message —

From: ML Hahn
To: Daniel.Aman@townofbrighton.com
Sent: Friday, September 11, 2015 12:10 PM
Subject: Palazzo Plaza Project Comments

Town of Brighton Board

RE: Monroe Ave Daniele Project

September 11, 2015

Good Morning Mr. Aman,

I attended the 9/9 Public Hearing on the Whole Foods/ mall project on Monroe Ave and would offer the following comments.

1) Although I heard the resulting traffic congestion was a concern widely shared, I recommend that further traffic studies (which are clearly needed) include Warren and Clover Hills in addition to the Allens Creek/Clover neighborhoods. At certain times of day I already have to bypass turning onto Clover and find an alternate route from Warren

2) Hopefully the Board will want to examine the economic impact of the new mall on the other businesses across the street and in the immediate area. Dunkin' Donuts already has a drive-through and another drive-through as cited for the new plaza exacerbates traffic congestion and possible accidents. And if it is Starbucks that relocates to the new mall, moving a business from point A to B in the same area is NOT enhancing economic development as we know from the TOPS move along Jefferson Rd. where the former TOPS remained vacant. Lastly, although a COMIDA abatement should not be available for retail development, I only hope that the project developers don't use through some loophole to get tax breaks, either sales tax or tax abatements.

I appreciate that the Town Board is holding these hearings to allow for maximum citizen input. I realize the issues for this project are complex and I do hope a modified/ reduced project can be worked out to benefit all stakeholders

Sincerely,

Mary Lynne Hahn, 334 Warren Ave

mhahn2@rochester.rr.com

Daniel Aman

From: Ann & Arthur [pengo@frontiernet.net]
Sent: Friday, September 11, 2015 2:05 PM
To: daniel.aman@townofbrighton.org
Subject: Palazzo Plaza

Hi,

We attended the Town Board meeting on September 9 and would like to comment on the Palazzo Plaza Project.

We see no need to allow this project at the scale the developer has currently requested. It is way too large for the parcels it will occupy. We agree with the neighbors who urge you to reject the plan under consideration and request a plan that would conform to current zoning. As recreational bikers we urge you to restore and preserve the Auburn Trail from Clover Street to Highland Avenue.

Our concern is also for the need for a current traffic study. We know from driving to Pittsford Plaza now that the traffic is usually pretty bad, but you need to know real figures before you can talk about allowing more development along Monroe Avenue.

Finally, if you consider any incentive zoning for this project please make it benefit the town in a meaningful way. The current offer of a new traffic light and trail repair is really ludicrous.

Thank you for your consideration,

Ann and Arthur Kolko
41 Edgemoor Road
Rochester, NY 14618

September 11, 2015



NIXON PEABODY

1300 Clinton Square
Rochester, NY 14604-1792
585-263-1000

Robert J. Brenner
Associate
T 585-263-1035
rbrenner@nixonpeabody.com

1300 Clinton Square
Rochester, NY 14604-1792
585-263-1000

September 11, 2015

VIA ELECTRONIC MAIL

Hon. William W. Moehle, Supervisor
and Members of the Town Board
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

RE: Proposal to Develop Commercial Strip Mall in Excess of Existing Zoning Regulations at 2740/2750 Monroe Avenue (the "Palazzo Project" or "Project")

Dear Supervisor Moehle and Members of the Town Board:

As you know, this firm represents Clover/Allens Creek Neighbors United (the "Association") which was formed for the purpose of helping ensure that the Palazzo Project is compatible with the adjoining residential neighborhoods, and otherwise appropriately designed and sited so as to adequately balance its effects with the health, safety and welfare of the community.

In addition to the comments raised on Wednesday evening (September 9, 2015), and by the Association's August 19, 2015 submission, please note the following additional comments regarding elements/items that should be included in the Palazzo Project Environmental Impact Statement scope, pursuant to the requirements of the State Environmental Quality Review Act and its implementing regulations (collectively, "SEORA" or "SEQR"):

1. An analysis of the design of the Project within the density limits permitted under the Town Code (e.g., 20,000 sq. ft. commercial single tenant grocery store plus up to 53,000 sq. ft. of additional multi-tenanted commercial buildings (without drive throughs)) to determine if the problems associated with the negative impacts on traffic and the existing buffer to the residential neighborhoods can be eliminated (identified as Interest 1 and Interest 2 in the previously submitted materials and incorporated herein by reference);
2. An independent, comprehensive analysis of Monroe Avenue traffic design impacts and alternatives, including alternatives that would not require the proposed vehicular access points on Allens Creek Road and Clover Street, and

Hon. William W. Moehle, Supervisor
and Members of the Town Board
September 11, 2015
Page 2

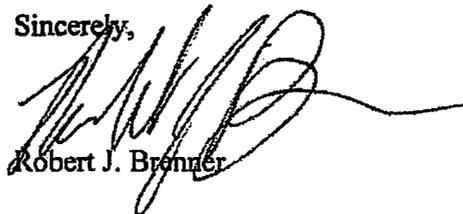
especially with the Project density limited to Code requirements as set forth in No. 1 above; this should also include an analysis of area-wide traffic impacts and traffic impacts with various project configurations related to size and uses;

3. An investigation of design alternatives to provide green space at the Project site consistent with the requirements of the Town Code;
4. Provide a comprehensive metes and bounds survey map delineating exactly what is being proposed at the Project site and where, including without limit all structures, paved areas, pedestrian access, landscaping, utilities and so forth;
5. An analysis of the lighting proposed at the Project site to ensure that the proposed lighting does not cause adverse effects on the adjacent residential neighborhoods; and
6. An analysis of drainage issues at the Project site to ensure that proper drainage measures are taken to eliminate adverse impacts on the adjacent residential neighborhoods.

Please feel free to contact me if you have any questions or require any additional information.

Thank you.

Sincerely,



Robert J. Brenner

RJB/mg

cc: Ben Werzinger, CANU Association (*via e-mail*)
Ramsey Boehner, Town Planner (*via e-mail*)

Daniel Aman

From: Diane [dresch01@rochester.rr.com]
Sent: Friday, September 11, 2015 2:32 PM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org
Cc: daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Subject: Proposed development of Palazzo Plaza

Dear Mr. Moehle and Mr. Boehner:

I am Diane Resch, 2180 Clover St. My husband and I live directly across the street from the First Baptist Church.

We attended the town meeting on 9/9 regarding scope of the proposed development of Palazzo Plaza by the Daniele family. We also attended a meeting at the church in April, wherein the Daniele brothers put on a dog and pony show for all the concerned neighbors who had crammed into the room.

My husband and I are completely opposed to the development of the area as the proposal now stands. I don't understand why, if there are already building codes in place, that the proposed scope of this project was not dismissed by the Board immediately. The added traffic that will be generated by such a large grocery store and a drive-thru coffee store is difficult to imagine, not to mention added noise and pollution. This on one of the already most congested streets on the east side of Rochester!

I also don't understand why the Danieles have not been taken to task by the town for paving what is supposed to be public land...what right do they have to do such a thing? If they applied for a permit, it certainly wasn't brought to the neighborhood's attention.

Furthermore, Mr. Anthony Daniele is a current member of the Monroe County Legislature, supposedly representing constituents in Brighton. I find it interesting if not suspicious that the Danieles are acting as if this project is a done deal...to their residential neighbors, on their website, and to the Town Board itself. This arrogance is insulting to me and my neighbors.

Sincerely,

Diane Resch

09/11/15

From: Charles Hertrick [mailto:chertrick@gmail.com]
Sent: Thursday, September 10, 2015 9:37 AM
To: william.moehle@townofbrighton.org
Subject: Pallazzo Plaza

Bill

I attended the Town Board meeting last night and want to underline for the Board that there are serious concerns from my neighborhood about the scale of the square footage, the vehicular traffic onto Clover and Allens Creek, and the violation of the Auburn rail trail. All of these seem reasonable and a clear message about the limits of zoning approvals. I urge that these issues be included into the scoping project to be developed by the Danielles in response to the concerns of many residents.

Best,

Chuck Hertrick

09/11/15

—
Chuck Hertrick
chertrick@gmail.com
585-461-1512
585-727-6835 cell

153 Edgeview Lane
Rochester, New York 14618
September 11,2015

Town Board of Brighton
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

RE: Palazzo Plaza

Dear Town Board Members:

This letter is to state my strong objections to the "proposed plan" and zoning variances associated with the building of Palazzo Plaza on Monroe Avenue in Brighton.

I know the Town Board will be mindful of the effect of the proposed scope of "Palazzo Plaza" on the safety, health, welfare and quality of life of the neighboring Brighton citizens and the safety of the commuting public__ the 40,000+ cars that travel daily on the Monroe Avenue (NY31) – Clover Street (NY65) corridor to access Interstate 590.

The submitted site plan is too ambitious and too large for the current site and location both in scale, design, proposed use and the traffic impact that it will generate. I fear that the adjoining residential neighborhoods will be most deeply impacted by the increased volume of traffic, noise and lighting pollution, ground water flooding and possibly break-ins crime. Currently, six (6) supermarkets are all within 10 minutes of this central area of Brighton (_3 Tops, 2 Wegmans,1 Trader Joe's __plus a nearby Price Rite & a proposed Aldi's) . With this abundance of supermarkets, I think that this area is saturated and does not need an additional supermarket.

Even if the Town Board approved a slightly reduced site plan with only, one single Monroe Avenue access (with traffic light) , I fear that the NYS Department of Transportation would override the Town's plan and open-up additional entrances and exits on Allen's Creek and Clover Streets. Remember, that NYSDOT just spent \$3,000,000 on Monroe Avenue (east) to reduce accidents and improve the safety of the right-turn lane plus installed ramps (on & off) I-590. The net result for me is that I now get to stop at four (4 of 6) traffic lights on my trip from Edgeview Lane to Clover Street. Plus this new configuration has resulted in traffic back-ups on Monroe Avenue several times a day . Also drivers are "shooting "the traffic light at Monroe-Allen's Creek-Westfall, when they are frustrated with the 5 o'clock tie-up.

I strongly urge the Town Board to deny this application and it's scope. It is the wrong use and too ambitious a development for this plot of land. Monroe Avenue does not need the additional traffic that a Whole Foods and two (2) drive-thru(s) would generate. This is a magnet for trouble.

Sincerely,

Sheila M. Pelton

Palazzo Plaza project

September 11, 2015

For consideration, traffic issues have an impact on residents and visitors alike.

I believe it is relevant to request a thorough and up to date traffic and crash report, post 2014 reconstruction project {RT 31 (MONROE AVE) SAFETY UPGRADE: ALLEN'S CK RD TO CLOVER ST}. The information should include traffic volumes, peak times, speeds, crash locations and types and other pertinent information. Some of the data prior to the reconstruction, such as traffic volumes adjusted for trends may still be useful. Since the stated goal of the project was improved safety, recent crash data, since project completion will help identify current conditions. This data could easily be kept up to date, weekly. I would have more confidence in a non - NYSDOT evaluation and it should be made publically available.

It is my opinion that a traffic light will be necessary to accommodate the volume of entering and exiting traffic related to this plaza, based on my experience. Also, the presence of a light should help calm through traffic by conditioning drivers of the potential need to stop.

**Kevin Gallagher
Penfield NY**

Members of the Brighton Town Board,

I attended the public hearing on 9/9/15 regarding the Palazzo Plaza development and would like to offer my input to the scoping document. Many speakers provided input regarding their concerns about traffic flow on Monroe Ave and the impact to the residential neighborhood immediately adjacent to the project area.

The additional concerns below I don't think were discussed at the Public Hearing so please include them as part of the hearing. I'd like to ensure that the impact of traffic and economic development of the surrounding area is adequately included in the scoping document.

Traffic. I listened with interest to the former Zoning Board of Appeals chairman who spoke regarding traffic point studies and the other speakers who are concerned that traffic will be pushed into other areas. I would like the traffic study to include the surrounding area including Warren Ave and Edgewood Avenue. I'm assuming it will already include Clover between Monroe and French Rd.

As the Town Board is well aware, Warren Ave is used as a cross street between Clover and Edgewood and currently is experiencing its own traffic issues with regards to speeding. It is also a challenge to exit Warren onto Clover at certain times of the day and not just at rush hour. I suspect the project, as proposed, will increase traffic in the general area, and it will probably expand beyond the immediate project area.

Economic Development. I would like to see the economic impact evaluated of the project area as well as surrounding area. What types of businesses will locate at the Plaza, where will they come from and what will become of their current location.

Whole Foods is a new retail business to the Rochester area so it is easy to see a positive effect in terms of economic development, however the often discussed Starbucks currently has several locations in the area. The Clover Blossom location is supposed to move into the Plaza, What will happen to the old location? Who potentially will fill that location?

Regarding the two drive through locations and banks, although the company names may not be decided – will existing businesses from the local area relocate to the plaza and if so what become of the old locations. There are also several businesses including open commercial locations on the south side of Monroe. What will the impact of the new location be to these businesses?

Although some business names may not be forthcoming until the project is approved, I suspect that a set of factors that would included generic business aspects relating the types and mixes of businesses could be developed to see whether the proposed economic benefit outweighs the cost.

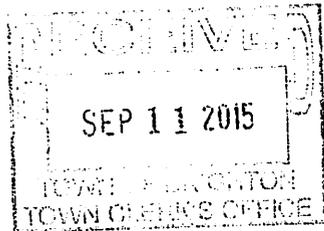
Ideally, new and different businesses would be at the location, I would hope if existing businesses relocate to the plaza, there will not be unintended consequences elsewhere.

As always, if you need any clarification of my comments – don't hesitate to contact me.

David Marcus

314 Warren Ave

585 244-4777



September 11, 2015

Town Board
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

RE: Palazzo Plaza

Dear Honorable Supervisor Moehle and Board Members:

Due to a business conflict I was not able to attend the September 9, 2015 Public Hearing regarding the Scoping Session for the Clover Lanes Redevelopment Proposal submitted by the Daniele Family Companies ("Project"). Please enter this letter in opposition to the Project as currently proposed.

My wife and I have been residents and tax payers in the Town of Brighton since 2002, we currently reside at 1 Pickwick Circle. We are opposed to the Project for the same two major objections as outlined in Robert W. Burgdorf's August 19, 2015 letter to the Brighton Town Board.

Our two objections are the intended or implied use of the recreational walking/biking trail ("Trail") for vehicle ingress and egress onto Clover Street and Allens Creek Road and the overly disproportionate size of the Project compared to the existing property footprint.

1. Regarding our first objection, the traffic entering/exiting onto either Clover Street or Allens Creek from the Trail will place an undue burden on the local residents due to anticipated heavier traffic volume and a real potential for an increase in traffic accidents at already busy intersections. A hazardous situation will be created with the close proximity of the intersection of Shoreham Drive and Clover Street to exit from the Trail. There are times during the day when it is difficult to exit Shoreham onto Clover due to the heavy traffic on Clover.
2. On our second objection to the Project being proposed is it is substantially larger than what the existing Brighton Town Zoning Laws permit. This is a red flag and the Town should not buckle in to the developers, the Zoning Laws are in existence for a good reason and the Project should be scaled back and be in compliance with the current laws.

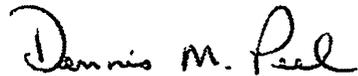
As an avid walker and biker I am surprised to see that the Trail behind Mario's Restaurant paved over with yellow parking strips painted on it. One would expect that the Town would move to correct this abuse of the Town's public Trail. I bring up this apparent lack of enforcement in regard to two additional concerns we have.

1. Brighton has a Noise Ordinance, however along the Brighton section of the Monroe corridor Section 102-3. "Prohibited noise enumerated" section 8 of the Ordinance is being violated. Refuse truckers are emptying trash containers as early as 4:00 am. Nearby residents should not have to endure this noise pollution during normal sleeping hours.
2. Secondly, I would expect that the lighting at the Project be such that the height of the parking lot and building lights are in accordance with the Town's requirements and that they are aimed toward the ground to prevent a light-glare in the sky.

Lastly I would like to make a suggestion, any reasonable person would find it hard to believe that an equitable incentive zoning is a traffic signal in exchange for relaxing numerous zoning laws. In my opinion an example of a more equitable exchange for the resident of Brighton would be upgrading the entire walking trail in the Town of Brighton for relaxing some zoning laws.

I would be happy to discuss these issues in more detail with any of the Town Board members.

Sincerely your,

A handwritten signature in black ink that reads "Dennis M. Peel". The signature is written in a cursive style with a large initial 'D' and a long, sweeping underline.

Dennis M. Peel
1 Pickwick Circle
Rochester, NY 14618
Day Tele: (585) 568-1310
Email: dpeel@simutechgroup.com

Copies to: Ramsey Boehner
Ben Werzinger

Daniel Aman

From: William Moehle [william.moehle@townofbrighton.org]
Sent: Friday, September 11, 2015 4:13 PM
To: 'Marjorie Grinols'
Cc: Ramsey Boehner; daniel.aman@townofbrighton.org
Subject: RE: Draft Environmental Impact Statement Scoping

Ms. Grinols:

Thank you for kind words and thank you for attending the scoping hearing Wednesday night. By copy of your email to Town Clerk Dan Aman and Town Planner Ramsey Boehner, I am directing that your comments be added to the written record of comments received concerning the SEQRA scoping hearing for the Clover Lanes Redevelopment. I appreciate receiving your input and I encourage you to remain engaged as this review process proceeds, which will involve additional opportunities for public comment.

Bill Moehle
William W. Moehle
Supervisor, Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618
(585) 784-5252

—Original Message—

From: Marjorie Grinols [mailto:mgrinols@gmail.com]
Sent: Friday, September 11, 2015 3:26 PM
To: william.moehle@townofbrighton.org
Cc: dggrant2004@yahoo.com; douglasclapp@gmail.com; Rosellen; rosslanzafame@aim.com
Subject: Draft Environmental Impact Statement Scoping

Dear Mr. Moehle,

I attended my first town board meeting (in thirteen years of residence on Schoolhouse Lane) two nights ago and was impressed with the procedures and your leadership. I was also pleased with the general level and variety of response to the question of scoping from the speakers.

My comments in addition are as follows: since this first came up, I have not felt that a Whole Foods would add anything of value to Monroe Avenue in our area. It offers a very expensive version of groceries already available at R's Market, Wegmans and Trader Joes. It used to be known for organically grown and locally sourced food - neither is any longer unique. They are both available at one or more of the three businesses already in place. Almost any other kind of enterprise would create far less traffic. It's clear that the already problematic traffic on Monroe should and will be a major part of the discussion.

I was surprised at the extent of the zoning variations the Daniele's seem to think necessary. I believe that whatever variances are ignored and to whatever extent the current zoning is exceeded will become the

baseline for the next developer who comes along. That's a problem. I hope to hear that good judgement prevails and the Daniele's are held to current standards for their property - this and any others they may be looking at in Brighton.

Sincerely,

Marjorie Grinols
(Mrs. Donald R. Grinols)
15 Schoolhouse Lane

Butter Down Board:

9-11-15

My name is Judy VanHouten. I live at 205 Shoreham Drive. I am writing regarding the oversized project proposed for the end of my beautiful, narrow, no-street light, no outlet, tranquil tree-lined street - teeming with children. (You should feel how lovely it is at night now. No glaring lights-just house lights and crickets.) Business and the Board has an advantage because you have lawyers etc who dictate rules, regulations, codes, Draft scopes for DEIS studies, etc. And hey! Incentive zoning thrown in!! You have an advantage because you seem to have the guidelines for deciding on projects in our Town, with a back up plan supported by the State if traffic patterns etc somehow unforeseen by you need to be adjusted.

We are WE THE PEOPLE. I have lived here for over 35 years, and we have peacefully coexisted with the retail across the street because #1. It is an appropriate size with appropriate usage. And # 2. buffers are in place to make our pretty place feel safe and protected from high volume anything. And what I don't understand is what back up plan do WE have? I am not aware if there are ANY guidelines to weigh our concerns which are mostly EMOTIONAL. My husband was a lawyer. He was interested in anything in writing that could be referred to as Bottom Line, something substantiated by law. Most of OUR grounds are based on emotion and there don't appear to be guidelines about that. We are given pages of facts, and we are asked to STICK to the facts. And the fear of what we are feeling is not based on fact, it is knowledge that tells us this whole thing as proposed is impending doom. (Not unlike feeling the Ferry project was destined to fail because so many things were not well enough thought through-ON EITHER SHORE, and too many things from the size of the ferry etc, inappropriate.)

So here we are, without a Draft scope for FOEE (For Our Experience or Emotion) which could be looked over and added to or changed. We have our gut feelings based on years of living here. That's about it. So how does that factor in when all things are added up.

And we are supposed to TRUST the Daniele group. For starters:

The Care for Clover Association organized a meeting for neighbors to discuss our concerns in April. The Daniele group appeared on the premise of being a "neighbor" and asked for a "few" minutes at the beginning of the meeting. At that point they not only sabotaged the meeting, they usurped it!! They stood up and TOLD us for almost 45 minutes what THEY WANTED, drawings and all. Then left. If they had REALLY been interested in being a good neighbor, they would have sat and really LISTENED to what the concerns of the residential neighbors were.

Then there is the recent letter in the D & C stating, "while the project's general concept hasn't changed through the summer, the Daniele's have had discussions about the project with the area neighborhood association.

We've had dialogue with them about what their primary concerns are, he said, adding that his development team have made internal modifications based on public input." I am here to tell you that as far as I know, no one, at least not in our neighborhood, has been contacted. If so, I would appreciate the names and dates of people contacted. Also, what modifications were made based on what information!!!

Then, there are the issues of the paved parking and public trail. Good faith would show that he is paying taxes on the lot that was purchased from the church for his personal use. Good faith would NOT be that in giving him what he wants he will make the public hiking path that he confiscated SAFE FOR US!

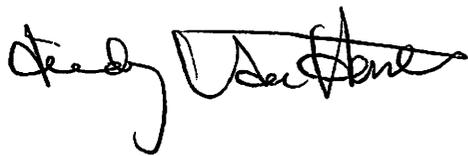
And missing traffic report numbers?!

We feel that indeed those of us who don't want what he wants ARE being bullied, especially when we get a break down of what HE wants in return for our "safe" trail and swamp land. I know it is not as cut and dry as this. Obviously. But I LOVE my home and the way I have felt every time I have turned down this beautiful street over all these years. I don't WANT a stop light to help regulate traffic. There is no possible place for it to go after a point. More transients getting off busses being able to amble across the street where there are no street lights and MINIONS of kids....More traffic back up EVERYWHERE, with the quicker option being to use Clover between Allen's Creek and Monroe. We will become boxed in and once done, it will never be able to be undone. Then our Plan B would be quite simply to have to move, I guess.

We JUST got someone to take a chance on R's Market! It's not that I don't want a Whole Foods, just not that size - there!!

The Daniele's are interested in how much profit they can squeeze out of that property. All I want, is for what I have always had - to be honored.

Sincerely,
Judy VanHouten
585-748-6833

A handwritten signature in black ink, appearing to read "Judy VanHouten". The signature is stylized and cursive, with a large initial "J" and "V".

ROCRoots

Exploring our past. Inspiring our present.

Memories

My Neighborhood!

Allen's Creek first settled in 1790

MARY JO LANPHEAR
BRIGHTON HISTORIAN

One of the oldest communities in the town of Brighton, Allen's Creek was first settled briefly by Capt. Timothy Allyn of Massachusetts.

In 1790, he built a log cabin on a tract of 500 acres on the creek that is his namesake, but after a summer in the wilderness, he became discouraged, sold out, and went to Geneva, where he became a successful businessman.

He left behind in what would become Brighton a strategic location on a major trade route — the road from Canandaigua to the Irondequoit Landing. The road to the Landing followed today's Landing Road North and South.

Tryon town, established in 1797 at the Irondequoit Landing, became the center for Canadian trade in Genesee Country flour. It also became the source of supplies for the storekeepers of Canandaigua. In 1804, those merchants extended the road from the Landing to the Genesee River. Today's Merchants Road in Rochester is a remnant of that early thoroughfare.

Two-hundred-and-twenty-five years later, Timothy Allyn's name remains, slightly altered, in the southeast corner of Brighton near the Pittsford line. Allen's Creek, accessible from Irondequoit Bay through its con-



This circa 1910 photograph shows a class at Allen's Creek School.

PROVIDED BY MARY JO LANPHEAR, BRIGHTON HISTORIAN

nection to Irondequoit Creek, provided water power.

John and Solomon Hatch, who purchased Timothy Allyn's land, built a sawmill on the creek in 1806. A succession of millers followed them, most notably Isaac Barnes, who came from Stockbridge, Massachusetts, in 1800 and built a mill on Allen's Creek, using the Ebenezer "Indian" Allan millstones. (Those stones are now on display in the wall of the Monroe County Office Building.)

Isaac Barnes' descendants kept the business going until 1953, when the dam went out and it became known that the Eastern Expressway would be



PROVIDED BY MARY JO LANPHEAR, BRIGHTON HISTORIAN

Barnes' Mill on Allen's Creek.

built through the mill site. Marshfield Parsons was another early settler in 1825. He moved in with his friend, Enos Blossom, whose house was on the location of today's Brighton No. 1 Fire Hall, and eventually married Eliza Blossom

in 1837. Parsons operated a powder mill on Allen's Creek until 1848, when an explosion killed several workers. He sold his equipment to the Rand Company in what is now Powder Mills Park.

Prospering in his new

community, Parsons built a large brick Greek Revival farmhouse on East Avenue. His heirs sold the house and farmland to the Country Club of Rochester after that organization was founded in 1895. The Parsons house was the first clubhouse until it burned down in 1902.

The country club is associated with a 20th century athlete who grew up on Allen's Creek in Brighton. Walter Hagen, born in the Glen in 1892, was introduced to golf at the age of 3. He became a caddie at the country club when he was 8, the position earning him playing privileges.

Promoted from caddie to assistant pro when he

Go deeper on digital

Join the conversation about our history and our heritage at RocRoots.com, where you'll find stories, videos, photo collections and more. Follow us at [Twitter.com/RocRoots](https://twitter.com/RocRoots) and like us at [Facebook.com/RocRoots](https://facebook.com/RocRoots).

was 15, Hagen went on to win the U.S. Open in 1914 and 1919 and, in 1922, became the first native-born American to win the British Open. His tally of 11 professional tournament wins is third behind Jack Nicklaus (18) and Tiger Woods (14).

Hagen was one of hundreds of children who attended Allen's Creek School. Founded in 1815 as Brighton District No. 6 school, it held classes in private homes until 1818, when a one-room school was built to accommodate scholars aged 5 to 15 from November through March.

That early school building was succeeded by a stone building from 1841 through 1879, and a frame building from 1880 through 1929, when the present brick school was built. Celebrating its bicentennial this year, Allen's Creek School became part of the Pittsford Central School District in 1958.

Mary Jo Lanphear is Brighton town historian.

Daniel Aman

From: bernice.a.borrelli@gmail.com ✓
Sent: Friday, September 11, 2015 8:44 PM
To: daniel.aman@townofbrighton.org
Subject: Fwd: Comment letter for Scoping of Palazzo Plaza

Dear Mr Aman, we occur with the sentiments from Diane Croessman noted below. Further, We live at the 12 corners and are additionally concerned about the impacts to this area which is already in despair.

From: Diane Croessmann ✓
Sent: Wednesday, September 09, 2015 11:37 PM
To: 'daniel.aman@townofbrighton.org'
Cc: 'william.moehle@townofbrighton.org'
Subject: Comment letter for Scoping of Palazzo Plaza

Mr. Aman,

I would like to comment on the scoping exercise for Palazzo Plaza as part of the Sept 11th submission requirement.

As a resident at 2262 Clover Street, we are directly across from the current wetland area that the Danielli family is proposing should 'stay as is' as one of the amenities of the project. As someone who has seen the regular flooding on that property from any substantial rainfall, I find it almost humorous that they would consider this a protection of the green space. It's a 'swamp'.....it will always be a swamp and might be more of a swamp when the parking lot creates even more runoff.

The impact of their project has obvious consequences to anyone on Clover or the vicinity. More importantly, for other residents of Brighton, the fact that there would be any consideration of such a flagrant disregard for zoning creates a disturbing realization that the Town is changing...and not for the better. The Town of Brighton has attracted a residential base because of its' commitment to community, schools, lifestyle and the preservation and protection of greenspace. None of these are present in the proposal as it currently stands.

I wholeheartedly support development of this retail space... with appropriate concessions.

As the Nixon Peabody attorney shared.....the private benefit of the developer should 'do no harm' to the town or the residents. In the definition of 'incentive zoning', it is clear that this is a lousy deal for the residents of the town of Brighton and a 'sweetheart deal' for the Danielli family.

For the record, had the attorney from Nixon Peabody not taken the time to explain the differences in zoning to the attendees, the risk of incentive zoning abuses would not have been clearly understood. I take exception to the comment of the Brighton Town Legal advisor, Ken (?) asking the Nixon attorney to bypass this conversation when the clear intent of the meeting was to 'listen and learn'.

Key concerns of the project include the following:

<!--[if !supportLists]-->• <!--[endif]-->**Zoning variances are excessive.** The most egregious being the fact that the retail space exceeds zoning/density by 150%. This should be scaled back to the restricted levels for grocery stores (20K vs. the proposed 55K)

<!--[if !supportLists]-->• <!--[endif]-->**An access road between Clover and Allen's Creek should be disallowed.**

<!--[if !supportLists]-->○ <!--[endif]-->If the facts are correct, it's appalling to find out the Danielli's had paved the road behind Mario's without going through the

appropriate process to enable commercial traffic and have used the Church for commercial parking.....(without paying commercial property tax since the Church is tax exempt).

This access road being proposed was compared to Wegmans being permitted to do the same thing between French Road and Clover to allow for more commercial traffic to flow to their store by integrating it into a residential neighborhood, which is absurd but something actually being proposed by the Danielli's as an 'amenity'. This is a flagrant disregard by the developer in assuming that they 'know what is best' for the community.

Green Space encroachment:

Almost 3 acres of Residential Acreage being turned into a commercial parking lot with consequences to the green space buffer to Clover Street

The developer has sold a bill of goods based on a 'lifestyle' shopping complex. However, there is not one bit of greenspace. It is almost 100% impervious materials.

Light and noise pollution: As the parking lot and the retail shops expand to within 90 feet of Shoreham, the light pollution is something that needs to be considered. During the winter, the light from Monroe is very apparent to anyone on Clover. The added lighting for the parking lots and the other retail shops will have a dramatic impact to the light and noise pollution for the residents.

Other pollution: one of the presenters at the hearing was familiar with the impact of increased general pollution as a result of the traffic. If this can be quantified by the traffic engineer, it would be another important aspect to consider.

Traffic: The Developer is assuming a best case situation for traffic. The Town should do an independent examination of the traffic to include the following:

This is the only Whole Foods store between Toronto and Albany. Although Whole Foods may have provided an 'average' for the number of daily shoppers to their stores, they are traditionally in locations that have more than one store in the city. If this was not factored into the traffic study, it should be.

Traffic will naturally reroute itself into residential neighborhoods when the increase in traffic on Monroe makes it unbearable for commuters or shoppers. There is already a pattern of commuters who bypass the 590 exit on Monroe on their way home from downtown Rochester. They can exit on Elmwood and travel down Clover vs dealing with traffic on Monroe. This happens regularly during the Christmas season. I do not believe the Danielli's examined this impact in their study. They measured the flow of traffic from 590 exit ramps heading in either direction on Monroe. They did not look at Clover street traffic flow based on the meeting that was held in February.

Accident rate increases. This stretch of Monroe has 3 times the normal rate for traffic accidents already. Our family has personally been rear-ended at traffic lights on two occasions at the intersection of Monroe and Clover.

Anomaly or key Rush hour traffic: The stretch from 4 Corners to Pittsford gets seriously congested at during rush hours and seasonal shopping. Congestion will only increase with inclement weather issues.

<!--[if !supportLists]-->• <!--[endif]-->The retail complex:

<!--[if !supportLists]-->○ <!--[endif]-->It's very unsettling that Whole Foods and the Danielli's have both advertised that contracts have been signed. As was presented during the hearing, the estimated annual revenue to the Danielli family is in excess of \$3.5M each year (excluding % of sales). It's arrogant that they should assume and disclose these signed contracts under the assumption that the Town of Brighton has already conceded to their proposal. This is precisely why the 'incentive zoning' restrictions were implemented...to prevent abuses by powerful families who will profit at the expense of others.

<!--[if !supportLists]-->○ <!--[endif]-->What protection do residents have if the 'super-size' retail store is approved but Whole Foods pulls out? There is no protection that this retail will remain 'luxury'.

<!--[if !supportLists]-->• <!--[endif]-->Concessions: Should the Danielli's be given a concession on the retail space, it would be appropriate to disallow the access road and any intrusion into the residential zoning. They should also be required to 'give back' to Brighton in the form of development of the walking path or beautification project.

Lastly, the Clover/Allen's Creek residential community has chosen to build, restore, renovate and protect residential property values because it has been a good investment. We pay for the right to be part of the community in the form of very high property taxes. Any decision that negatively impacts property values along the Clover corridor will result in a slow but steady deterioration in the Brighton community...sadly with many who will look to live elsewhere.

Thank you for the privilege of being able to express my concerns.

Diane Croessmann

Diane Croessmann
2262 Clover Street
Rochester, New York 14618
dcroessmann@lenovo.com
Mobile Cell: 585-507-1887

Daniel Aman

From: Kathy Ippolito [kipolito.ki@gmail.com]
Sent: Friday, September 11, 2015 10:19 PM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org
Cc: daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Subject: Palazzo Plaza

Dear Members of the Brighton Town Board,

My husband and I have lived at 40 Schoolhouse Lane for 19 years and have lived in the town of Brighton since 1979.

I regularly run on the path and love the neighborhood.

In regards to the Palazzo Plaza, I attended the meeting on September 9 .

The information presented by Robert Burgdorf and the many issues presented by residents all point to rightsizing the plaza, possibly using one of the 7 reduced development options.

With reduced development, there would not need to be vehicular access onto Allens Creek Rd or Clover Street and increased traffic would not impact the children and schools.

Reduced development would protect the quality of the neighborhoods with preserved tree lines, landscaping, and safe pedestrian access and walkability on the trail and in neighborhoods.

Reduced development would also have less impact on the Monroe Avenue traffic situation.

Sincerely,
Katherine Ippolito

Daniel Aman

From: Ron Ippolito [rippolito2@gmail.com]
Sent: Friday, September 11, 2015 9:49 PM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org;
daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Subject: Feedback for Palazzo Plaza initiatives

My wife and I have lived at 40 Schoolhouse Lane since 1996 (we are Brighton residents since 1979). We really cherish this neighborhood, and want to support initiatives that will make it an even better place in which to live.

We attended the September 9th meeting to discuss the initiatives to develop the Palazzo Plaza. We support the recommendations that were proposed to deliver a 'win/win/win' for the developers, the town, and those of us that live in the neighborhoods, namely...

- limit the traffic access to Monroe Avenue
 - do not allow access onto Allen's Creek or Clover Street
- size the development such that it does not seriously impact the already stressed traffic load on this section of Monroe Avenue
- preserve the natural border between the commercial and residential zones

We look forward to your thoughts and suggestions on how to proceed.

Ronald A. Ippolito

PS - is there a way for all of us to read the comments that were sent to the Town Board? Will they be posted on the town website?

Ramsey Boehner

From: Ben Werzinger <ben.werzinger@gmail.com>
Sent: Thursday, September 10, 2015 9:39 AM
To: ramsey.boehner@townofbrighton.org; William Moehle
Cc: daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Subject: Comments for Clover Lanes Redevelopment Scoping Session

Ramsey/Bill,

Thanks for your attention last night. As you could see from the attendance (FYI - the overflow room was packed as well), this is a very serious issue for residents. As head of the neighborhood group, I want this email to be part of the official record from the scoping session.

As you heard, the core issues from the neighborhood are scale and access. It's not as simple as 60,000 sq ft allowed vs 92,000 sq ft proposed.... but the devil is in the details. Essentially **20,000 sq ft big box store allowed vs. 50,000 sq ft. big box store proposed & 35% max paved area allowed vs. 61% proposed**. Just these two variances alone represent a significant departure from current zoning requirements (and are signs that this is super-sized). Additionally, elements of the incentives actually harm the community, but more importantly are essentially conditions of development - not actual incentives. Taken together, these elements make this proposal completely one-sided for the developer and unfair for residents.

Specifically, we would like the scoping document to address:

- **proposing an entirely new plan that meets current zoning requirements (no incentive zoning)**
- **scope without any access from Clover & Allen's Creek**
- **scope that preserves the Auburn Trail in its existing place - at a level that is consistent with the guidelines for a Brighton Trail**
- **scope with larger buffer between residential and commercial areas**

These are reasonable requests. While the outline for the scoping document is adequate; the **greater issue is one of control**. I understand that you all are in a tough spot, but I want you to know that even though people are upset - **we really believe in the Town Board and Planning teams**. Rather than sitting back and letting the developers dictate the terms of any redesign, we need you all to step up and give them reasonable guidelines to work within. The developer has not proven that they are actually listening to resident concerns. There has been no actual dialogue, contrary to what they are telling the press (or you).

I apologize if my tone last night was at all disrespectful. I'm just frustrated that we are all being backed into a corner and trying to make a bad proposal - "less bad". It's not the way we should be doing things in Brighton. The reason we are in this position is that we have allowed the developer to dictate what they "want" to do - rather than what the Town thinks is reasonable. I don't see how continuing this approach will work. The only thing the developer has proven is that they can write one-sided proposals to their personal benefit.

Again, I apologize for my tone. I'm clearly not meant for politics! The truth is that a lot of residents are counting on me, and counting on you to make sure the right thing happens. We can't let them down. I know it can start to feel just like numbers and survey maps, but the reality is much greater. Everything has consequences, and what we are compromising are homes and families not just zoning guidelines.

Thanks again for your consideration. This is a great neighborhood and a great community. I felt it strongly last night and I'm excited to be part of it. It's definitely worth fighting for!

Best,
Ben

Ben Werzinger
104 Shoreham Drive
ben.werzinger@gmail.com
585.478.4839

Ramsey Boehner

From: Devon Marrinan <ds@dsmmg.com>
Sent: Thursday, September 10, 2015 9:04 AM
To: ramsey.boehner@townofbrighton.org; william.moehle@townofbrighton.org
Cc: daniel.aman@townofbrighton.org; james.vogel@townofbrighton.org;
louise.novros@townofbrighton.org; jason.diponzio@townofbrighton.org;
chris.werner@townofbrighton.org
Subject: Clover Lanes Development Comments
Attachments: clover_meeting_090915.docx

Hello all.

Thank you for the opportunity to speak last night at the town board meeting.

Attached please find a written copy of my notes/comments in regards to the proposed Clover Lanes Redevelopment project; I would ask that these and my position on the matter be entered into the written record for this project.

While I feel that my comments last night and the attached document make my position clear, please do not hesitate to contact me if I can provide any further clarification or comment.

Yours,

Devon S Marrinan
272 Shoreham Drive
Rochester, NY 14618

My name is Devon Marrinan and my wife, 4 young daughters, and I moved into 272 Shoreham Dr / the Clover Commons neighborhood 2 years ago from a different part of Brighton, making a major investment and commitment to this neighborhood by performing extensive renovations and improvements to our house.

We love this neighborhood, and we plan on being here for the long haul.

While our house may not be as large or as grand as our previous one, and we gave up street lights and sidewalks, the sense of community, safety, the low traffic, and the large number of families across all generations more than make up for it.

Unfortunately, the safety, low traffic, and well being of our neighborhood is now being threatened by an oversized proposed commercial project where I feel the developer is attempting to circumvent sound zoning principles.

I have a couple of issues, a personal concern as well as a question for the town, and then will speak to what for me is the heart of the issue.

First, I run the trail behind the proposed development from end to end pretty regularly, several times a week. It can be busy at times, I'm certainly not the only one to use it, and I also know that at least a couple of families in our neighborhood use it to bike to Council Rock school as part of the Bike to School program. This trail is a few miles long and runs parallel to Clover from Highland to Monroe where it turns and follows Monroe to the canal.

The only time or place on this trail that I feel unsafe in any way is the area directly behind the Daniele's property, where they illegally paved and took it over for their own personal use years ago.

In this area, I regularly have close encounters with cars driving it at a high rate of speed.

I do not see improving this trail and making it safe from the danger that was caused by them as anything other than what the town should've forced them to do long ago; and would've requested the town do had I known that the Daniele's had blatantly disregarded the rules - and the safety of the pedestrians using it - without approval.

Second, a question for the town:

It is my understanding that the Daniele's have paved about 80 feet into the residential land behind their property and are currently using that area as a parking lot.

Putting aside the fact that this is another example of them doing what is in their best interest at the detriment of the people around them - IE: paving the trail, making it unsafe for pedestrians, just to get a few extra parking spots and a back entrance - my understanding is that this parking lot is on land owned by the church at the corner of Clover and Allen's Creek, or what I would assume would be a tax exempt organization.

Have property taxes been paid by either the Daniele's or the church on the commercial use of this property for the past decade or so?

If not, why not?

I've been asked to pay literally hundreds of thousands of dollars to the town of Brighton or the Brighton school district during that same time frame and never thought about not doing so, nor can I imagine what my penalties would be if I had chosen not to.

Why would they be treated any differently?

Finally, while both of the issues I just brought up speak to the developers previous actions and his willingness to encroach the buffer between the residential neighborhoods and the commercial area without regard to his action's effects on others, neither really are related to the core issue here: That the Daniele's are trying to put a grocery store on this piece of property that is 150% bigger than what is allowed by the town code, or a 50,000 sqft Whole Foods when they are only allowed a maximum use of 20,000 sqft for a grocery store.

I think it's important to make clear that I have no problem with Mr. Daniele developing the property he purchased, particularly in this location.

It's his property.

It's in a commercial corridor.

And it's an area that's in pretty rough shape and could use a decent looking project, something similar to what they are proposing.

Some people won't agree with me, but as far as I'm concerned he's well within his rights to do so and an appropriately sized Whole Foods would even be great to have here, provided a number of issues with it are fixed.

I honestly hope his final project is successful and makes a considerable profit doing so, but there are some pretty large issues with the project as proposed that need to be addressed before getting there.

Putting aside the fact that they are also requesting a drive through coffee shop, a bank, and tens of thousands of sqft of other retail that will bring in millions of dollars in revenue to them annually, the town code limits grocery stores to 20,000 sqft for a very good reason – they tend to generate lots and lots of traffic, far more than almost any other type of store, except maybe a drive though coffee shop... Something else they are requesting.

Why would Brighton ignore this fact here of all places, **in one of the most difficult and dangerous traffic corridors in Monroe county**? Regardless of the incentives offered? Even if - unlike in this situation – those incentives actually were worth something?

Brighton is better than that.

My understanding was that we have zoning restrictions in place specifically to stop developers from trying to do things like this, and that there are procedures in place if they wanted to argue their case, explain why they think it made sense.

Why would we not have Mr. Daniele go through the normal zoning process that the residents have to every day?

There is a good reason the code set that limit.

There is no good reason to sell that protection away.

The town of Brighton is smarter than that.

Our community knows that you, its leaders, will not sell out their zoning protections, let alone for what is pocket change given the scale of this project and what the developer is receiving in exchange.

This is a remarkably bad deal for the town and the community, but an incredibly good one for Mr. Daniele, all at our expense.

Why would the Town give him this sweetheart deal?

He is simply trying to grossly oversize his project to squeeze out more profit and have the community pay the price.

A developer should be able to make whatever profit they can, particularly in a commercial zone such as the Monroe Ave corridor - as I mentioned I 100% agree with that - unless and until part of the community has to suffer by giving away its zoning protections.

It makes no sense why Brighton would tolerate that.

Once the project size starts to create adverse consequences to the surrounding community and it's neighborhoods, something that is inarguably the case in this situation, that needs to be the limit.

That being said, I understand there is a time and a place for incentive zoning and I trust our town leaders to have the knowledge and experience to know when it is appropriate and in the best interest of the 40,000 or so residents they serve to use incentive zoning rather than following the path of traditional zoning procedures.

While I personally may not agree with the incentive zoning approach, if they feel that this is the case in this specific situation and are going to allow Mr. Daniele to proceed with a project outside of the restrictions that the rest of the residents of Brighton are asked to follow, I would strenuously request that the town require Mr. Daniele to scale his project back to a more manageable level, one that does not require injecting traffic from a commercial project into nearby residential districts via side access off of either Clover or Allen's Creek road.

This should not be hard for him to accomplish; In fact, I believe that there was a traffic study done by a firm that Nixon Peabody hired that found several approaches that, while scaling the project back a minimal amount, allowed the developer to create a project that is still very large, well outside the traditional zoning limits and presumably still extremely profitable, while NOT requiring access from any road other than Monroe.

I would also request that the town require Mr. Daniele to offer more tangible incentives than currently proposed, incentives that follow true to both the letter and spirit of incentive zoning law and benefit the neighborhoods and residents in specific whom his oversized development will effect the most, as well as the community of Brighton at large, and not just pocket change stoplights and correcting problems that he himself created.

And if Mr. Daniele is unable or unwilling to do both of these, I trust that you will not allow him to proceed with a project that is detrimental to the residents of the surrounding community and require him to follow the standard zoning procedures of the town.

Thank you for your time.

Ramsey Boehner

From: Miles Zatkowsky <mileszatkowsky@gmail.com>
Sent: Friday, September 11, 2015 12:56 PM
To: ramsey.boehner@townofbrighton.org
Subject: Clover Lanes Project

Dear Mr. Boehner:

Thank you for the opportunity to comment on the scope of the project.

As Supervisor Moehle stated on Wednesday evening, it was a large crowd with many people attending a Town Board meeting for the first time. I have been a resident of the Town for almost 30 years and own a business in the Town for the past 25 years. It was my first Town Board meeting as well.

I have several comments and observations for the Town Board's consideration.

1. By the overwhelming numbers of newcomers and attendees, you can see that this project has struck a nerve with the residents of our Town. The scope of the project has stirred controversy among the Town residents in neighborhoods well beyond the immediate vicinity of the project.
2. I reside at 120 Coral Way and foresee that, in an effort to avoid the increased traffic in the stretch of Monroe Avenue between Cover Street and Edgewood Avenue, drivers will use Warren Avenue and the surrounding streets as a shortcut or "cut through". That expands the number of residential neighborhoods surrounding the proposed project impacted by the project. We have already had a serious car accident with injuries involving a school bus on the street and the proposed project will increase the vehicle traffic in that residential area.
3. I do not know who owns the right of way or stretch of path which involves the easement addressed on September 9, 2015, but I am shocked that a private citizen usurped land for private use and that nothing has been done to address that. I am unaware whether the Town of Brighton even has any authority to undo that situation, but the arrogance of treating public or private land as if it was for your own use and modification is appalling. If nothing else, this tells us about the character and intentions of the developer and their lack of concern for the citizens of the Town of Brighton.
4. When the gentleman spoke of walking the path with his children and having to be cautious of fast cars on a path dedicated by the town for non-motorized traffic, then I further question one's concern for others. If the developer has already demonstrated a disregard for their neighbors and the safety of others for personal use and monetary gain, it is imperative that the Town step in to protect its citizens. The scope of this project demonstrates a clear disregard for the surrounding neighbors and safety of the community.
5. From the information provided at the meeting, I understand that the offer to make the path "safe" is really an offer to abide by the laws of the Town and agree to do what they are already obligated to do. I trust the Town Board sees through that empty offer.
6. An offer not to build on the wetland is an offer to allow the status quo to continue. Again, an empty offer.
7. The offer of a seventh traffic light in that short stretch of Monroe Avenue does not sound like an amenity at all. No thank you.
8. Between Mid-November and late January, I personally avoid driving along Monroe Avenue between Edgewood Avenue and the Pittsford town line. The holiday shopping and increased traffic only leads to greater driver frustration, aggressive driving and accidents. The proposal is to increase that traffic. That is the last thing this wonderful Town needs.

9. Being that this was my first Town Board meeting, I am not fully familiar with the protocol. However, after the clear instructions of Supervisor Moehle to be respectful and listen to each other, i was surprised when a town official interrupted Mr. Bergdorf to tell him his discussion was off topic and irrelevant. Personally, I did not know all of the history and found all of the comments and presentations informative and very helpful to understanding the project and its scope. I left with the impression that, aside from being rude to interrupt the presentation, that if a Town official was disinterested, then the Town Board has already made up its mind. I hope that is not the case, but that was the impression I got, and several people I knew at the meeting later expressed the same belief. The end result was many residents of the Town believe that the unnecessary interruption was an indication that the Town is going through this process as a formality, but their minds are already made up. I personally know several members of the Board and personally do not think that is the case, but you should be aware what my neighbors are saying about their own personal observations and impressions. This strong impression came from a single interruption contrary to the instructions from the Town Supervisor. The problem is that it came from a Town official.

10. There are very few drive-thru merchants in our Town. I presume that is a Town design preference. Adding 2 new drive-thru merchants is a significant change in philosophy.

11. I have shopped in many Whole Food stores and like them. I had lunch this past weekend in a Whole Foods in Manhattan. This is not about another grocery store in our area. It is about the size and scope of the plaza which goes well beyond the apparent master plan for our community. We cannot be a small town of less than 40,000 residents while at the same time add major commercial enterprises to our residential neighborhoods. I see the scope of this project as changing Brighton forever by making it more commercial, more congested and less desirable in which to reside.

Thank you for the opportunity.

Sent from my iPad

Ramsey Boehner

From: Allen, Chris <Chris.Allen@rotork.com>
Sent: Friday, September 11, 2015 1:33 PM
To: ramsey.boehner@townofbrighton.org
Cc: rallen02@rochester.rr.com
Subject: Clover Lanes Redevelopment Project

To: The Town Board of Brighton. NY

My wife and I attended the Public Hearing on Wednesday night, Sept. 9, 2015 re the above project. We didn't speak at the hearing but listened to the discussions with great interest. We reside at 245 Shoreham Drive and have lived there since 1988. Prior to that we lived on Beekman Place in the Town of Brighton. Both of our daughters graduated from Brighton High School and have gone on to be very successful in their fields. This area of Brighton/Pittsford is a very tranquil residential area. It is also an area in transition as many families with young children have moved into the area over the past 5 years. They are learning what a great place this is to raise a family.

We have a lot of opinions on the above project but will only discuss the environmental portion at this time. Over the years we have noticed an increase in traffic along Clover Street, Allens Creek Road and especially Monroe Avenue. A few years ago my wife was involved in an accident at the corner of Allens Creek Road and Monroe Avenue. The area of Monroe Avenue between Allens Creek Road and Clover Street is extremely busy and traffic quite often is backed up, almost to the point of grid lock. The Clover Lanes Redevelopment Project is requesting plaza outlets on Monroe Avenue, Allens Creek Road and Clover Street. We find that the outlets to Allens Creek Road and Clover Street to be unacceptable as these would bring additional traffic into residential areas. One thing that wasn't mentioned on Wednesday night was truck traffic (ranging from large grocery trucks to smaller trucks delivering to the back of the retail section of the plaza). I believe that this truck traffic is the main reason for these proposed outlets. In looking at the proposed outlet on Clover Street (using the current outlet from the Veterinary facility) it would need to be modified to be an adequate outlet. The thought of trucks on residential roads is very disturbing to us as well as my neighbors. I ask that you think about the disruption and safety concerns in our neighborhoods with these proposed outlets and insist that the project have only the one outlet to Monroe Avenue. If this project gets the go ahead with only the Monroe Avenue outlet, you and the DOT will need to sort out the problems that will be caused on that section of Monroe Avenue. I could envision a scenario where more traffic would be pushed onto Clover Street to Elmwood Avenue to get onto Route 590 Northbound.

We would also like the Auburn trail to be reinstated back to the way it was intended with proper buffering from any proposed project at this site.

We fully support the comments made by the representative on the Neighborhood Association on all matters that he brought up on Wednesday night.

Thank you for your time.

Chris & Debbie Allen rallen02@rochester.rr.com

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Ramsey Boehner

From: Doug Clapp <douglasclapp@gmail.com>
Sent: Friday, September 11, 2015 4:56 PM
To: Ramsey Boehner
Subject: Comments on Palazzo Plaza Project DEIS Draft Scope

50 Schoolhouse Lane
Rochester, New York 14618

September 11, 2015

Mr. Ramsey Boener
Town Planner
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

VIA EMAIL TO: ramsey.boehner@townofbrighton.org

Re: Comments on Palazzo Plaza Project DEIS Draft Scope

Dear Ramsey,

Please add the following comments regarding the Palazzo Plaza Project DEIS Draft Scope to the record of public comments and ask that members of the Town Board give careful consideration to relevant sections of the Comprehensive Pedestrian and Bicycle Master Plan for the Town of Brighton (Bike/Walk Brighton) and the Monroe Avenue Corridor Community Vision Plan (Monroe Vision Plan.)

The following comments are referenced to sections of the Draft Scope prepared by Costich Engineering as presented to the Town.

IV. Description of the Proposed Action

A. Purpose Need and Benefits

Please identify which of these purported amenities would not routinely be required for any project under existed zoning. Any such items ought not to be credited as amenities.

C. Design and Layout

5 - discussion must include bicycle and ADA access and intersections

6 - must include bicycle parking plan

7- traffic control to specifically include pedestrian crossings and signals at Clover Street and Allens Creek Road for Auburn Trail

16 - specifically include bicycle and pedestrian trail links

D. identifying and **responding to** concerns to include to include recommendations from Bike/Walk Brighton and Monroe Vision Plan, both prepared with extensive community input.

F. Construction and operation to include permitted construction hours, access for construction vehicles, storage of equipment and materials.

V. Environmental Setting

C. Transportation must include a detailed corridor study including new traffic studies conducted after completion of recent Monroe Ave construction and to include recommendations from Bike/Walk Brighton and Monroe Vision Plan.

D. to specifically reference Bike/Walk Brighton and Monroe Vision Plan in addition to Comprehensive Plan.

VI. ENVIRONMENTAL IMPACTS

C. Transportation traffic impact analysis to specifically reference crash data from to include recommendations from Bike/Walk Brighton.

D. Land use to specifically include discussion of recommendations from Bike/Walk Brighton and Monroe Vision Plan.

G. Construction Impacts to specifically discuss any intrusion into the Auburn Trail pedestrian right of way.

IX. Appendices to include relevant excerpts from to include recommendations from Bike/Walk Brighton and Monroe Vision Plan.

Sincerely,

Doug

Douglas S. Clapp

--
**Douglas Clapp
50 Schoolhouse Lane
Rochester, New York 14618**

585-406-1491

From: jane gordon [<mailto:jgordon@rochester.rr.com>]
Sent: Friday, September 11, 2015 4:21 PM
To: william.moehle@townofbrighton.org
Subject: town meeting response

Dear Bill

I just left my first town meeting. As angry as I was about the thought of a super sized shopping area in my town, I was equally happy to be a part of the community that truly cares about Brighton's health.

We care that the streets stay safe, and that traffic allows children to be safely transported back and forth to school. We care about the children who walk to their school. We want to leave our town unpolluted for the next generation. People advocated for the town to remain true to its belief.

The shocking news was that "they paved paradise and put up a parking lot" years ago without the towns permission on church (non taxed) property. They (the developers) must be held accountable. As many people expressed last night, there is also a trail needs to be restored to it's original purpose so that it can be enjoyed by the community and not be used by trucks and deliveries.

I continue to think about sustainability. I want Brighton to remain a gift to families who move in. Are they designing with **OUR** environment in mind or to further the wealth of others? It is hard to believe that anyone wants our neighborhood to become populated by consumers instead of friendly neighbors.

I witnessed the bus crash in my neighborhood, Warren Ave. People buzz through the stop signs. The thought of a student driving to the high school with all this commotion and traffic is frightening. There is no question that people are going to use 490 to get to Brighton and we are going to be stuck in all directions fighting traffic.

As it stands now we can barely make it onto Clover Street from Warren Avenue. December is impossible. It can be bumper to bumper on Monroe. We have argued before on this issue but our voices were disregarded when a car wash was put on the corner of Clover and Monroe. It is frightening to think that people are making decision about our neighborhood without living here.

Please – let Brighton remain a town for the people and not the money makers. Let's stick to our values and original documents and regulations. As indicated last night by many, we are in agreement that the size of the project is too large for the site that is proposed. It goes against zoning codes. Brighton is a community that prides itself in preserving green space and this project does not respect the little existing space that currently exists as it will infringe upon the trail behind the proposed building.

Please think seriously about the **SAFETY** and **SECURITY** of our town before agreeing on such a large project. The quality of life in Brighton will change if we allow a supersized mall to redefine the beauty and humble surroundings of our town.

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 22d day of July, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
LOUISE NOVROS
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

WHEREAS, the Town Board previously issued a positive declaration under the State Environmental Quality Review Act (SEQRA) as lead agency with respect to the review of the Daniele Family Companies' proposal for Palazzo Plaza; and

WHEREAS, based on the positive declaration, the Town Board desires that there be a public scoping process in connection with the preparation of an environmental impact statement under SEQRA for the proposal; and

WHEREAS, the developer has submitted a Draft Scope for such Environmental Impact Statement to the Town for public review.

NOW THEREFORE BE IT RESOLVED, that correspondence dated July 17, 2015 from Town Planner Ramsey A. Boehner regarding the setting of a public hearing on Scoping for the purposes of environmental review under the State Environmental Review Quality Review Act (SEQRA) in connection with the preparation of an Environmental Impact Statement for the proposed redevelopment of the Clover Lanes property on Monroe Avenue by the Daniele Family Companies, said project being known as the proposed "Palazzo Plaza Project" together with correspondence dated July 15, 2015 and the attached Draft Scope for said project from Michael P. Montalto of Costich Engineering, be received and filed; and

BE IT RESOLVED, that the Town Board, pursuant to SEQRA hereby sets a public hearing on the Draft Scope for the Palazzo Plaza Project for September 9, 2015 at 7:00 P.M. or as soon thereafter as it may be heard at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton; and

BE IT RESOLVED, that pursuant to SEQRA the public comment period on said Draft Scope for the proposed Palazzo Plaza Project shall be open through 5:00 p.m. on September 11, 2015, and all said comments should be submitted in writing to Ramsey A. Boehner, Environmental Review Officer, Brighton Town Hall, 2300 Elmwood Avenue, Rochester, New York 14618; and

BE IT RESOLVED, that the Town Clerk shall publish such notice of said public hearing and public comment period as is required by law.

Dated: July 22, 2015

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK

July 17, 2014

Honorable Town Board
Town of Brighton
2300 Elmwood Avenue
Brighton, NY 14618

Re: Application of Daniele Family Companies, Incentive Zoning Application
Draft Environmental Impact Statement Scoping Outline

Honorable Supervisor and Members:

I recommend that your Honorable Body receive and file this communication.

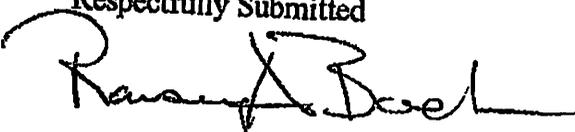
I also recommend that the Town Board receive and file the attached letter dated July 15, 2015 and Draft Scope prepared by Michael P. Montalto, Costich Engineering.

I further recommend that a public hearing on the Draft Scope be conducted at the Brighton Town Hall on September 9, 2011 at 7:00 P.M., with a written comment period ending September 11, 2015 at 5:00 P.M. The hearing notice should indicate that all written comments shall be submitted to: Ramsey A. Bohner, Environmental Review Liaison Officer

Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Email: ramsey.bohner@townofbrighton.org

Respectfully Submitted



Ramsey A. Bohner
Environmental Review Liaison Officer

cc: T. Keef

attachments





Project No. 5648

**COSTICH
ENGINEERING, P.C.**

July 15, 2015

Mr. Ramsey Boehner
Town Planner
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: Palazzo Plaza, Monroe Avenue
Draft Environmental Impact Statement - Scope Outline

Dear Ramsey:

In furtherance of the Incentive Zoning Application for the Palazzo Plaza project we are submitting a Scope Outline for the preparation of a Draft Environmental Impact Statement (DEIS) for your review and comment.

We have prepared the attached Scope Outline based on our previous meetings with Town Staff and comments received at public meetings to date. The Scope Outline is intended to identify the areas which the DEIS will provide additional information as part of the coordinated SEQR review for the project.

Respectfully submitted,

Michael P. Montalto
COSTICH ENGINEERING

Cc: Anthony Daniele
Daniel Daniele
Jerry Goldman
Betsy Brugg

Attach:

Draft Environmental Impact Statement

DRAFT SCOPE

PROJECT: Palazzo Plaza, Daniele Family Companies
Monroe Avenue Redevelopment –
Incentive Zoning Application
10.1+ Acres

APPLICANT: Daniele Family Companies

LEAD AGENCY: Town of Brighton Town Board

This Draft Scope is intended to define the extent of potential significant adverse environmental impacts to be addressed in the Draft Environmental Impact Statement (DEIS), required by the Town of Brighton Town Board, as Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA).

Daniele Family Companies is seeking an Incentive Zoning Application for the development of approximately 10.1 acres of commercial development including a 50,000 square-foot organic foods market/grocery; 34,000 square-foot retail plaza building; 1,920 square-foot specialty coffee retailer; and 6,500 square-foot outparcel building. The redevelopment occurs on four parcels of property located on Monroe Avenue, approximately 800 feet west of the Clover Street and Monroe Avenue intersection, in the Town of Brighton, Monroe County.

The proposed development will include the following:

- The total site includes four (4) parcels and 10.1 acres
- 50,000 square-foot organic foods market/grocery
- 34,000 square-foot retail plaza building
- 1,920 square-foot specialty coffee retailer.
- 6,500 square-foot outparcel building.

The DEIS shall include a discussion of all listed topics. In accordance with Section 617.9(b) of the SEQRA regulations, the evaluation of potential adverse environmental impacts shall consist of relevant and material facts on the project's potential significant adverse environmental impacts. The DEIS shall be analytical, but not encyclopedic. Pertinent data and conclusions that originate from other technical studies, reports or calculations need only be summarized in the DEIS with a reference to the source of such data or conclusions.

The following Scoping Outline is intended to provide specific direction on the preparation of the Draft Environmental Impact Statement (DEIS) for the referenced project.

I. Cover Sheet

The Cover Sheet shall contain all information required under SEQRA, Part 617.9(b)(3)(i)-(vii).

II. Table of Contents

This section will identify all relevant sections of the DEIS and shall indicate page numbers. Appendices shall also be referenced.

III. Executive Summary

The Summary section of the DEIS shall contain:

- A brief description of both the proposal and each significant element of the project;
- Significant beneficial and adverse impacts;
- Mitigation measures proposed;
- Alternatives considered; and
- Regulatory requirements.

IV. Description of the Proposed Action

A. Project Purpose, Need and Benefits

This section shall identify the background of the proposal and project, including public need, market needs, objectives of the project sponsor, and discussion of potential social, economic and other benefits related to the proposal/project. An overview of the incentive zoning proposal and subsequent amenities will be presented.

The project area is comprised of approximately 1 acre of common open space within the residential portion of the project, and approximately 9 acres within the BF2 and RLA districts.

Proposed Incentive Zoning amenities – the DEIS will include an evaluation of the improvements offered by the project sponsor that are not otherwise mandated by the Town’s Comprehensive Development Regulations; how such amenities will assist the Town to implement specific physical, cultural and social policies in the Comprehensive Plan as supplemented by the Towns other local laws and ordinances; and the cost and responsibilities for maintaining such amenities.

The DEIS shall present the anticipated value of the proposed amenities:

- **Improvement Of The Auburn Trail At The Eastern Portion Of The Site;**
- **Pedestrian & Bicycle Access;**
- **Traffic Signal & Pedestrian Crosswalk on Monroe Avenue;**
- **Preservation of Passive & Active Open Space;**
- **Development & Implementation of An Access Management Plan for Four Parcels on the South Side of Monroe Avenue in the Project Area;**

B. Location

This section shall establish the geographic location of the project area, using location map(s) of suitable scale and identifying known landmarks such as street names, adjacent buildings, and other facilities, etc. This section shall also depict and describe the existing and proposed access to the site as well as existing and proposed zoning and development of the site and the adjacent parcels under the Town’s Comprehensive Development Regulations and under the Town’s Comprehensive Plan.

C. Design and Layout:

This section should include the following:

1. **Description of zoning, planning process, required approvals and particulars of the individual zoning districts proposed as part of the Incentive Zoning (IZ);**
2. **Total site area and individual tax parcel identification;**
3. **Total proposed impervious area and ratio of green space versus impervious area of the total parcel. Total amount of land to be disturbed;**
4. **Total building area as well as a description of the height, square footage, number of floors, etc. Architectural building elevations shall be included as part of the DEIS;**
5. **Discussion of existing and proposed vehicular and pedestrian access routes and intersections to serve the project;**
6. **Total parking requirements and layout;**
7. **Discussion of proposed traffic control features and patterns;**

8. Summary of existing and proposed drainage improvements, sanitary sewers and water supply;
9. Proposed and existing buffers and areas to be preserved;
10. Location and ownership of all proposed public and private amenities and improvements;
11. Proposed lighting, including spacing, fixture type, height and location;
12. Stormwater Management Facility – identify location of all discharge points;
13. Brief description of all proposed project components (50,000 square-foot organic foods market/grocery; 34,000 square-foot retail plaza building; 1,920 square-foot specialty coffee retailer; and 6,500 square-foot outparcel building, and open space amenities);
14. Listing of all local, state and federal permits and approvals from the Interested and Involved reviewing agencies needed to construct and operate the proposed project;
15. Description and location of any State or federal wetlands;
16. Discussion of pedestrian trails linkage between the subject parcel and surrounding facilities; and
17. Total acreage of developed and undeveloped lands.

D. Neighborhood Input / Communications

This section shall identify meetings and communications from neighboring businesses and residents for the project, as well as identifying any concerns raised by the neighbors through their communications.

E. Approvals

This section shall include a discussion of how the project complies with all applicable permit and approval standards, including an explanation of how the applicant proposes to satisfy the requirements and criteria for obtaining the change in zoning category and incentive zoning incentives in accordance with the Town of Brighton's Comprehensive Development Regulations; New York State Department of Transportation (NYS-DOT) Highway Access Permits, and any other required approvals and/or permits. This section shall also include a detailed justification for the need for all proposed relief from District Use and Bulk Regulations as requested as incentives for the project.

F. Construction and Operation

This section shall identify the proposed schedule for construction of the onsite and offsite improvements for the project, as well as a discussion of any proposed project phasing including the particular facilities, improvements and amenities that will be developed during each phase, maintenance responsibilities, and funding sources.

V. Environmental Setting

A. Geology, Soils and Topography

This section should include a detailed description of the existing site conditions including generalized subsurface geology, surface topography, seasonal high groundwater depth, and surface soils. Maps shall be included showing surface topographic contours and soils mapping (list of soil types, soil classification, soil groups per USDA Monroe County Soil Survey).

The geotechnical report prepared by Foundation Design will also be utilized to identify soil conditions and types. Include a discussion of any development limitations, hydrologic classification, and the presence of hydric or potentially hydric soils.

B. Surface Water

A description of the stormwater drainage patterns, surface water bodies, and floodplains should be outlined in this section. This would include an identification and size of the Irondequoit Creek watershed area draining through the site including water quality, and a description of ultimate disposition of the surface water from the site. All discharge points and downstream receiving waters shall be identified.

Projections shall be made of stormwater peak rates and total volumes exiting the site from all discharge points under existing conditions for the 1, 2, 10, 25, and 100 year, 24-hour storm events. Projections shall be made of the existing annual average stormwater pollutant loads leaving the site using NYSDEC recommended or other published loading rates, in accordance with the Irondequoit Creek Watershed Collaborative criteria.

C. Transportation

This section will provide a discussion of multimodal transportation for the project and project area. The discussion of multimodal transportation will include vehicular traffic, public transit, pedestrian, bicycle traffic. This section will also include an evaluation of a managed access plan for the Monroe Avenue Corridor within the project area, specifically the parcels located on the southside of Monroe Avenue across from the proposed development. This plan will consider engineering and zoning including topography, drainage, stormwater management, turning movements, setback, coverage and parking requirements. The plan will identify who will be responsible to construct, own and maintain the access improvements.

Background (existing) traffic volumes and patterns around the project area will be presented. A traffic impact analysis has been completed for the project, which will be included as an appendix to the DEIS. The scope of this analysis was determined through meetings with the applicant, the applicant's traffic engineers, New York State DOT, Monroe County DOT, and Town of Brighton staff. The core study area for the traffic assessment was defined by the following intersections:

- Monroe Avenue - Mario's Restaurant Entrance
- Allens Creek – Mario's Egress
- Clover Street – Shoreham Drive
- Monroe Avenue – Clover Street
- Monroe Avenue – Proposed Access Point
- Monroe Avenue – I590 Northbound Ramp
- Monroe Avenue – I590 Southbound Exit 2B Ramp
- Monroe Avenue – Westfall – Allens Creek

Increases in segment traffic volumes were also estimated for Monroe Avenue.

To establish Existing Conditions for the core study intersections, movement counts and field observations were conducted.

Trip generation estimates for Palazzo Plaza were applied to Background Conditions traffic volumes that resulted in Future Conditions for both the core study intersections and Monroe Avenue Corridor segments.

Alternatives for eliminating some of the proposed access points and restricting the square-footage to be developed were reviewed for their impact on traffic volumes and Flows were analyzed.

D. Land Use and Zoning

This section shall identify the existing land uses and current zoning on the site and surrounding parcels. Current and proposed land use densities of surrounding parcels shall be calculated and presented. Permitted uses consistent with the current zoning of the site shall be listed. A plan development for the site consistent with the current zoning and all other land use restrictions, shall be presented for comparison to the current development proposal. This section shall also summarize land use recommendations for the project site as contained in the Town Comprehensive Plan, Open Space Index, and all other local and regional planning documents.

This section will detail the existing land use and zoning classification of the site and surrounding properties. The Town's Comprehensive Plan will also be discussed.

E. Community Services

This section should include the availability and/or capacity of each of the services listed below, including the jurisdictional agency of each service noted:

- **Water Service;**
- **Sanitary Sewer Service – discuss the capacity and limitations, if any, of the existing sewers;**
- **Private Utilities;**
- **Police Service;**
- **Fire Service;**
- **Educational Services;**
- **Health Care Services;**
- **Current Town and School District tax base, tax rates and budget raised through property tax levees; and Parks, Recreational and Open Space**

F. Visual Resources

This section should present and describe the existing views of the site from Monroe Avenue, Clover Street, Shoreham Drive and Allens Creek.

VI. Environmental Impacts and Mitigation

This section shall summarize those impacts, which are considered to have a significant effect on the environment. This section shall identify and summarize both adverse and positive impacts.

This section shall also identify available mitigation measures for all adverse impacts previously identified. A thorough analysis of each measure is required, including any standard details or other means of clarification, which may be appropriate.

This section will analyze impacts and mitigation in the same order as they are presented in the immediately preceding Environmental Setting Section and include any significant impacts on the environmental assets identified therein. Specifically, this section will be formatted as follows:

A. Geology, Topography and Soils

This section shall include a conceptual grading plan. A discussion of the storage and re-deposition of site topsoil shall be included. The suitability of the site soils and subsurface conditions to support the planned use, including structural support, utility installation and the potential for stormwater infiltration, shall be evaluated. "Remedial" grading issues to mitigate soils that have no structural value and need to be removed and replaced, shall be identified.

This section shall also include a discussion of any woodlots present in the development area and the measures taken to avoid/minimize the impacts of the proposed development on woodlot areas.

This section shall also include a detailed discussion of soil erosion control measures, which will be taken to avoid discharge of sediment to downstream receiving waters. These measures shall be in compliance current Federal, State and local stormwater and erosion control guidelines.

B. Surface Waters/Stormwater Management

This section shall contain projections of the post-development peak flow rates and total runoff volumes from the site for the 1, 2, 10, 25, and 100 year, 24 hour storm events as well as the annual average post-development stormwater pollutant loads. The effect of any proposed mitigation measures shall be estimated and compliance shown with both the Town Code regarding drainage, Watercourse EPOD's, I.W.C. and the NYSDEC guidelines on stormwater management.

All development areas located within designated floodways and/or 100 year flood plain areas shall be identified and suitable mitigation measures proposed, if necessary.

The discharge of stormwater to these regulated areas will be outlined in the Stormwater Pollution Prevention Plan (SWPPP) and measures taken to address water quantity and quality impacts from these discharge areas will be described and mitigated as needed.

C. Transportation

This section will provide a comprehensive overview of the completed traffic impact analysis as originally scoped by NYS Department of Transportation, Monroe County Department of Transportation and Town of Brighton staff (See Section V. E.). The entire report will be included as an appendix to the DEIS.

D. Land Use and Zoning

This section shall include an analysis of the potential impact to land uses and development patterns on the surrounding lands, including the potential impacts on land use mix and land use intensity.

Consistency of the proposed project should be demonstrated with the Town Comprehensive Plan, as well as with all other state and local planning documents. Impacts and mitigation for compliance with the Comprehensive Plan shall be discussed. Mitigation measures for all impacts resulting from the requested incentives shall be identified. For purposes of this analysis, the “requested incentives” shall consist of all ways in which the project does not comply with the density, setback, buffering, height, parking, signage, lighting and other standards in the Comprehensive Development Regulations that are applicable to development in the General Commercial (BF-2) and Residential Low Density (RLA) districts.

E. Community Services

This section shall include a discussion of the demand created by the proposed project in each of the community service categories listed in Section V.F. An analysis of the project’s per year contribution to the tax base (based on the current town/county/school tax per thousand) shall be included. Discuss whether or not tax abatements (including mortgage tax abatements) will be sought from COMIDA, and estimate the value of such abatements.

F. Visual Resources

This section shall present through renderings, cross sectional profiles or computer-modified photographs, the visual appearance of the site after development, as related to the locations listed in Section V.G.

Impacts and mitigation relative to the requested incentive of reducing the required setbacks will also be presented. Before and after visual analyses of the sightlines will be presented.

G. Construction Impacts

This section shall contain a quantitative evaluation of all temporary construction-related impacts including noise, dust and soil erosion control measures. Emphasis shall be placed on impacts to residents in adjacent and nearby residences and users of Canal path. Suitable mitigation measures shall be recommended to minimize construction impacts. Construction traffic impacts and mitigation shall also be addressed. Disposal of construction waste / spoils will also be addressed.

VII. Unavoidable Significant Adverse Environmental Impacts

This section will identify those adverse environmental effects in Section V that can reasonably be expected to occur.

VIII. Alternatives

The following alternatives shall be identified and assessed at a level of detail sufficient to permit a comparative assessment of costs, benefits and environmental impact for each alternative:

1. Development of the site under the existing zoning designations, without any incentives of amenities.
2. Alternative land uses allowed under existing zoning including, residential, retail, and other non-residential uses.
3. No action alternative should be discussed.

IX. Appendices

This should include all supporting maps, reports, documents, exhibits and correspondence.

- Original and amended Incentive Zoning applications;
- SEQRA notices and documentation;
- Excerpts of 2000 Comprehensive Plan applicable to project site;
- Traffic analysis;
- Drainage analysis;
- Preliminary Engineers Report (utilities analyses);
- SWPPP Report;
- Zoning Audit & Mapping for Monroe Avenue Corridor Properties effected by the Managed Access Plan;
- Geotechnical analysis
- New York State Department of Transportation Correspondence
- Monroe County Department of Transportation Correspondence

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 24th day of September, 2015.

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

JAMES R. VOGEL
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that correspondence dated September 14, 2015 from Finance Director Suzanne Zaso and a new wage rate schedule for seasonal employees annexed thereto regarding a request to authorize the adoption of the new wage rate schedule for seasonal employees effective December 31, 2015, be received and filed; and

BE IT RESOLVED, that the Town Board hereby authorizes and adopts the new wage rate schedule annexed to the above correspondence for seasonal employees effective December 31, 2015.

Dated: September 24, 2015

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



SUZANNE ZASO, DIRECTOR OF FINANCE
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
Phone (585) 784-5210 Fax (585) 784-5396

September 14, 2015

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Re: New Seasonal Employee Wage Rates Effective 12-31-15

Dear Honorable Members:

The New York State minimum wage will be increasing again on December 31, 2015 from \$8.75 per hour to \$9.00 per hour. To meet this new minimum requirement, a revised schedule for seasonal employees is being proposed. Attached is a schedule showing the existing hourly rates for seasonal employees along with the proposed new hourly rates for these positions beginning December 31, 2015.

My formal request to the Town Board is to adopt the attached wage rates to be effective December 31, 2015 for seasonal Town employees.

I will be happy to respond to any questions you may have regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne E. Zaso".

Suzanne E. Zaso
Director of Finance

Attachment: Seasonal Employee Hourly Wages

Cc: Tricia VanPutte, Director of Personnel

TOWN OF BRIGHTON
SEASONAL EMPLOYEE HOURLY WAGES

	Current Rates		Effective 12/31/15	
	Step A	Step B	Step A	Step B
<u>Group III:</u> Recreation Assistant II (Counselor) Clerk IV Office Clerk IV Student Intern	N/A	\$ 8.75	N/A	\$ 9.00
<u>Group IV:</u> Recreation Assistant I (Asst Dir) Animal Control Officer I Seasonal Laborer	\$ 8.75	\$ 9.15	\$ 9.00	\$ 9.40
<u>Group V:</u> Recreation Leader III Clerk III Office Clerk III Account Clerk/Typist	\$ 9.25	\$ 9.65	\$ 9.50	\$ 9.90
<u>Group VI:</u> Lifeguard II Recreation Leader II (Director)	\$ 9.75	\$ 10.15	\$ 10.00	\$ 10.40
<u>Group VII:</u> Recreation Leader I Recreation Supervisor Supervising Lifeguard Clerk II Deputy Receiver of Taxes Drafting Technician (Seasonal) Payroll Clerk Security Worker	\$ 10.25	\$ 10.65	\$ 10.50	\$ 10.90
<u>Group VIII:</u> Lifeguard I (WSI)	\$ 10.75	\$ 11.15	\$ 11.00	\$ 11.40
<u>Group IX:</u> Student Intern (Engineering)	\$ 11.25	\$ 11.65	\$ 11.50	\$ 11.90

EXHIBIT NO 5

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 24th day of September, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that correspondence dated September 14, 2015 from Superintendent of Parks Matt Beeman regarding a request to accept donations from corporate and community sponsors totaling \$4,600.00 in support of the 2015 July 4th celebration, be received and filed; and

BE IT RESOLVED, that the Town Board hereby gratefully accepts the donations from corporate and community sponsors totaling \$4,600.00 in support of the 2015 July 4th celebration as set forth in the above referenced correspondence.

Dated: September 24, 2015

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



TOWN OF BRIGHTON
RECREATION, PARKS & COMMUNITY SERVICE DEPARTMENT

220 Idlewood Road
Rochester, NY 14618
<http://www.townofbrighton.org>

(585) 784-5260
Fax: (585) 784-5365
TTY: (585) 784-5381

September 14, 2015

Honorable Finance Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Dear Finance Committee Members:

I respectfully request your permission to accept the following donations that were made by various corporate and community sponsors for our 2015 July 4th celebration. These generous contributions are as follows:

Wegmans	\$2,000.00
Harvey M. Nusbaum	\$500.00 (previously accepted in January)
Kornerstone Kitchens	\$300.00
Paris Kirwan Associates	\$300.00
JP Morgan Chase	\$300.00
Canandaigua National Bank	\$300.00
ESL Federal Credit Union	\$300.00
Stantec	\$300.00
Segar & Sciortino Law Firm	\$300.00
Total	\$4,600.00

I will be happy to answer any questions you may have regarding this matter.

Sincerely,

Matt Beeman
Superintendent of Parks

EXHIBIT NO 6

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 24th day of September, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL

CHRISTOPHER K. WERNER

JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that correspondence dated September 15, 2015 from Finance Director Suzanne Zaso regarding a request to amend the budget for the 2015 July 4th celebration by adding a total of \$3,975.00 as enumerated in said correspondence and funding the same with a transfer from the July 4th trust fund, be received and filed; and

BE IT RESOLVED, that the Town Board hereby amends the budget for the 2015 July 4th celebration by adding a total of \$3,975.00 as enumerated in the above referenced correspondence and funding the same with a transfer from the July 4th trust fund.

Dated: September 24, 2015

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



TOWN OF BRIGHTON
Suzanne Zaso, Director of Finance
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
(585) 784-5210 Fax (585) 784-5396

September 15, 2015

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Board Members:

Expenditures for the 2015 July 4th celebration came in \$3,975 more than anticipated in the 2015 budget estimate. To offset the additional expenditure, I am recommending that additional funding be transferred from the July 4th trust fund account.

My formal request of the Town Board is to amend the 2015 Celebrations budget as follows:

Increase expenditures in the following accounts:

- Overtime wages (A.REC.7550 1.30) by \$1,196
- Rubbish removal (A.REC.7550 4.42) by \$375
- Equipment rental (A.REC.7550 4.45) by \$937
- Other contracted services (A.REC.7550 4.49) by \$725
- Advertising fees (A.REC.7550 4.86) by \$650
- FICA (A.REC.7550 8.20) by \$92

Increase revenues in the following account:

- Transfer from trust fund (A.REC.7550 5035) by \$3,975

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Zaso".

Suzanne Zaso
Director of Finance

Cc: M. Beeman

At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held at the Brighton Town Hall, 2300 Elmwood Avenue, in said Town of Brighton on the 24th day of September, 2015.

PRESENT:

WILLIAM W. MOEHLE,

Supervisor

JAMES R. VOGEL
CHRISTOPHER K. WERNER
JASON S. DIPONZIO

Councilpersons

BE IT RESOLVED, that correspondence dated September 15, 2015 from Finance Director Suzanne Zaso regarding a request to amend the 2015 Tree Program budget by appropriating from the General Fund balance \$4,500.00 into landscaping services of the Tree Program account for the purpose of preserving a grove of ash trees identified along the proposed Brickyard Trail, be received and filed; and

BE IT RESOLVED, that the Town Board hereby amends the 2015 Tree Program budget by appropriating from the General Fund balance \$4,500.00 into landscaping services of the Tree Program account.

Dated: September 24, 2015

William W. Moehle, Supervisor	Voting	_____
James R. Vogel, Councilperson	Voting	_____
Louise Novros, Councilperson	Voting	_____
Christopher K. Werner, Councilperson	Voting	_____
Jason S. DiPonzio, Councilperson	Voting	_____



TOWN OF BRIGHTON
Suzanne Zaso, Director of Finance
2300 ELMWOOD AVENUE
ROCHESTER, NEW YORK 14618
(585) 784-5210 Fax (585) 784-5396

September 15, 2015

Honorable Town Board
Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Dear Board Members:

A grove of Ash trees has been identified along the Brickyard Trail that will be constructed between Elmwood Ave. and Westfall Road that the Town would like to preserve. In order to do so, the trees will need to be treated to prevent the Emerald Ash Borer disease. There are approximately 60 trees to be treated for an estimated cost of \$4,500. Since this expenditure was not anticipated as part of the 2015 budget, I am proposing the Town Board appropriate fund balance to pay for the treatment.

My formal request of the Town Board is to amend the 2015 Tree Program budget by appropriating from General Fund balance \$4,500 into landscaping services of the Tree Program account (A.DPW.8560 4.43).

I would be happy to respond to any questions that members of the Committee or other members of the Town Board may have regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Zaso".

Suzanne Zaso
Director of Finance

Cc: T. Anderson
T. Keef
A. Banker