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CHAPTER 1 – INTRODUCTION

This document in combination with the accepted Draft Environmental Impact Statement (DEIS) of May 12, 2008 for the proposed development of the "Reserve at Brighton" (*The Reserve*), comprises the Final Environmental Impact Statement (FEIS) for the project.

The purpose of the FEIS is to incorporate all comments received on the DEIS during the public comment period, which ended on June 23, 2008 and provide responses to the comments. This FEIS and the associated revised figures include notable changes made in response to the comments. The changes are described in Chapter 2 below, and further addressed in the responses to comments made during the Public Hearing and public review of the DEIS.

Summary of Process to Date

October 24, 2007; upon review of the Full Environmental Assessment Form (Full EAF) prepared by the project sponsor, the Brighton Town Board determined that development of *The Reserve*, which is a planned residential community on South Clinton Avenue in the Town of Brighton, proposed by Anthony J. Costello & Son (Joseph) Development, LLC, is a Type I Action. The Town issued a Positive Declaration resulting in the need to prepare an Environmental Impact Statement (EIS).

November 14, 2007; A Notice of Public Hearing was issued for Scoping of the EIS necessary for this project, and the Public Scoping Hearing was held on November 14, 2007 to obtain input regarding topics for evaluation in the EIS pursuant to the State Environmental Quality Review Act (SEQRA).

November 26, 2007; written comments from the public regarding the EIS Scope were received until 5:00 PM on November 26, 2007.

December 12, 2007; As a result of the Public Scoping Hearing, public comments, and input from the Town Board, Town Planning Board, and the Conservation Board, the Scope of the EIS was refined and finalized at the December 12, 2007 meeting of the Town Board. The May 12, 2008 draft Environmental Impact Statement (DEIS) was approved and circulated to the public and applicable agencies.

A transcript of the Public Hearing held on June 11, 2008 for comment on the DEIS is attached in FEIS Appendix A. Written comments about the proposed project were received from the public,

interested organizations, local, County and State agencies until the end of business on June 23, 2008 and are attached in FEIS Appendix B.

Summary of the Current Project

The current application as represented in this FEIS, including the FEIS Concept Site Plan dated January 5, 2009 prepared by Avery Engineering & Land Surveying Associates, calls for the development of the site as a planned residential development of 327 dwelling units on 63 acres, including a clubhouse with a pool, tennis courts, a putting green, and a gazebo. The grounds and buildings in the new community will be managed by a Home Owner's Association (HOA). Proposed services include trash collection, plowing of parking lots and private streets, grounds and building exterior maintenance, and maintenance of all landscaping within proposed public rights of way and HOA property.

The existing zoning is Residential (RL-B). The applicant is requesting rezoning, under Town Incentive Zoning, to Waterfront Development District (WD) with proposed incentives to modify bulk requirements and other Town of Brighton Code requirements. An EPOD permit is required for this project since the canal trail improvements and minor grading are planned within 100 feet of the top of back of the canal.

Key Changes to the Proposed Project from DEIS

The intent of the FEIS is to address each comment as sufficiently and specifically as possible given the current information developed to date. Additional information noted in the following chapter references project amendments as applicable. This document includes an amended Concept Site Plan that addresses public comments by illustrating the following key changes to the DEIS:

- Remove a vehicle gate from the entrance;
- Propose dedicated streets instead of private streets;
- Add public parking and public pedestrian access to the canal from within *The Reserve*;
- Increase building setbacks from the Meridian Centre Park to create a buffer between the passive park trail area and the development;

- Introduce a 25 feet wide conservation easement along the common boundary between *The Reserve* and Meridian Centre Park;
- Remove one floor from the six loft buildings to reducing loft building heights;
- Reorient the loft buildings from a linear placement to a staggered orientation to respond to comments about a visual “walled effect”;
- Increase the distance between the eastern most loft building and Meridian Centre Park by 146 feet to a distance of 466 feet. The applicant has substituted two-story townhouse buildings between the loft buildings and the park. The distance to the two story townhouse from Meridian Centre Park is 360 feet.

The revised Concept Site Plan is supplemented by additional information included in FEIS Chapter 2 and the responses to written and oral comments in FEIS Chapter 3. A number of technical changes to the proposed development are noted in FEIS Chapter 2 as a result of the applicant’s response to DEIS public comments including changes to requested Incentives. The number of proposed residential units has decreased from 350 units to 327 units in the FEIS as a result of changes to the site plan and building heights of the loft buildings. Another major change is the inclusion of proposed dedicated public streets within the development to facilitate public access to the Erie Canal Greenway Trail and Meridian Centre Park. The FEIS appendices include updated Figures as a result of changes to the proposed development by the applicant. Page 2 contains a comprehensive list of updated or changed Figures.

Summary of Requested Incentives

The applicant has proposed to the Town of Brighton certain Incentives in consideration of proposed Amenities. These Incentives apply to the following topics: Percentage of residential use allowed in Waterfront Development (WD) zoning; accessory uses; the width of the proposed ROW for the main entrance road; dimensional requirements and lot configurations associated with WD bulk standards, including building heights; the maximum length of proposed cul-de-sacs; fences and signage; the site plan review process; and the width of the proposed secondary emergency access route on the Erie Canal Trail. These incentives are described in Table 5a on page 10.

Summary of Proposed Amenities

The Applicant proposes the following amenities to the Town of Brighton: A public boat launch on the Erie Canal; Canal trail improvements in accordance with the Town’s Erie Canal Grant program; improved access to Meridian Centre Park; a contribution for construction of a new picnic pavilion in Meridian Centre Park; an expanded canal trail access parking lot off of South Clinton Avenue, initial funding of an affordable housing program in Brighton, and restriping of South Clinton Avenue. These amenities are fully described in Table 6 on page 18.



CHAPTER 2 –ADDITIONAL INFORMATION

Review of written and oral comments identified one or more requests by respondents for additional information, clarification and/or re-analysis of various general issues. Comments resulted in a number of project changes summarized in this Chapter, beginning with **Incentives and Amenities**.

Summary of Public Comments Received

For reference, written and oral comments were received by the Town during the public comment period, which included a Public Hearing on June 11, 2008. Through mail and e-mail, the Town received 38 comments. Of these, 3 are interpreted as supporting the project, 33 are interpreted as expression of concern or not supporting the project, and 2 indicate support with concerns/questions.

Section 3.A.4, beginning on page 81 of this FEIS, summarizes the written General Public Comments. The section begins with a list of commenter names followed by a list of their comment(s). Copies of their correspondence is in FEIS Appendix B. Beginning on page 85 of this FEIS, Section 3.A.4, briefly responds to written comment(s) and refers the reader to other sections of the FEIS for detailed information.

For reference, 15 people submitted comments/questions at the Public Hearing and 14 of them addressed the Town Board and the public. One citizen left before his turn to speak. Of these, 8 people spoke in support of the project, 5 people expressed concerns/questions, and 2 noted both support and concerns/questions. On page 89 of this FEIS, Section 3.B, includes the written transcripts of their comments to the Town Board followed by a written response addressing the comment and/or a reference to the section and page of the FEIS where more information is documented.

Summary of Key Comments and Resultant Project Changes

The following 16 key issues were raised by multiple respondents, generating additional information:

- 1. Incentives and Amenities-** Comments pertaining to park setbacks, loft building heights, gated community, access to the canal trail from within *The Reserve*, density, maintenance of private streets, and linear placement of the loft buildings have been addressed through revisions of the

Concept Site Plan, Figure 4a. Greater park setbacks are proposed, one floor has been eliminated from each of the loft buildings, the vehicle gate is eliminated, dedicated streets with access to the canal trail are proposed, density is reduced, and the loft building locations have been modified. Changes to the Concept Site Plan required changes to Incentives, Amenities and the total dwelling unit count.

Table 1 has been revised (**in bold text**) to reflect the current dwelling mix: There are 68 single family homes; 91 townhouses; and 168 loft condominiums. The dwelling count has been reduced from 350 to 327 dwelling units.

Table 1 Dwelling Unit Mix (FEIS Revision)

Dwelling Unit Types	Number of Units
Single Family Residences (detached)	68
Town Homes (clustered)	91
Loft Condominiums	168
Totals	327 (versus DEIS 350)

Tables 5a and 5b on the following pages summarize the Incentives and rational for relief from Town codes and regulations. Tables are updated (**in bold text**) to correspond to the amended Concept Site Plan of January 2009.

Table 5a- Summary of Requested Incentives (FEIS Revision)

Requested Incentive	Code
<p>Residential Use: Waterfront Development District (WD) regulations require that residential uses shall not exceed more than 20 percent of the total acreage of land within the WD district and that no more than 10 percent of development along canal/river frontage shall be devoted to residential uses. The applicant requests relief of this section of the Code through an incentive to allow 100% residential use.</p> <p>The regulations limit residential uses on upper floors above retail uses to 25%. The applicant requests relief of this section of the Code through an incentive to allow 100% residential uses on all upper story floors.</p>	<p>Section 203-170.C, 203-170.C.(3)</p>
<p>Accessory Use: Town WD regulations do not address accessory uses such as a clubhouse and/or welcome center. The proposed project shown on the Concept Site Plan on Figure 4A includes a clubhouse and welcome center. The applicant requests an incentive to allow neighborhood clubhouse and welcome center uses.</p>	<p>Section 203-171.C</p>
<p>Accessory Use: Town Code for All Districts addresses structures permitted in yards. It limits most uses to back yards and to a maximum height of 10 feet. The Concept Site Plan on figure 4a indicates a tennis court, putting green and welcome center located in common areas that are neither a front yard nor a rear yard. The applicant requests relief from Code through an incentive to allow the locations of proposed accessory uses as shown on the Concept Site Plan. The applicant requests that the welcome center be allowed at a height greater than 10 feet and less than 16 feet.</p>	<p>Sections 207-10.D (1) and 207-10.D(3)</p>
<p>Width of ROW: Town Code references the <u>Minimum Specifications for Dedication</u>, which detail public streets with a minimum ROW width of 60 feet. The Concept Plat Map on Figure 21a shows proposed minimum ROW dimensions. The dimensions of the existing parcels owned by the applicant that are proposed as ROW for Bridgewater Reserve vary in width from approximately 89 feet to approximately 50 feet. The applicant is requesting an incentive to allow the variable ROW width as shown on Figure 21a. The incentive is for a 9% reduction in width for about 58% of the street length.</p>	<p>Section 213-11 Minimum Specifications for Dedication.</p>

Table 5a Continued

Requested Incentive	Code
<p>Dimensional Requirements: Maximum Height of Buildings- Town WD regulations limit the height of principle buildings to 40 feet and an accessory building to 16 feet. The development is proposed with six (6) loft buildings with a height from proposed grade to roof deck of 68 feet on the north side. The exposed building height including parapets is proposed at 74 feet. The 68 feet dimension to the roof deck exceeds the Code requirement by 28 feet. The applicant is requesting an incentive to allow the loft buildings at the proposed height.</p> <p>The development proposes a clubhouse with an exposed height of 35 feet on the south side. The applicant is requesting an incentive to allow this accessory building at a maximum height of 35 feet.</p> <p>Refer to FEIS Figures 5a-5b for elevation drawings of the loft buildings, DEIS Figures 5c- 5f for the clubhouse, and FEIS Figures 17a and 17b in FEIS Appendix F for cross sections of the loft buildings and the adjacent canal embankment.</p>	<p>Section 203-172.C (1) and 203-172.C.(2)</p>
<p>Dimensional Requirements: Lot Coverage- Town WD Code requires maximum lot coverage of 75%. The Concept Site Plan on Figure 4a in Appendix F and FEIS Table 8b on page 25 indicate that proposed individual lot coverage for the townhouses and the loft buildings exceed 75%. Overall site coverage is approximately 30%. The applicant is requesting relief through an incentive to allow individual lot coverage to exceed 75% per Table 8b on page 25.</p>	<p>Section 203-172.D</p>
<p>Dimensional Requirements: Flag Lots- Town Code requires a minimum of 30 feet frontage for flag lots. Figures 21b-21d in Appendix F shows the details of the three proposed flag lots with pole widths of approximately 20 feet each. The applicant is requesting relief through an incentive to allow three adjoining flag lots with a combined flag width of 60 feet and a shared driveway.</p>	<p>Section 207-9, Section 213-12.L.(1)</p>
<p>Dimensional Requirements: Through Lots- Town Code notes that through lots “will not, in general, be approved”. The Concept Plat Map on Figure 21A indicates that 21 lots exhibit characteristics of through lots, such that there is a street (public or private) in the front and the rear of the lots. These lots are: G1-G7; F1-F5; and B1-B9. An incentive is requested to permit the lot configuration as proposed.</p>	<p>Section 207-8, Section 213-11 Minimum Specifications for Dedication</p>

Table 5a Continued

Requested Incentive	Code
<p>Length of Cul-de-sac: Town Code limits the maximum length of a cul-de-sac street to 500 feet. The development proposes a network of streets without an outlet. The first opportunity for motorists to turn around once entering the neighborhood is at the Glennville and Brewerton neighborhood entrances. These entrances are approximately 1550 feet from South Clinton Avenue. Mays Point East is proposed as a cul-de-sac street at approximately 1200 feet in length. Jefferson Hill is proposed as a cul-de-sac street at 1000 feet in length. The applicant is requesting relief of this section of the Code through an incentive to allow development of the street layout as shown on the Concept Site Plan on Figure 4a.</p>	<p>Section 213-13(H)(3)</p>
<p>Fences: Town Code limits fences in front yards to 3 ½ feet and rear yards to 6 ½ feet. The project proposes fencing for a tennis court with a 12 feet tall fence that is neither in a front yard or a rear yard. The applicant is requesting relief of this section of the Code through an incentive to erect a 12 feet tall fence around the tennis court at the location indicated on the Concept Site Plan on Figure 4a.</p>	<p>Section 207-2(A) and Section 207-2(B)</p>
<p>Site Plan Review: Town Code sets provisions for site plan review and approval of building lots. The project site plans will address grading, drainage and erosion control for individual lots. Mass earthwork will prepare all sites for construction while addressing grading, drainage and erosion control. The applicant is requesting relief from individual lot applications within the project, and is requesting review and approval of the entire project site plan defining approved setbacks and lot coverage for each neighborhood.</p>	<p>Section 217-8 through 13</p>
<p>Width of Emergency Access, Travel Lanes, and Medians: Town Code requires construction of apparatus access roads at a minimum width of 25 feet (and a clear distance of 25 feet for streets.) Figure 2f and Figure 4a in Appendix F show improvements to widen the canal trail to 14 feet for use as a one-way secondary emergency access into the site. The proposed street layout includes medians on Bridgewater Rise with 16 feet wide travel lanes on each side of the medians. Medians are also proposed at cul-de-sacs. The applicant is requesting relief from the Code through an incentive to allow a 14 feet wide secondary emergency access along the Canal Trail, 16 feet wide lanes at medians along Bridgewater Rise, and medians in the cul-de-sacs. The applicant proposes landscape maintenance by the HOA for lands within the medians.</p>	<p>Section 73-23.A(2) Town Fire Prevention Code 213-11, Minimum Specifications for Dedication</p>

Table 5a Continued

Requested Incentive	Code
<p>Signs: Town Code does not permit identity signage for residential developments or designation of multi-family buildings. The project proposes:</p> <ul style="list-style-type: none"> • One marquis-style identification sign with decorative lighting located within the proposed ROW (by permit) near South Clinton Avenue. The proposed sign is less than 6 feet tall and less than 15 feet wide, and will have no more than 12 square feet of sign text area; • Five marquis-style neighborhood identification signs with decorative lighting located on private property and within 1feet of ROW lines. The proposed signs will be less than 4.5 feet tall and less than 11.5 feet wide, and will have no more than 8 square feet of sign text area; • One marquis-style clubhouse identification sign with decorative lighting located on private property and within 1feet of ROW lines. The proposed sign will be less than 6 feet tall and less than 15 feet wide, and will have no more than 16 square feet of sign text area; • One marquis-style directional sign with decorative lighting for loft addresses. The sign is proposed on private property and within 1feet of ROW lines. The proposed sign will be less than 4 feet tall and less than 4 feet wide, and will have no more than 10 square feet of sign text area; • Six directional signs for trails that are no more than 3 feet tall and no more than 2 feet wide. The signs will have no more than 2 square feet of sign text area; • Six Wildlife interpretive signs that are no more than 3 feet tall and no more than 2 feet wide. The signs will have no more than 2 square feet of sign text area; • One directional sign for Glennville townhouse addresses with lighting located on private property. The sign will be no more than 3 feet tall and no more than 3 feet wide. The sign will have no more than 6 square feet of sign text area; • Twelve loft building name signs mounted at each entrance to each loft building with decorative lighting and with no more than 20 square feet of sign face area each; • Twelve loft building entrance signs mounted at each entrance with no more than 2 square feet of sign face area each; • Twenty banners of no more than 8 square feet each to be installed on public light poles on the dedicated Bridgewater Reserve Street. <p>The applicant is requesting an incentive to allow signage as proposed on Figure 4C in Appendix F and as subject to review by the Architectural Review board and final approval by the Planning Board in conjunction with Site Plan and Subdivision review. Signage shall not block sight distances. Street name and regulatory signs will be installed in accordance with the NYS Manual of Uniform Traffic Control Devices (MUTCD).</p>	<p>Section 207-31</p>

Table 5b- Rationale For Relief of Requested Incentives (FEIS Revision)

Requested Incentive	Code
<p>Residential Use: The applicant requests an incentive to allow full residential development with the rezoning to WD, and indicates that development of commercial uses on this property is not economically feasible without through-access from South Clinton Avenue to Winton Road. Refer to section 2.A.1 on DEIS page 16 for more information. The applicant requests an incentive to permit housing in 100% of upper levels of the loft buildings. The applicant contends that vertical development and underground parking provides a “green” way to increase density, create a vibrant environment along the canal and increase green space.</p>	<p>Section 203-170.C, 203-170.C.(3)</p>
<p>Accessory Use: The applicant requests an incentive to allow accessory uses for the clubhouse and welcome center in the new WD zoning, and indicates that these neighborhood amenities are essential for marketing a lifestyle community of this nature.</p>	<p>Section 203-171.C</p>
<p>Accessory Use: The applicant requests an incentive to allow a tennis court, putting green, and welcome center as shown on the concept Site Plan, and indicates that these key features of the development need to be located in visible places versus in rear yards. The applicant requests an incentive to allow a welcome center of more than 10 feet height and less than 16 feet, and indicates that the added height is necessary to achieve the architectural style and provide headroom for staff and guests.</p>	<p>Sections 207-10.D (1) and 207-10.D(3)</p>
<p>Width of ROW: The applicant requests an incentive to allow a portion of the proposed street ROW to be less than 60 feet wide, and indicates that the existing configuration of land left after the interstate acquisition process varies in width and leaves the applicant less than a full 60 feet in width. The applicant indicates and shows on Figure 21 in Appendix F that at its narrowest point, the proposed ROW is approximately 50 feet, which is the similar to the former 49.5 feet minimum standard for a (3-rod) road. Expanding the ROW to 60 feet and centering the street in the new ROW through this area would require removal of many mature trees.</p> <p>The Concept Infrastructure Plan on Figure 6a in Appendix F indicates that gas and CaTV are proposed from the canal side of the site and the water supply is from the main that is located on the site. RG&E has agreed to provide electrical service from S. Clinton Avenue in the existing ROW.</p>	<p>Section 213-13.D and Design Criteria and Construction Standards</p>

Table 5b Continued

Requested Incentive	Code
<p>Dimensional Requirements: The applicant requests an incentive for relief of the maximum building height of 40 feet for primary buildings (lofts are 68 feet in height) and from relief of the maximum accessory building (clubhouse is 35 feet in height) height of 16 feet. The applicant indicates that the proposed height of the loft buildings is the least height needed to develop the density of residences needed to support the cost of the underground parking. The clubhouse is a two-story building and is no taller than any primary building permitted in WD zoning.</p>	<p>Section 203-172.C (1) and 203-172.C.(2)</p>
<p>Dimensional Requirements: Lot Coverage- The applicant requests relief from provisions in the Town WD Code requiring maximum lot coverage of 75%. Greater individual lot coverage provides greater design flexibility to accomplish the overall Concept Site Plan that results in an overall site coverage of approximately 30%. Lot coverage by neighborhood is summarized in FEIS Table 8b on page 24.</p>	<p>Section 203-172.D</p>
<p>Dimensional Requirements: Flag Lots- The applicant requests relief from provisions in the Town Code that limit the pole width of flag lots to 30 feet. Three proposed flag lots have a total combined width of 60 feet. The applicant proposes that these three lots share a common driveway. Provisions for shared use will be incorporated into the applicable deeds and HOA rules and regulations for use.</p>	<p>Section 207-9, 203-172.A.(1), and 213-12.L</p>
<p>Dimensional Requirements: Through Lots- The applicant requests relief from provisions in the Town Code indicating that through lots are generally not allowed. The use of through lots is necessary to accomplish the design concept of a main boulevard. The same provisions have been used by the Town in the Lac-Deville planned development.</p>	<p>Section 207-8, and 213-12.J</p>
<p>Length of Cul-de-sac: Maximum Length of cul-de-sac- The applicant requests relief from the maximum length of a cul-de-sac (500 feet) to construct the network of streets within the project as shown on Figure 4a. The applicant indicates that the requested incentive is needed to maintain the central boulevard design with individual neighborhoods.</p>	<p>Section 213-13(H)(3)</p>

Table 5b Continued

Requested Incentive	Code
<p>Fences: The applicant requests relief from sections of the Code that limits fence heights. A 12 feet tall safety fence is proposed around a tennis court. The Concept Site Plan indicates that the location of the tennis court is in a common area that is neither a front, a side, nor a rear yard.</p>	<p>Section 207-2(A) and Section 207-2(B)</p>
<p>Site Plan Review: The applicant is requesting relief from sections of the Town Code that requires an individual site plan application and review of each building lot. The applicant is proposing to provide the Town with an application for site plan approval that includes the design of all building lots as part of the overall project site plan design. The project site plan will address grading, drainage and erosion control for individual lots just as would be included in a individual application.</p> <p>The applicant indicates that construction is proposed to include mass earthwork of the entire site to prepare all building lots for construction while addressing grading, drainage and erosion control.</p> <p>The applicant proposes that each building application include a plot plan showing the proposed building footprint. Each site will be staked in the field prior to construction, location confirmed by survey prior to framing, and a final survey prepared upon completion of the building to verify conformance with the approved site plan. The applicant understands that buildings, which require site plan changes, will be submitted for individual review and approval.</p>	<p>Section 217-8 through 13</p>

Table 5b Continued

Requested Incentive	Code
<p>Width of Emergency Access, Travel Lanes, and Medians: The applicant is requesting relief from sections of Town Code regarding the 25 feet minimum width of an apparatus access road, and is requesting an incentive to construct public streets with medians and 16 feet wide lanes abutting the medians on the main boulevard. The applicant indicates that there is physically not enough room on the canal embankment to construct a 25 feet wide secondary emergency access, and that widening of the Canal Trail to 14 feet (10 feet existing) will provide adequate width for one-way access into the site if the main entrance to <i>The Reserve</i> is temporarily blocked.</p> <p>The applicant requests relief from the Code to allow medians as shown on the Concept Site Plan and to allow a 16 feet curb to curb width on the one-way portions of the boulevard where there are medians. The applicant indicates that 16 feet will allow a vehicle to pass another potentially stalled vehicle and that wider emergency vehicles can make use of the break in the median at the Jefferson Hill intersection. The two median segments are no more than 350 feet long. The applicant indicates that the project concept was developed with medians and park areas and that removing the medians will eliminate the “boulevard” an important design component of the proposed development.</p> <p>The applicant understands that no parking will be permitted in these sections and that this restriction will be posted with standard regulatory signs per the NYS Manual of Uniform Traffic Control Devices (MUTCD).</p> <p>The applicant proposes landscape maintenance by the HOA in the medians.</p>	<p>Section 73-23.A(2) Town Fire Prevention Code</p>
<p>Signs: The applicant requests relief from sections of the Code that does not permit individual neighborhood identification or internal guide signs. The applicant indicates that the creative design and marketing intent of the development is to identify individual distinctive neighborhoods.</p>	<p>Section 207-31</p>

Table 6 has been updated (**in bold text**) to represent the amended Concept Site Plan that addresses comments presented during the public comment period. It should be noted that there is no longer a canalside linear park in the project, or in the tables. It was removed from the Incentive Zoning proposal because it appeared from public comment to be of little benefit to the community.

Table 6- Summary of Amenities

Description of Amenity *	Cost **
<p>Boat Launch- A motorized boat launch is planned for the south side of the canal, between South Clinton Avenue and the I-390 northbound embankment. Features include: two 25’ wide concrete ramps, one 10’ wide floating dock, a 20,000 square feet asphalt parking lot for seven vehicles with trailers; 230’ of 22’ wide asphalt driveway; new driveway apron onto South Clinton Avenue; painted parking lot striping and two benches.</p> <p>The location is detached physically from <i>The Reserve</i> site, but is included with the project. Construction will be on public land, will be performed with the appropriate permits after review and approval by the Canal Corporation and the NYSDOT, will be funded by the developer or through means arranged by the developer, and will serve as an immediate link between Brighton residents and the canal. No other convenient launches currently exist for Brighton citizens, either in Brighton or neighboring towns. A concept plan of the launch is in DEIS Figure 2c on page 32.</p>	<p>\$290,000</p> <p>Refer to attached page 3 of 9 of supporting information in FEIS Appendix C</p>
<p>Canal Access Parking Lot- The development proposal includes replacement of the small and deteriorated existing canal access parking lot on the north side of the canal located off South Clinton Avenue. Features include: Reconstruction of 650’ of asphalt driveway at 14’ wide, plus a 28’ wide passing area; 11,000 square feet of asphalt parking lot for 19 vehicles and bus/emergency vehicle maneuvers; a 14’ wide trail to the canal trail constructed for emergency vehicle use; removable bollards at the trail interface; and painted parking striping.</p> <p>Relocation of the parking lot closer to the waterfront and increasing the number of spaces will provide better access to the waterfront for seniors, families with children, and the infirm. This better location also better serves boaters by providing a convenient access point that is close to car-top boat put-ins included in the canal trail improvements. This too will be constructed on public land, with the appropriate approvals and permits, and will be funded through the developer. A concept plan of the parking lot is shown in DEIS Figure 2d on page 33 and FEIS Figure 2d in Appendix F.</p>	<p>FEIS Revision \$160,000</p> <p>Refer to attached page 4 of 9 of supporting information in FEIS Appendix C</p> <p>Previous cost in DEIS inadvertently represented a former option for a 50-car lot and two-way driveway</p>

Table 6 Continued

Description of Amenity *	Cost **
<p>Canal Trail Improvements- The project sponsor proposes improvements to the canal trail between <i>The Reserve</i> and the western Town line. Features are detailed in the grant application attached in DEIS Appendix C.8, and include construction of small gathering areas with two benches at locations along the trail where the water is already visible without tree cutting at the waters edge; gathering areas will include concrete or asphalt pavement as needed to place the benches slightly off the trail; installation of dark-sky compliant pedestrian-level lighting at approximately 100' spacing and within 5' of the existing edge of trail pavement; interpretive signage; and two small or one larger timber and concrete non-motorized boat put-in(s) located at the edge of the canal and between I-390 and South Clinton Avenue adjacent to the Canal Access Parking Lot noted above.</p> <p>The developer and the Town of Brighton have already secured funding, with a New York State Canal Corporation grant. These improvements will be constructed on public land with the appropriate approvals and permits. A concept plan of a typically seating area is shown in DEIS Figure 2e on page 34 and as updated in FEIS Figures 2a-2f in Appendix F.</p>	<p>\$334,900 (local match for \$224,000)</p> <p>Refer to attached page 5 of 9 of supporting information in FEIS Appendix C</p>
<p>Passive Park Trailhead- FEIS Change: The developer proposes to now construct a new public trailhead at the east end of Mays Point within <i>The Reserve</i> for Brighton citizens to access the passive portion of Meridian Centre Park. The trailhead parking will be on street parking and will accommodate five cars. Pedestrians will utilize the trail connecting <i>The Reserve</i> to the park and the canal trail. The trailhead and trail is shown on Revised Figure 4a in Appendix F of this FEIS.</p>	<p>FEIS Revision \$5,000 Trailhead now in Mays Point Refer to attached page 6 of 9 of supporting information</p>
<p>Meridian Centre Park Picnic Pavilion- The developer proposes to contribute to construction of a new picnic pavilion for Meridian Centre Park for design and construction by the Town of Brighton at a location in the park that the Town selects. No figure provided.</p>	<p>\$25,000 Refer to attached page 7 of 9 of supporting information in FEIS Appendix C</p>

Table 6 Continued

Description of Amenity *	Cost **
<p>South Clinton Avenue Restriping- South Clinton Avenue, from roughly Woodsmeadow Drive to roughly Senator Keating Boulevard will be restriped for one lane in each direction as a traffic calming measure. New turn lanes for the boat launch, canal access parking lot, and the project driveway will be incorporated into the striping. An additional left turn lane will be striped at Brighton-Henrietta Town Line Road. Schematics of these improvements are DEIS Appendix C.1 along with concurrence from Monroe County DOT. The work also includes “micro-paving”, which is necessary to remove existing striping.</p>	<p>\$155,000 Refer to attached page 8 of 9 of supporting information in FEIS Appendix C</p>
<p>Affordable Housing Program- The applicant will sponsor a Home Improvement Program for Senior Citizen Homeowners by providing a contribution of “seed” funds in the amount of \$5,000.00 a year for five years to entice the Bishop Sheen Ecumenical Housing Foundation (BSEHF) to operate a home repair for seniors program in the Town of Brighton. See page 46 for more information. A brief outline of the program from BSEHF is in FEIS Appendix I.</p>	<p>\$25,000</p>
<p>Total</p>	<p>FEIS Revision \$994,900</p>

* **These amenities are as offered by the project sponsor, but their classification as an amenity (rather than a mitigation measure) will be determined by the Town Board.**

** **These costs are as estimated by the project sponsor, but their value as an amenity (rather than a mitigation measure) will be determined by the Town Board.**

Documentation and cost calculations for the amenities and long term maintenance of public amenities are attached in FEIS Appendix C.

Tables 7a and 7b have been revised as follows to reflect the updates in table 6. It should be noted that the revision for each table from the DEIS version is removal of the canalside linear park.

Table 7a- Proposed Maintenance Jurisdiction of Amenities (FEIS Revision)

Amenity	Construction By	Maintenance By *
Boat Launch-	Project Sponsor through NYS Work Permits	Town of Brighton: pavement, striping, launch apron, rip-rap, mowing, and signage.
Canal Access Parking Lot- Redeveloped canal access parking lot on the north side of the canal, located off of South Clinton Avenue.	Project Sponsor through NYS Work Permits	Town of Brighton: pavement, striping, mowing, and signage.
Canal Trail Improvements- 6,500 linear feet of trail enhancements including pedestrian lighting, landscaping, and seating and other non-motorized boat access per the canal trailway grant.	Project Sponsor through NYS Work Permits	Town of Brighton: lighting system and energy, seating, and non-motorized boat put-ins. Canal Corporation: trail pavement, striping, signage and mowing. <i>The Reserve</i> HOA: landscaping and mowing along project frontage on the canal, and snow plowing of the trail used for emergency access.
Passive Park Trailhead- Public access area for visitors to Meridian Centre Park, including trail to the park.	Project Sponsor	<i>The Reserve</i> HOA: pavement, striping, mowing, and plowing
Meridian Centre Park Picnic Pavilion.	Town of Brighton	Town of Brighton: All building and appurtenances.
Public Safety Improvements- Trail widening and guide posts between South Clinton Avenue and <i>The Reserve</i> .	Project Sponsor through NYS Work Permits	Canal Corporation: pavement and striping. The Reserve HOA: guideposts and snow plowing
South Clinton Avenue Striping	Project Sponsor through MCDOT Work Permit	MCDOT as with all existing striping on the County highway.

* **These responsibilities are as offered by the project sponsor, but their allocation to the public (rather than a special assessment district comprised of the proposed project) will be determined by the Town Board.**

Table 7b- Estimated Maintenance Responsibility (FEIS Revision)

Amenity	Maintenance Item	Est. Annual Hours * (based on 20 year cycle)
Boat Launch-	Town of Brighton: pavement, striping, launch apron, rip-rap, mowing, and signage.	140 Hours plus materials
Canal Access Parking Lot-	Town of Brighton: pavement, striping, mowing, and signage.	140 Hours plus materials
Canal Trail Improvements-	Town of Brighton: lighting system and energy, seating, and non-motorized boat put-ins. Canal Corporation: trail pavement, striping, signage and mowing. <i>The Reserve</i> HOA: landscaping and mowing along project frontage on the canal, and snow plowing of the trail used for emergency access.	256 Hours plus materials No extra work 392 Hours plus materials
Passive Park Trailhead-	<i>The Reserve</i> HOA: pavement, striping, mowing, and plowing	No extra work
Meridian Centre Park Picnic Pavilion-	Town of Brighton: all building and appurtenances	24 hours plus materials
Public Safety Improvements-	Canal Corporation: pavement and striping. The Reserve HOA: guideposts and snow plowing.	No extra work 60 Hours plus materials
South Clinton Avenue Striping	MCDOT: pavement and striping.	No extra work.

* **These estimates of maintenance effort are as offered by the project sponsor, but their allocation to the public (rather than a special assessment district comprised of the proposed project) will be determined by the Town Board. Also refer to supporting documentation calculations for public maintenance effort in FEIS Appendix C**

2. Bulk Standards, Setbacks, Park Visual Screening- Comments pertaining to density and building setbacks from the park prompted the applicant to modify the site plan to increase setbacks along the Meridian Centre Park boundary, from 20 feet (original request based on Town Zoning Standard) to 50 feet along the north-south property lines, and to 40 feet along the east-west property line. Concept Site Plan revisions also reflect a reduction in density. The revised Concept Site Plan, Figure 4a, is in FEIS Appendix F. Within the new larger setbacks, the developer is proposing a 25 feet conservation easement contiguous to the Town park boundary line.

Density

Table 8a has been updated (**in bold text**) to reflect the reduced density of the current Concept Site Plan:

Table 8a- Proposed Housing Summary (FEIS Revision)

Building Types	Number of Proposed Units	Estimated Total Square Footage	Density (units/acre)
Single Family Residences (less than 35' tall) (1800 sf to 3500 sf detached units built with conventional wood frame construction)	68	+/- 180,000	Brewerton = 4.1 Ft. Plains = 2.5 Waterford = 2.5
Town Homes (less than 35' tall) (1200 sf to 2000 sf attached units; built with conventional wood frame construction)	91 (DEIS 102)	+/- 263,000 (DEIS +/- 295,000)	Colden Glenn = 6.6 Mays Point = 6.5 (DEIS 9.2)
Loft Buildings (74' tall) with Condominiums (six, 5-story masonry and wood frame buildings with 28 residences per building and resident parking in the basement level and in adjacent landscaped surface parking lots)	168 (DEIS 180)	+/- 315,000 (DEIS +/- 330,000)	Mays Point = 23 (DEIS 24.8)
Totals	327 (DEIS 350)	+/- 758,000 (DEIS +/- 805,000)	327 units/63 acres = 5.2 avg. (DEIS 350 units/63 acres = 5.6 avg.)

Setbacks and Bulk Standards

Table 8b, Comparison of Town Code and Proposed Bulk Requirements, has been updated as follows (**in bold text**) to reflect the current Concept Site Plan, which includes greater setbacks to the park.

Table 8b- Comparison of Town Code and Proposed Bulk Requirements (FEIS Revision)

DESCRIPTION	ZONING REQUIREMENT	PROPOSED REQUIREMENT
RESIDENTIAL USE	20% of total acreage Per Section 203-170.C	100% of acreage *
CANAL FRONTAGE	10% of development Per Section 203-170.C	100% of acreage*
UPPER FLOOR RESIDENCE AREA	25% of floors above retail Per Section 203-170.C.(3)	100% of floors above first floor*
MINIMUM LOT SIZE:	Twice the size of the ground floor Per Sections 203-172 and 205-11	6,000 SF (Brewerton) 8,000 SF (Ft. Plains) 12,000 SF (Waterford)
MINIMUM LOT SIZE: Townhouses	Twice the size of the ground floor Per Section 205-11	3,600 SF
MINIMUM LOT SIZE: Loft buildings	Twice the size of the ground floor Per Section 205-11	30,000 SF
MINIMUM LOT SIZE FOR FLAG LOTS:	1.5 times minimum lot in appropriate district per Section 213-12.L.(4).(a) Twice the size of the ground floor Per Section 205-11 Minimum pole width 30' per Sections 207-9 and 213-12.L	11,000 SF MINIMUM (larger than Code minimum is proposed for flag lots; 6,000 Brewerton x 1.5= 9,000 SF) 20' frontage as pole width*
THROUGH LOTS	Not prohibited per Section 207-8, yet per Section 213-12.J they "will not, in general, be approved". Project respects Code requirement to provide front yard setbacks from each street	Two front yard setbacks are provided on all through lots. An incentive is needed to allow proposed configuration of 21 lots that may be interpreted as through lots, as noted in Table 5a. *

* Relief through Incentive Zoning is requested. See Table 5a beginning on page 11 for details.

Table 8b Continued

DESCRIPTION	ZONING REQUIREMENT	PROPOSED REQUIREMENT
MAXIMUM LOT COVERAGE	75% per 203-172.D	Lofts= 91 %* Colden Glen= 70% Mays= 65% Ft. Plain= 40% Brewerton= 35% Waterford= 65%
FRONT SETBACK: Single Homes	Set during site plan review	20' (dedicated streets)
SIDE SETBACK: Single Homes	Set during site plan review	8'
REAR SETBACK: Single Homes	Set during site plan review	20' 50' abutting north-south park boundary 40' abutting east-west park boundary
FRONT SETBACK: Townhouses	Set during site plan review	18' from edge of pavement (private streets) 20' from ROW (dedicated streets)
SIDE SETBACK: Townhouses	Set during site plan review	0' for adjoining and 8' for end units
REAR SETBACK: Townhouses	Set during site plan review	15' 50' abutting north-south park boundary
FRONT SETBACK: Loft Buildings	Set during site plan review	20' from ROW (dedicated street)
SIDE SETBACK: Loft Buildings	Set during site plan review	50' between adjacent towers 0' between adjacent basement garages 10' from side lot lines
REAR SETBACK: Loft Buildings	Set during site plan review	4' from new canal ROW
FRONT SETBACK: Clubhouse	Set during site plan review	20' from ROW (dedicated street)
SIDE SETBACK: Clubhouse	Set during site plan review	8'
REAR SETBACK: Clubhouse	Set during site plan review	20'
MAXIMUM BUILDING LENGTH	Not indicated;	185' (lofts above ground portion) 460' (loft garages connected below grade for paired lofts)

* Relief through Incentive Zoning is requested. See Table 5a beginning on page 11 for details.

Table 8b Continued

DESCRIPTION	ZONING REQUIREMENT	PROPOSED REQUIREMENT
MAXIMUM BUILDING HEIGHT Primary buildings	40' Per Section 203-172.C (1)	74' Loft Buildings *
MAXIMUM BUILDING HEIGHT: Accessory buildings	16' Section 203-172.C (2)	35' Clubhouse *
MINIMUM DISTANCE BETWEEN BUILDINGS: Lofts	Set during site plan review	0'
FENCING	3 ½' front yard 6 ½' rear and side yards per 207-2(A) and Section 207-2(B)	Decorative fencing at neighborhood gateways: 4' or less (see DEIS Signage Table on pages 59a-59b); max 12' around tennis courts; max 4' around pool in rear yard. All fencing subject to approval of the Planning Board in conjunction with Site Plan and Subdivision review. *
SIGNAGE	No neighborhood and/or building identification signage permitted per Section 207-31	Refer to Table 5a on FEIS page 11 and FEIS Figure 4c in Appendix F for a full listing of proposed signage.*
LENGTH OF CUL-DE-SAC	500' per Section 213-13(H)(3)	1550 feet and/or subject to approval of the Planning Board in conjunction with Site Plan and Subdivision review. *

*** Relief through Incentive Zoning is requested. See Table 5a beginning on page 11 for details.**

As part of the plan revision, the applicant moved the eastern most loft building an additional 146 feet to a distance of 466 feet away from the westerly boundary of Meridian Centre Park. This is in contrast to the 320 feet as shown in Figure 4a on page 45 of the DEIS. Two story townhouse buildings have been introduced between the loft buildings and the park. The townhouses are 202 feet from the park. Home sites have been changed in the Glennville, Ft. Plains and Waterford neighborhoods to increase building setbacks from Meridian Centre Park.

Park Visual Screening

An alternative has been added by the project sponsor that proposes planting of evergreen trees along portions of the trail in Meridian Centre Park. The Concept Landscape Plan in Figure 4B



shows the landscape buffers proposed in the DEIS, plus alternative plantings along the trail. The Buffer Sections, Figures 4.B.1, 4.B.2, and 4.B.3 have been revised to show the proposed buffers on private property as well as a proposed alternative location of plantings along the trail in the park. The Sponsor asserts that the proposed alternative provides better visual screening from park trails of the development. The visual simulations in Figure 22 show the proposed trees along the trail an 8 foot tall planting height. Trees are spaced at 7 feet and are arranged in two staggered rows.

3. **Conservation Easements-** Comments regarding conservation easements as a means to protect specified lands have been addressed. A 25 feet wide conservation easement to the Town of Brighton is now proposed contiguous to the Meridian Centre Park boundary line. A conservation easement is proposed along the west side of the site for the existing wetland areas and proposed manmade wetland area.

The applicant is proposing that stormwater facilities and associated open space around the stormwater facilities be maintained by the HOA. The clubhouse is shifted further away from the canal so a portion of an existing wetland can be partially retained and protected. This wetland is partially on Canal Corporation (public) lands. A revised Figure 10b Wetland Impacts is included in FEIS Appendix F. It shows less disturbance of the wetland along the canal embankment. Revised Figures 7 and 11c in FEIS Appendix F show the new conservation easements and reduced clearing areas along the canal embankment in front of the clubhouse. No easement is needed to protect wetlands on public canal property. Conservation easements will be dedicated to the Town once construction is completed.

4. **Gated Community-** Comments regarding the proposed gated community led the applicant to remove the vehicle gate from the entrance to the proposed development. The applicant is proposing dedication of primary streets as shown on the amended Figure 4a Concept Site Plan in FEIS Appendix F. Minor streets within the Glenville townhouse neighborhood will remain private. Review with respect to public street dedication required modification to Table 5a, Summary of Requested Incentives on page 11; Table 5b, Rationale for Requested Incentives on page 14; and Table 8b, Comparison of Town Code and Proposed Bulk Requirements on page 24. A Concept Plat Map, Figure 21, is included in this FEIS Appendix F. It illustrates the proposed public street right of way, individual building lots, and areas to be retained and controlled by the Home Owner's

Association.

5. **Tax Implications-** Comment regarding calculation of projected assessment values and the associated estimated revenue from taxation provided in section 4.D.9 on page 165 of the DEIS has been reviewed and confirmed by the Town Assessor. A detailed matrix has been prepared that summarizes the annual fiscal benefit of the project to the: the Brighton Central School District, the Town, the County, and the Fire/Ambulance District. The matrix is included in FEIS Appendix I. In response to comments regarding fiscal benefits to parks, increased Town tax revenue will be available for park uses and maintenance and the applicant will pay park impact fees in excess of \$150,000 based on the number of new homes in *The Reserve*.
6. **Canal Access-** As the result of comments, public access to the Canal trail is now proposed through *The Reserve* development. On street public parking and pedestrian trail access to the Canal and Meridian Centre Park is proposed in the southeastern corner of the development. Revised Figure 4a Concept Site Plan in FEIS Appendix F shows the new parking on a dedicated street, Mays Point Trail, and a trail connection from the public sidewalk along the street to the Canal trail.
7. **Noise-** The applicant has not provided additional information as it relates to noise. No noise issues have been identified during the DEIS process for *The Reserve* that are not already present in the Town in similar residential developments.
8. **Traffic Update-** In response to comments from Monroe County Department of Transportation (MCDOT) additional supplemental traffic information pertaining to pedestrian movements at the intersection of S. Clinton Ave. and Brighton Henrietta Town Line Rd. has been added to this document. New data, including new Level of Service (LOS) information, is included in FEIS Appendix G. The Traffic Study and base traffic analysis are in Appendix C.1 of the DEIS.

The second paragraph on page 149 of the DEIS addresses sight distances for the existing entrance road and proposed road. A sight distance of 555 feet to the north is required for motorists exiting onto South Clinton Avenue southbound. In response to MCDOT comments, a satisfactory sight distance of 617 feet was field-measured from the proposed dedicated street entrance and exit to the development.

9. Drainage- Comments pertaining to drainage and park drainage impacts have been addressed through additional analysis as summarized in this section and supported in a supplemental Drainage Summary in FEIS Appendix D. The Stormwater Drainage Report and base calculations are in Appendix C.2 of the DEIS.

The proposed development is located within a Municipal Separate Storm Sewer System (MS4) district and drains to a tributary of Allen Creek within the Irondequoit Creek Watershed. (ICWC) The proposed land disturbance and increase in impervious area exceeds the Irondequoit Creek Watershed Collaborative (ICWC) thresholds, and falls within the jurisdiction of both the New York State Department of Environmental Conservation (NYSDEC) and the ICWC.

The proposed development drains to four drainage outlets as described in the supplemental FEIS Drainage Study. As a result of existing environmental sensitive areas located downstream of the drainage outlets in Meridian Centre Park (SMP-1 and SMP-2), the applicant was required to perform further investigation pertaining to potential impacts. Comments theorized that a reduction of flow could possibly shrink the size of the existing and emerging wetlands or excess water could negatively impact the woods.

The project sponsor retained a Biologist to identify plant species existing downstream of the east side of the project and summarize their habitat requirements in a report. The Supplemental Drainage Study estimates that the proposed stormwater facilities will extend the discharge period by 12 to 48-hours, depending on the storm event. The letter report by the Biologist, which is included with the Supplemental drainage information (FEIS Appendix D), found no adverse impacts on native plant species found downstream of the proposed project.

Pollutant Loading

In accordance with the ICWC requirements, the pollutant loading and removal for Total Phosphorous (TP) and Total Nitrogen (TN) is to be calculated for the existing and proposed site conditions.



A copy of the calculations performed for this study is included in Appendix D. Below is a summary of the results:

Table A Pollutant Loadings

Condition	Total Phosphorous (TP)	Total Nitrogen (TN)
Existing Load	12.0	180.6
Pre-Mitigation Load	88.7	691.5
Post-Mitigation Load	44.3	449.5

*P-1 designates a Micropool Extended Detention Pond

Water Quality Mitigation

According to the NYS Stormwater Management Design Manual (SMDM), stormwater quality is mitigated to current standards if the proposed Stormwater Management Practice (SMP) obtains an 80% Total Suspended Solids (TSS) and 40% TP removal rate. The proposed water quality practice for this development, which includes four wet ponds, is designed to meet or exceed the minimum requirements of the NYS SMDM. Table B summarizes required and proposed storm water quality volumes, and indicates that the proposed facilities provide approximately 2.8 times more Water Quality Volume (WQv) than required by current federal, state and local standards including Town requirements.

Table B Water Quality Volume Results

Location / SMP	SMP Type*	Water Quality Volume Required, WQv		Water Quality Volume Proposed, WQv	
		(ac-ft)	(cf)	(ac-ft)	(cf)
SA-A / SMP-1	P-1	0.649	28,270	1.353	58,937
SA-B / SMP-2	P-1	0.714	31,102	1.439	62,683
SA-C / SMP-3	P-1	0.319	13,896	1.390	60,548
SA-D / SMP-4	P-1	0.268	11,674	1.281	55,800
Total:		1.950	84,942	5.463	237,968

*P-1 designates a Micropool Extended Detention Pond



Water Quantity Mitigation

The following table summarizes the estimated Peak Flow Rate (Qp) for the existing and proposed conditions, as well as the estimated net change that will occur at each Outlet (O):

Table C Water Quantity Results

Location / SMP / Outlet	Condition	Peak Flow, Qp (cfs)					
		Qp1	Qp2	Qp5	Qp10	Qp25	Qp100
NE Quad SA-A / SMP-1 / O-A	Proposed Peak Outflow	0.69	0.98	2.92	3.93	4.74	5.52
	Existing Peak Outflow	1.09	1.56	4.03	6.29	8.78	10.99
	Net Change	-0.4	-0.58	-1.11	-2.36	-4.04	-5.47
	Percent Change (%)	-36.70	-37.18	-27.54	-37.52	-46.01	-49.77
SE Quad SA-B / SMP-2 / O-B	Proposed Outflow	0.69	0.76	2.77	5.94	8.33	9.97
	Existing Outflow	2.15	3.07	7.94	12.42	17.34	21.71
	Net Change	-1.46	-2.31	-5.17	-6.48	-9.01	-11.74
	Percent Change (%)	-67.91	-75.24	-65.11	-52.17	-51.96	-54.08
NW Quad SA-C / SMP-3 / O-C	Proposed Peak Outflow	0.34	0.37	0.89	1.76	2.47	2.94
	Existing Peak Outflow	4.64	5.71	10.46	14.33	18.38	21.84
	Net Change	-4.3	-5.34	-9.57	-12.57	-15.91	-18.9
	Percent Change (%)	-92.67	-93.52	-91.49	-87.72	-86.56	-86.54
SW Quad SA-D / SMP-4 / O-D	Proposed Peak Outflow	0.30	0.34	0.73	1.52	2.25	2.73
	Existing Peak Outflow	8.18	10.05	18.31	25.11	32.21	38.29
	Net Change	-7.88	-9.71	-17.58	-23.59	-29.96	-35.56
	Percent Change (%)	-96.33	-96.62	-96.01	-93.95	-93.01	-92.87

**Note that above numbers with minus signs signify a decrease in discharge and that numbers with plus signs signify an increase in discharge.*

Water Quantity Volume Results

Table D below compares the existing, potential (if developed at 75% lot coverage per WD Zoning), and proposed (conceptual) stormwater discharge volumes, in addition to the proposed mitigation volume included in the stormwater ponds. This comparison is provided for evaluation of mitigation associated with the development as designed.

Table D Water Volume Results

Location / SMP / Outlet	Item	Area (acres)	Volume, V (Acre-Feet)					
			V1	V2	V5	V10	V25	V100
NE Quad	Existing Discharge	7.7	0.188	0.241	0.500	0.731	0.984	1.210
SA-A /	Potential Discharge (If Developed at 75% Impv.)	17.1	2.136	2.402	3.485	4.311	5.144	5.842
SMP-1 /	Proposed Discharge	17.1	1.346	1.567	2.505	3.249	4.016	4.668
O-A	Proposed Mitigation* (Storage Volume in Pond)	--	2.190	2.308	2.738	3.153	3.606	3.990
SE Quad	Existing Discharge	14.9	0.363	0.467	0.968	1.414	1.904	2.341
SA-B	Potential Discharge (If Developed at 75% Impv.)	23.8	2.973	3.343	4.851	6.011	7.160	8.131
SMP-2	Proposed Discharge	23.8	1.555	1.835	3.051	4.032	5.055	5.930
O-B	Proposed Mitigation* (Storage Volume in Pond)	--	2.423	2.631	3.223	3.587	4.042	4.470
NW Quad	Existing Discharge	12.9	0.692	0.829	1.437	1.938	2.465	2.919
SA-C	Potential Discharge (If Developed at 75% Impv.)	9.9	1.381	1.540	2.182	2.688	3.156	3.564
SMP-3	Proposed Discharge	9.9	0.878	1.013	1.580	2.024	2.480	2.865
O-C	Proposed Mitigation* (Storage Volume in Pond)	--	1.988	2.091	2.432	2.637	2.884	3.110
SW Quad	Existing Discharge	19.3	1.035	1.240	2.150	2.899	3.688	4.368
SA-D	Potential Discharge (If Developed at 75% Impv.)	8.6	1.200	1.338	1.896	2.318	2.742	3.096
SMP-4	Proposed Discharge	8.6	0.763	0.880	1.372	1.759	2.154	2.489
O-D	Proposed Mitigation* (Storage Volume in Pond)	--	1.796	1.884	2.196	2.367	2.572	2.763

*Storage volume (acre-ft) in Pond includes volume of water in permanent pool proposed for water quality treatment per Table 2 above.

The above table demonstrates that the project, as proposed with integrated mitigation measures, will produce approximately 20% to 40% less stormwater volume than if developed at 75% imperviousness, as permitted by current Town Waterfront Development Code. As further mitigation, the opportunity exists during Final Design to adjust drainage areas to better balance the volume of runoff leaving the site at the four corners of the site. The storage volume within the proposed ponds listed above provides mitigation by holding back the additional volume of runoff

generated from the increased impervious areas and reduces the rate of runoff leaving the stormwater mitigation facilities.

Duration of Extended Detention

By noting the beginning and end time of the existing and proposed storm events, the following extended duration(s) of stormwater discharges is provided for comparison and evaluation of potential impacts to downstream drainage facilities associated recreational areas and natural features. Hydrographs utilized in the model are included in the Supplemental Drainage Study in FEIS Appendix D.

Table E Extended Duration of Stormwater Discharges

Storm Event	Duration*
1-Year Storm Event- CPv (Extended Detention of the Post Development 1-year 24-hour storm event, see Section IV of this Summary)	24-hours minimum (per NYSDEC Regulations) to 48-hours
All other storm Events (2-yr through 100-year events)	12-hours to 24-hours (as currently proposed)

**Approximate durations are based on the SCS 24-hour storm event.*

Supplemental Mitigation

Several drainage mitigation measures have been included in the project design as proposed. The following matrix summarizes the key mitigation techniques included into this preliminary design study:

Table F Drainage Mitigation Measures Included in the Project

Proposed Mitigation	Location	Remarks
Reduction of Impervious Areas to Reduce Stormwater Runoff Volume and Encourage Infiltration.	Entire Site	In accordance with the Town WD Zoning criteria, the proposed site can be developed such that 75% of the total area consists of impervious buildings, and not including pavement. The proposed development incorporates underground parking, cluster developments, and townhomes to reduce the proposed imperviousness of the site to approximately 35%. The proposed project reduces impervious areas by more than 40% from that allowed in WD zoning.
Increased Surface Area of Ponds to Reduce Runoff Volume.	SMP-1 through SMP-4	The proposed ponds are approximately 28 to 97% larger than required by current local, state, and federal standards. The additional surface area provided by the oversized stormwater mitigation facilities will provide additional evapo-transpiration to occur and result in a reduction of stormwater runoff volume.
Oversized Stormwater Ponds Extended Detention	SMP-1 through SMP-4 (Proposed Ponds at four corners of site)	The proposed stormwater mitigation facilities have been designed to reduce the flow of water leaving the site from 28 to 97% below pre development rates (See Table 3 above).
Downspouts to Splash Blocks in Backyards.	Within all proposed developments.	Back yard downspouts are proposed to discharge to splash blocks to allow stormwater to travel through grass areas slowing the rate of runoff and providing additional time for infiltration reducing the volume leaving the site.
Plantings for Consumption of Water Volume.	Around Proposed Ponds	Pond landscaping is to be provided in accordance with the NYSDEC Stormwater Management Design Manual. Species requiring large volumes of water, such as Willow Trees, (300-gallons per day per mature tree) are included in the landscape plans.
Stabilized Outlets	O-A – O-D (Outlets at four corners of site)	Grassed channels, rip-rap outlet protection, level spreaders, and other devices approved by the regulatory agencies are to be provided for the protection of downstream properties from erosion and sedimentation. These items are to be selected and detailed to mimic the existing flow patterns (i.e. shallow concentrated and channel flows) exiting the site during the final design phase.
Post Construction Operation & Maintenance Plan (PCOM)	Stormwater Easements	As part of local and state requirements, this plan will be prepared and implemented to address maintenance and operation procedures for dealing with items such as potential pond backups, erosion and sediment, structural deterioration, and landscape maintenance.

Specific attention has been paid to stormwater discharge volumes at the southeast corner of the site where stormwater passes into the Meridian Centre Park. Cross sections through the existing

drainage ditch, which begins at the southeastern corner of the project site and travels in an easterly direction through the Town Park, were surveyed and mapped at regular intervals. The cross sections revealed the watercourse to be generally uniform, starting at the bridge located within the park and ending at the inlet of an existing 12-inch diameter pipe under the lawn event field. As the ditch was found to be generally uniform throughout its length, a cross section taken at its approximate midpoint was used to determine the maximum elevation of stormwater occurring under the existing and proposed conditions due to a 100-year storm event, assuming a free discharge scenario. A map of the ditch and the cross section detail is included in the supplemental drainage study in FEIS Appendix D

Potential Further Mitigation

The table below summarizes potential further mitigation measures, should the Town determine that additional mitigation is needed.

Table G Potential Further Mitigation Measure and Associated Impacts

Other Mitigation	Location	Description	Potential Impacts
Reduce proposed discharge to the southeast.	O-B (Outlet at Southeast corner of Site)	The primary outlet pipe for the southeast stormwater pond (SMP-2) currently consists of an 18” diameter pipe. This pipe can be decreased to hold back additional stormwater volume in the pond and further reduce runoff to the park.	Holding back more stormwater inside facilities designed to hold the volume will pose no adverse impact to adjoining property.
Redistribute proposed drainage areas to fine tune and balance release of stormwater volumes.	From SA-A and SA-B to SA-C and SA-C.	During final design of the project, routing of flow can be fine-tuned to adjust discharge volumes should the Town identifies the need for further mitigation. For example, storm drainage from the southeastern portion of the site can be routed into the other proposed drainage ponds, by methods such as grading and storm sewer conveyance, as demonstrated in Table 6 above.	Equalizing the volumes of stormwater leaving the site to better replicate pre-development conditions will pose no adverse impact to adjoining property.

Drainage Mitigation That Could Be Considered Amenities

Table H summarizes drainage mitigation measures that apply to the off-site lands southeast of the site. These mitigations could be perceived as potential amenities since the biological review of the off-site field evidence indicates that the south side of the Park is currently subjected to seasonal

flooding and is regularly wet. Construction that improves the existing condition could be considered an improvement or amenity by the applicant and/or Town.

Table H Perceived Drainage Amenities and Potential Impacts

Raise Trail Profile in selected areas of flooding	Town Park	Specific areas of the trail that currently flood can be raised with additional stone to rise above a selected design flood event (generally a 10-year storm) if necessary.	Raising the trail profile in selected areas would require no tree removals and pose insignificant impacts to the woodland vegetation. Furthermore, as the Biologist determined that the wet areas in the woods are isolated, raising the trail will not hydraulically affect the nearby event field and tributary of Allen Creek.
Increase Capacity of Downstream Drainage Structures	Southeast Corner of Town Park	The existing 12” diameter culvert could be removed and replaced with a ditch or additional culvert pipes could be installed next to it so that the existing drainage through the Park will be improved.	Complete removal of the existing 12” diameter culvert pipe and replacement with a ditch would result in loss of event field grass area. In addition, work in this area would require some disturbance of emerging wetland vegetation and could potentially require a permit from the Army Corp of Engineers.
Increase Capacity of Downstream Drainage Ditches	O-B (Outlet at Southeast corner of Site) through the Town Park	The existing ditch located off the southeast corner of the site that travels in an easterly direction, passing under the wooden bridge located in the Town Park, could be enlarged to accommodate more stormwater volume.	Enlarging the ditch section would provide greater flow capacity. The 12-inch culvert would continue to restrict flow. Existing trees may need to be removed and replacement of vegetation in the ditch will be required.

9. **Subdivision-** A Concept Subdivision Plat Map has been prepared as Figure 21 to clarify comments regarding lot sizes, setbacks and street dedication. It is included in FEIS Appendix F. This figure also shows lands proposed for ownership by the HOA and the proposed ROW widths.
10. **Potential Long Term Negative Financial Impacts-** No long term negative financial impacts have been identified.
11. **Sewer Capacity-** Sewer flow analysis has been conducted in the field and a study report prepared that addresses existing flow and the potential impacts on the system of proposed flow from *The Reserve* and other projects that are in the planning phase. The Sanitary Sewer Flow Study for Monroe Community College Trunk Main was performed to investigate the potential compounding effects of development on the main trunk sewer that begins at Monroe Community

College, runs through *The Reserve site*, under I-590 and then to Winton Road South. Data from a 12-week Groundwater Monitoring and Sanitary Sewer Flow Metering was obtained to determine the existing flow to the Trunk Main. The study summary is in FEIS Appendix E. The full study, including flow results, is available from the Town Engineer.

The Reserve project as proposed discharges its sanitary sewage to this existing sanitary sewer referred to as the Monroe Community College (MCC) Trunk Main. Initially for the DEIS, a supplemental estimate of sewage flow was performed for the proposed Action. The table below includes current data taken from the MCC Study. An excerpt of the study is included in FEIS Appendix E, and summarizes projected flow to the trunk main that could occur after full build out of development. The full study is available at the Town Public Works Department.

Table I MCC Trunk Main Flows

Location (per Flow Meter #)	Pipe Diameter (in)	Existing Average Daily Flow (MGD)	Projected Average Daily Flow (MGD)	Full Flow Capacity* (MGD)	Remarks
FM#1	16	0.183	0.183	1.065	No Change Proposed
FM#3	18	0.284	0.420	2.077	The Reserve Point of Connection just upstream of this location. (Projected flow per 340 3-bedroom homes at 400-gpd per home = 0.136-MGD)
FM#4	18	0.273	0.409	2.077	80% (+/-) Capacity Remaining
FM#2	18	0.455	0.591	2.077	72% (+/-) Capacity Remaining

*Per April 1984 SE District Report

The above table suggests that the existing 18-inch diameter main will typically flow at approximately 28-percent of its full flow capacity after full build out of the proposed development.

Utilizing the above projected average daily flow of 0.409-MGD and a peaking factor of 3, yields an estimated peak flow of 1.227-MGD. It is estimated that the maximum peak sanitary sewage flow to the 18-inch diameter main after development of the proposed Action will flow the trunk main no more than 59-percent full, leaving 41% remaining capacity for future projects. The full study includes projected flow data for Clinton Crossings and Faith Village. The sewer is projected to have capacity to accept all three projects when considering staggered timing of demand and a combined peaking factor.



12. Building Heights and Orientation- In response to comments about the height of the loft buildings, the applicant has eliminated one floor of the lofts and the associated dwelling units from each of the six buildings. Table 1 on page 9 summarizes the current dwelling count. The loft buildings now include 5 stories of living space above the parking garage. The amended (FEIS) total height of the loft buildings is 74 feet on the north elevation (85 feet in DEIS), including the 6'-0" parapet height above the roof deck. The loft buildings are proposed at 64 feet in total height (FEIS) on the south elevation facing the canal (75 feet in DEIS) including the 6'-0" parapet height above the roof deck. Colored, fold-out elevation views of the lofts are shown in Figures 5a and 5b in FEIS Appendix F. A balloon height study was conducted at the request of the Town. Photos from the balloon height study are in FEIS Appendix H. Loft Building Height Calculations are in Table J and FEIS Appendix I:

Table J Loft Building Height calculations

North Elevation	Dimension
Roof deck to top of parapet	6'-0"
Fifth Floor to Roof Deck	12'-6"
Fourth Floor to Fifth Floor	12'-6"
Third Floor to Fourth Floor	12'-6"
Second Floor to Third Floor	10'-0"
Ground Floor to Second Floor	10'-0"
Basement/Parking Level to Ground Floor	10'-6"
Total	74'-0"

South Elevation	Dimension
Roof deck to top of parapet	6'-0"
Fifth Floor to Roof Deck	12'-6"
Fourth Floor to Fifth Floor	12'-6"
Third Floor to Fourth Floor	12'-6"
Second Floor to Third Floor	10'-0"
Ground Floor to Second Floor	10'-0"
Total	63'-6" 64' (Rounded)

Loft building locations have been changed to address comments regarding the visual "walled effect". In response to comments, loft buildings have been moved a greater distance from the Meridian Centre Park. The new Concept Site Plan, Figure 4a, is in FEIS Appendix F. Figures 13, 17a and 17b have

been revised to illustrate the current building heights and site orientation of the loft buildings along the canal embankment. A revised Concept Grading Plan, Figure 18, is in FEIS Appendix F.

13. I-590 Berm- Comments and questions about the proposed berm height and configuration along I-590 have been addressed in a new figure. Figure 4.b.4 Berm Section has been prepared for the FEIS. Refer to FEIS Appendix F for the berm section and the revised Figure 4b Concept Landscape Plan.

14. Through Lots- Twenty one (21) lots shown on the Concept Site Plan may be interpreted as through lots because they adjoin more than one street. Lots B1- B9 in the Brewerton neighborhood are proposed with frontage on the proposed public street, Little Falls Circle (front yards) and on the proposed public street Bridgewater Rise (back yards). Lots G1- G7 in the Glenville neighborhood are proposed with frontage (front yards) along the private street Colden Glen North and adjoin (back yards) a narrow strip of HOA land along the proposed public street Bridgewater Rise. Lots F1- F5 in the Ft. Plains neighborhood are proposed with frontage (front yards) on the proposed public street Oneida Pass and adjoin the private street Colden Glen South (back yards).

The applicant states that this configuration is necessary to achieve the “boulevard” design intent, and notes that a similar configuration exists in the Town along Lac Deville Boulevard. The applicant is not requesting vehicle access be provided from streets to rear yards.

15. Dedication of Streets- As a result of removing the vehicle gate and public comments requesting greater public access to the Erie Canal, the streets listed below are proposed for public dedication. Town standards for dedication include a minimum of a 60 feet ROW. All streets are proposed with a minimum of 60 feet wide ROW unless specifically noted differently in Table 5a (Proposed Incentives). All streets will be designed with appropriate emergency vehicle access, including cul-de-sacs, and will have standard NYS MUTCD traffic signs. Curbed medians are proposed as noted. The applicant states that medians are necessary to achieve the “boulevard” design intent and the applicant proposes maintenance of the medians by the HOA:

- Bridgewater Reserve; (a portion of ROW width requires an Incentive)
- Bridgewater Rise (w/ medians; An Incentive is requested for medians)
- Oneida Pass (w/ median and park area; An Incentive is requested for a median)
- Little Falls Circle;

- Jefferson Hill (An Incentive is requested for the proposed median in the cul-de-sac);
- Mays Point Trail East;
- Mays Point Trail West

16. Construction Schedule- Table 10 has been updated (**in bold text**) to reflect the current anticipated construction schedule:

Table 10- Phased Implementation (FEIS Revision)

Dates	Construction Activities
Spring 2009	Pending completion of SEQRA process, design and permitting for the canal trail improvements and other amenities will commence as these improvements are not included in the Town of Brighton Subdivision and Site Plan review process and the funding is tied to specific deadlines in the Canalway grant. Construction dates are noted below.
Spring 2009	Construction of public and private underground utilities needed to serve the site. Electric, telephone, sanitary sewer, and water supply are to be connected at South Clinton Avenue and at locations along the I-590 southern rights of way. All these features must be installed in conjunction with site access improvements.
Spring 2009	Construction of stormwater facilities, bulk earthwork for entire site, including fill in areas along the canal, and construction of the primary road network on the site. All disturbed areas to be stabilized prior to winter.
Spring 2009	Underground infrastructure, such as water, sewers, drainage, and private utilities, and construction of clubhouse and one or two loft buildings. Drainage along toe of canal embankment to be installed per NYS Canal Corporation once canal is drained for the winter.
Spring – Summer 2009	Install landscaping buffers along I-590 and primary road network, commission clubhouse as sales office and for resident use, and begin townhouse and single family home construction to meet sales, focusing on a variety of product located along primary streets. Commission newly constructed loft buildings for occupation in summer 2010.
Summer 2009- Fall 2009	Continue construction of townhouses and single family units, and begin additional loft buildings to meet sales demand, as needed. Begin to construct infrastructure and side streets to accommodate housing projected for construction in 2010.
Summer 2009- Fall 2009	As design and permitting of the amenities on public lands are approved, the applicant will work with the Town and state agencies to begin construction of the amenities.
Spring 2010- Fall 2010 And beyond	Continue construction of residences to meet market demand.

CHAPTER 3 – RESPONSIVENESS SUMMARY

This Chapter serves as the Lead Agency's response to the written and oral comments received on the DEIS for *The Reserve*. Each comment is briefly summarized and/or paraphrased and followed by a response. The public hearing transcript is provided in FEIS Appendix A. Copies of the written comments are in FEIS Appendix B.

A. Responses to Written Comments

1. Town of Brighton Comments

a. Staff: Letter from Ramsey Boehner to Town Board, 6/23/08

Town staff has reviewed the DEIS for *The Reserve* and has the following comments, followed by a response:

Comment 1: *In the Final Environmental Impact Statement (FEIS); the applicant should demonstrate why the project could not be modified to provide public access through the site to the canal, at least by pedestrians.*

Response 1: Per Chapter 2 Additional Information, the project has been modified to include access through the site for vehicles as well as pedestrians. The applicant indicated that pedestrian access through the site was always anticipated. Access now also includes motor vehicles on dedicated streets.

Comment 2: *The Town's Comprehensive Plan calls for an affordable housing component in new residential developments. Mr. Costello, in testimony, said that it can't be provided here, but can be in City Gate. In the FEIS, the applicant should present and discuss how that commitment will be secured.*

Response 2: At this time it is unclear whether or not any housing type is acceptable to the Town of Brighton for the portion of CityGate located within the Town, nor what type/density would be desired by the Town based on written comments to the City of Rochester in the CityGate DEIS process. Affordable Housing as it pertains to *The Reserve* was discussed in great detail at a joint meeting between the Town board and the Planning Board. As a result of the discussions, no further request has been made to the developer to provide an affordable

housing component to this development application.

Affordable Housing In Brighton- To address the topic of Affordable Housing at *The Reserve*, the general topic of affordable housing in the Town of Brighton must be discussed as well as the requirement to address affordable housing as part of every residential development proposal that is presented to the Town. It is important to evaluate the recommendations of the Comprehensive Plan 2000 and the basis for the recommendations.

The Comprehensive Plan 2000 in the “*Affordable Housing Findings and Recommendations*” section made two recommendations:

- *Recommendation #1: Brighton should strive to **achieve a balance in the type and cost of residential development for its citizens.** Support of affordable housing options in the community is an important element of achieving this goal.*
- *Recommendation #2: Brighton should continue to **cooperate with other governments and housing agencies within the region in promoting an equitable distribution of affordable housing.***

In reference to owner-occupied housing the plan further states;

“Trends in affordable owner-occupied housing have shifted beyond new affordable developments with special financing for first-time homebuyers to include scattered lot development or improvement of existing but run-down housing stock, combined with financial counseling and access to affordable mortgage products. As with affordable rental housing, affordable homeowner housing works best in a mixed-income community.”

Balance In Housing- With respect to Recommendation #1, which addresses the issue of diversity in choices in residential products in the Town of Brighton, the developer acknowledges that *The Reserve* is not an affordable housing development and the prices of the residential products are not in the range of affordability for families eligible for existing homeownership

programs available in Monroe County. Existing programs through Monroe County are funded by the U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnership Program. HUD mandates that the value of any housing assisted with HOME funds must not exceed 95% of the established FHA mortgage limit for the area. This limit for the Rochester MSA is currently \$204,250, making the maximum home value for properties eligible for the Monroe County Homeownership Program \$194,037.

A family participating in the County affordable programs must have a maximum, gross household income of \$35,900 for a family of 1 up to \$67,700 for a family of 8. The program guidelines allow a family to utilize up to thirty percent of their income for housing cost, which includes principle, interest, real estate taxes and insurance and another eleven percent for other debt (car loans, credit card debt, etc.). Based on this income range and criteria, a qualifying family can afford a mortgage of \$113,000 to \$145,000 for a home. At the current time, *The Reserve* housing exceeds this range by \$125,000 to \$150,000 at a minimum, and with the higher end units exceeds this range by \$400,000 to 500,000. Based on this extreme gap in affordability, it is apparent that *The Reserve* is not suitable for affordable housing without completely changing the market plan and potentially the marketability of the development. One could also argue that the development does not support the findings of the Comprehensive Plan as a good environment for first time homebuyers because of the added financial burden of HOA fees and the cost of amenities added to each unit as a result of Incentive Zoning.

The Reserve, while on the surface appears not to support the 2000 Comprehensive Plan's recommendations for affordable housing, it does support the Plan's recommendation for a mix of residential products in the Town creating a diverse and stable population. As the developer's market study indicates, there is a need for the type of housing proposed for *The Reserve* by young professionals, families and "empty nesters" seeking alternatives to existing residential housing in the Town.



Involvement With Housing Agencies- With respect to recommendation #2, the Town does have a stable inventory of affordable single family housing, as evidenced by information and statistics provided by the Greater Rochester Association of Realtors (GRAR). The GRAR documented 426 residential units sold in the Town of Brighton in 2007 (existing homes only). The average sale price was \$200,544 and the median price was \$162,000. Of the 426 residential units sold, sixty percent (60%) or 258 units were affordable options as defined by HUD and Monroe County for first time homebuyers participating in the County sponsored programs. This existing inventory in the Town of Brighton, with greater promotion and collaboration with agencies and the County, (Recommendation #2 Comprehensive Plan) would make great homes for first time homebuyers and provide the mixed income setting recommended in the Comprehensive Plan narrative.

In discussions with Kathi Gingello, Sr. Community Development Specialist with the Monroe County Department of Planning and Development, it was revealed that it is very difficult to qualify low to moderate income, first time homebuyers for new construction products. Ms. Gingello stated that the Monroe County Homeownership Program is currently working with the Urban League of Rochester on a project to provide ten (10) newly constructed, single family homes in the Towns of Henrietta and Chili. This program assists first time homebuyer families in purchasing new homes ranging from 1,400 to 1,855 square feet with 3 or 4 bedrooms. The homes are being sold between \$146,000 and \$171,000.

To make this project feasible it has required per unit grants of \$40,000 from the New York State Division of Housing and Community Renewal (DHCR), \$15,000 from the County HOME Program, and additional closing cost grants from participating lenders in order to make them affordable for low/moderate income families. The typical family able to purchase one of these homes is debt free at closing and receives a moratorium on real estate tax increases for the first few years of ownership. Obviously, the long term success of the program relies on short term conditions; the viability of remaining debt free long term

and the inevitable real estate tax increases may result in future financial pressure and potentially foreclosure risk for the families. A more conservative approach to a successful affordable program for first time homebuyers in the Town of Brighton would be to utilize the identified affordable housing stock with existing programs and available agency and governmental partnerships. The Town of Brighton is a member of Monroe County's Community Development Block Grant and HOME Consortium and its residents are, therefore, eligible to participate in the First Time Homebuyer Program administered by Providence Housing Development Corporation on behalf of the consortium members. This program has successfully placed three (3) families in existing Brighton homes in the last two years. Greater promotion and marketing of the Town's affordable resource, the existing residential housing for sale, and the coordination of available affordable program resources with local realtors and participating banks can dramatically increase the opportunities for families seeking first time homebuyer opportunities in the Town. This approach would also not affect the Town tax base nor have a negative impact on schools or other Town services.

The Reserve will provide a mix of housing targeted toward families in the Town of Brighton that are transitioning from the existing affordable housing stock in the Town, attract young professionals moving into the region and families that are attracted to a lifestyle residential development. All of these groups provide the balance, diversity and mix of a healthy community that the Comprehensive Plan 2000 describes.

"It will also be important to try to ensure that Brighton residents are able to remain in Brighton throughout the various phases of their lives, and that Brighton exhibits a healthy diversity in its population."

From the Comprehensive Plan 2000

A First Time Homebuyer Program in the Town of Brighton can be achieved utilizing existing affordable single family housing and through coordination with existing housing organizations in the County. Providence Housing and

the Urban League operate First Time Homebuyer Programs that are available to the Town. Programs enlist the support of available local, state and federal resources and identify participating lenders, realtors and attorneys to work with eligible buyers. The Programs help match affordable existing (for sale) single family housing inventory to eligible buyers. Two families have purchased single family homes in the Town utilizing the programs in the last two years. Greater awareness of the programs coupled with the Town's existing affordable housing stock can increase the number of families achieving homeownership.

Resolution to Affordable Housing Per Staff Comment 2-

To assist the Town in maintaining its commitment to affordable housing, and to address a chronic need in the Town, the developer proposes a Home Improvement Program for Senior Citizen Homeowners. Anthony J. Costello and Son Development Company will contribute "seed" funds in the amount of \$5,000.00 a year for five years to entice the Bishop Sheen Ecumenical Housing Foundation (BSEHF) to operate a home repair for seniors program in the Town of Brighton. At a minimum, a 4 to 1 leverage will be created generating \$25,000 a year in home improvement resources for the Town (totaling \$125,000 over 5 years). This population occupies 4,376 households in the Town and currently it is estimated that 390 households are eligible for assistance. A brief outline of the program from BSEHF is added to FEIS Appendix I.

Comment 3: *How many units, and of what types, would be lost if the loft buildings are restricted to the 40' in the Code?*

Response 3: Per Chapter 2 Additional Information, the project has been modified to reduce the height of the loft buildings. Exact quantification of the number and type of units that would be lost with a reduction in height to less than 40 feet is subjective and varies in result.

The applicant has determined that a reduction in height to three (3) stories that meets the 40 feet height per Code, and with underground parking, is not



financially feasible due to the cost of the parking garage structure below. The development as currently designed can not be constructed if relief is not granted from the 40-foot height restriction.

Comment 4: *Calculate the additional density proposed vs. that anticipated in the Comprehensive Plan. Using the layout shown in Figure 20 ("site plan, WD zoning"), compare the number of residential units shown in the north portion to the number of units proposed for that same area. In the south portion, compare the floor area shown in Figure 20 (a series of 1-story retail buildings) to the livable floor area proposed.*

Response 4: Per Chapter 2 Additional Information, the project has been modified in a manner that adjusts the overall unit count from the Concept Site Plan Figure 4a on page 45 of the DEIS. Figure 20 on page 184 of the DEIS represents a potential site development utilizing the WD Code.

The WD concept is applied in the Comprehensive Plan on the southern half of the site along the canal. The applicant applies the WD concept similarly in that the northern half of the site reflects current zoning reflecting low density residential and the southern half near the canal is proposed as more "urban" with taller, loft-style buildings.

While the southern half of the site is denser, the natural features of the Canal remain protected by a 120 to 140 feet natural buffer contiguous to the canal. The density of the northern half and the southern half are compared in the table on the following page:

Table K Comparison of Proposed IZ Density vs. WD Zoning Density Per Comp Plan

	Dwelling Units (house/ townhouse)	Acreage	Units per Acre	Non House Square Footage	Acres	Square Footage per Acre
Northern Half (using WD zoning per Comp Plan)	62	35	2	0	35	0
Northern Half (using proposed IZ for The Reserve)	116	35	3	200 (Welcome Center)	35	0 +
Difference	+ 54			+ 200		
Southern Half (using WD zoning per Comp Plan)	26	28	1	230000 (retail)	28	8214
Southern Half (using proposed IZ for The Reserve)	234	28	8	336000 (clubhouse and loft residences)	28	12000* (3.4)
Difference	+ 208			+ 106000		

WD= waterfront development
IZ= incentive zoning

* 12000 square feet equates to about 3.4 homes

Comment 5: *The Clubhouse was described as having a full commercial kitchen and a 120-seat banquet room. Will the Clubhouse be available for functions arranged by non-residents? How was the number of parking spaces for the clubhouse determined?*

Response 5: The clubhouse will not be available for rental by the general public. It is available for use by resident members of *The Reserve* HOA. Parking spaces were calculated as follows: 120 seats minus 20% residents (-24) leaving parking required for 96 guests. At three guests per vehicle, clubhouse parking demand equals 32 spaces. Including two handicap spaces, 38 were provided in the two parking lots adjacent to the clubhouse. Other parking lots were available within 300 feet for overflow parking and valet service. It should be noted that the size of the clubhouse is now being considered at a thirty-five

percent reduction to compensate for the decrease in the height of the loft buildings and the associated loss in the number of loft units. The number of parking spaces will be reviewed and approved during the Site Plan review process by the Brighton Planning Board.

Comment 6: *In the FEIS, the applicant should provide their engineer's detailed estimates of the construction costs of the amenities.*

Response 6: Supporting information for the amenity cost estimates is in FEIS Appendix C. An updated FEIS Table 6, Summary of Amenities, is on page 18 and includes an updated cost summary.

Comment 7: *How will the improvements to the canal access parking lot help the general public? Is the project simply saving the State the cost of repaving, or will there be expanded or added features?*

Response 7: As an amenity, the project relocates and enlarges the existing parking lot that is west of South Clinton Avenue, which is now 450 feet from the canal trail, to a new location on the west side of South Clinton Avenue that is 100' away from the canal trail. The new lot, which provides 7 additional spaces and 3 handicap spaces (10 more spaces), will accommodate easier access for the general public who wishes to launch a car-top sized boat at the adjacent new put-in, as well as provide easier access to the waterfront for those with small children and/or disabilities who are not willing or able to walk the 450' from the existing parking lot to the trail.

Comment 8: *How will the canal trail improvements benefit the larger public? For example, can we reasonably expect anyone but residents of the Reserve will use the trail at night, under the lights?*

Response 8: The trail improvements are planned as a joint project with the Town of Brighton and the applicant under a New York State Canal Greenway Grant Program.

The decision was made by the Town Board at the time of the grant application that the trail improvements are worth implementing as a benefit to the public.

There are three existing trail connections within Brighton and one immediately west of Brighton in the City of Rochester, which are included in the area where the canal trail improvements are proposed:

- East Henrietta Road This connection is in the City of Rochester at the proposed CityGate Development
- Immediately west of I-390 overpass behind the Sawgrass development
- Between Clinton Avenue and I-390
- West Side of Meridian Centre Park

Refer to the first paragraph on page 102 of the DEIS, which indicates that about 141,000 people use the trail in the Winton Road area each year. This means that about 400 people benefit from the unimproved trail every day under current conditions. Therefore, at a minimum, all these people who currently use the trail will benefit from the improvements as well. More people will benefit as usage increases through the addition of amenities such as lighting, as well as more convenient parking that will attract non-motorized boat enthusiasts and other non-traditional canal trail users.

Comment 9: *What are the estimated annual energy costs for the lighting? Is it really appropriate to burden the general, public with the maintenance and energy costs of the Canal lighting? A lighting district, embracing the properties in this proposal may mitigate this impact.*

Response 9: The annual estimated cost of energy for the lighting system is \$9,950. Calculations are in FEIS Appendix C. As noted in response 8 above on average 400 citizens use the trail every day.

Comment 10: *Can public access be provided to the restrooms in the Clubhouse? Can Town storage also be provided in the clubhouse? How was the number of parking spaces determined for the clubhouse?*

Response 10: The clubhouse is a private facility funded by HOA fees collected from residents of *The Reserve* and use of the clubhouse is a benefit of living at *The*

Reserve. In addition to violating state HOA and Condominium regulations, it would be unfair to Residents of *The Reserve* to allow the general public to have access to the facility. The applicant did propose a public rest room facility along the canal trail, but after conversations with Town staff and the New York State Canal Authority, the applicant was discouraged from keeping the rest room facility in the application due to concerns about vandalism and maintenance cost. The number of clubhouse parking spaces will be reviewed and approved during the Site Plan review by the Brighton Planning Board.

Comment 11: *The trailhead parking is too far removed from the trails in the existing Park for convenient use.*

Response 11: Per Chapter 2 Additional Information, the project has been modified to provide public parking and canal trail access from within *The Reserve* and at a location in the southeast corner of the development that is less than 400 feet from the park and the canal trail. Dedicated streets in this area are proposed to allow public access to the proposed parking area and the trail connection.

Comment 12: *What are the proposed buildings and site disturbance setbacks from the proposed conservation areas?*

Response 12: Per Chapter 2 Additional Information, the project has been modified to increase building setbacks along the park to as much as 50 feet. A 25 foot conservation easement along the park is also now proposed. As with any development, disturbance during construction can include involvement of all the land up to the park, for grading. With reference to the park specifically, there is a double fence line along much of the property line and hedgerow vegetation is within the park for most of the common boundary. Disturbance of the full site does not require disturbance of the hedgerow or park land.

It should also be noted that a conservation easement is proposed over the existing and manmade wetland areas on the west side of the site. All conservation easements will be dedicated to the Town of Brighton after construction is complete.

Comment 13: *How will plantings in wildlife corridors ("for food and cover") be maintained? What is to prevent property owners from cutting/planting?*

Response 13: Wildlife corridors are no longer included in the project. The term was misinterpreted. It is proposed that the HOA will maintain all common areas, including landscape berms, the four stormwater facilities shown on FEIS Figure 4A, new meadows, internal open space, and all townhouse yards. FEIS Figure 21 shows the extent of lands proposed for ownership and maintenance by the HOA. Therefore, property owners would require permission to make the above commented changes to the landscape.

Comment 14: *How will wetland preservation be ensured? It appears that some of the houses in "Brewerton" will probably be $\pm 40'$ from the wetlands behind the house. What will prevent them from filling/altering/damaging the wetland?*

Response 14: Figure 21, Concept Plat Map in FEIS Appendix F, has been added to depict that individual lots do not extend into the wetlands. This open space will remain under the control of the HOA, which is better informed to comply with state and federal conservation laws that apply.

Comment 15: *How will the conservation areas be maintained? What are the "special maintenance rules" of the Home Owners Association for these areas? Consideration should be given to protecting these areas by conservation easements as well as deed restrictions.*

Response 15: Refer to the response to comment 12. Conservation easements are now proposed. Otherwise, the HOA will maintain open spaces under its jurisdiction. The Town will maintain lands within the conservation easement areas. There is no longer a need for the "special maintenance rules" of the HOA.

Comment 16: *What is the minimum setback for buildings along the park boundary?*

Response 16: See response number 12.

Comment 17: *How close is the existing trail from the lots proposed on Jefferson Hill?*

Response 17: The stone chip trail that runs generally north-south in the park is 35' feet from the east property line of *The Reserve* at the Jefferson Hill neighborhood area. The project has been modified to include a 25 feet wide conservation easement contiguous to the park boundary. Building setbacks have also been increased to provide a greater buffer to the trail.

Comment 18: *A landscape buffer should be planted along the entire park boundary.*

Response 18: Per Chapter 2 Additional Information, the project has been modified to increase setbacks along the park and introduce conservation easements. Specific “buffers” are depicted in Buffer Sections on Figures 4.B.1, 1 and 3 on pages 46a-46d in the DEIS. Since then, the applicant has offered an alternative plan that includes evergreen plantings for much of the trail length. Refer to topic 2 on page 23 for additional information. The Landscape Plan will be subject to review and approval by the Brighton Planning Board and Town Parks and Recreation. If plantings are to be done in the Town Park, Town Board approval will also be required.

Comment 19: *How wide is the proposed buffer area?*

Response 19: The proposed conservation easement (buffer) along the park is 25 feet. Also see response to comment 12.

Comment 20: *How high will the buildings on Jefferson Hill be from the existing grade?*

Response 20: Per Chapter 2 Additional Information, the project has been modified to include greater building setbacks to the park, which reduce the visual impact of building heights from the park. FEIS Figure 18, Concept Grading Plan in FEIS Appendix F, shows two proposed lots on Jefferson Hill that would abut the park with a proposed front yard grade of 506.5, which is necessary to provide gravity sewerage for the new homes.

Figures 6a and 6b, the revised Concept Infrastructure Plan and new Concept Trunk Sewer Profile, are in FEIS Appendix F, show the minimum grades needed to provide gravity sewers to these and other lots on Jefferson Hill.

Visual simulations are in Figure 22. The resultant front yard elevations, which provide 4 feet of cover over the sewer, are 12 feet above the existing grade of 494.0 near the park.

The grading is shown in a manner that would accommodate a walkout basement on those two lots. Should a resident select a two-story home with fully visible second story walls, the average height of the home above existing grade could be 36 feet above the basement level. The peak of a new 2-story home would then be approximately 28 feet above existing grade at the proposed 50 feet park setback line.

Comment 21: *What is the maximum increase in the height of the proposed grade along the park boundary?*

Response 21: Refer to response 20 above. No increase in height of grading is proposed at the park boundary line. Existing grades are to be maintained or shaved slightly to provide positive storm drainage runoff to the stormwater facilities located at the northeast and southeast corners of the development adjacent to the Park.

Comment 22: *Proposed berm at expressway of 2' to 6' is not apparent on grading plan. A section drawing between 590 and the town homes would also be helpful.*

Response 22: The project has been modified to eliminate the trail along the expressway. A new Figure 4B.4 Berm Section has been prepared. See FEIS Appendix F.

Comment 23: *What is the maximum total height of the loft building above existing grade? What is the maximum total height of the loft building above the canal trail? What is the total height of the loft building above the proposed grade (especially the north side)? How was the height of the proposed loft buildings calculated? The FEIS should include a height analysis of the loft building based on the Town code.*

Response 23: Per Chapter 2, topic 1 on page 8, the project has been modified to reduce the height of the loft buildings by eliminating one floor. Each loft building is currently proposed with five floors of living space over a parking garage level that is flush with street grade. Five floors are visible on the south side and six

are visible on the north. Loft Building elevations views, Figures 17a-17b are in FEIS Appendix F. The following table compares elevations of interest.

Table L Comparison of Loft Building Height, Ground Height and Canal Trail Height

	Roof Top of Parapet Elevation	Average Existing Ground	Differential North Side Height From Existing Grade	Average Proposed Finished Grade	Differential North Side Height From Proposed Grade	Adjacent Canal Trail Elevation	Differential Height From Canal Trail to Top of Parapet
West End	586.0	507.5	+ 78.5	512.0	+ 74	516.5	+ 69.5
East End	575.0	496.0	+ 79.0	501.0	+ 74	518.5	+ 56.5

Comment 24: *In the FEIS, the applicant should discuss compliance with the Town's requirement for Parkland Trust Fund Contributions.*

Response 24: Development in the Town of Brighton requires compliance with the Parkland Trust, which collects funds for future use in funding park-related expenses. The applicant is aware that the Town requires a contribution of \$750 for each single family home (68 units x \$750 = \$51,000) and \$400 for each townhouse/condominium (259 units x \$400 = \$103,600). The estimated contribution for the 327 units at The Reserve is \$154,600.

Comment 25: *Will any portion of the canal bank be cleared? (see their figure 11C)*

Response 25: Per Chapter 2 Additional Information, the project has been modified to further reduce the amount of clearing on the canal embankment to only that amount needed (1.7 acres) to construct the trail connections and curtain drain. FEIS Figure 11C in Appendix F shows the limits of clearing.

Comment 26: *A tree inventory and habitat assessment must be conducted, and its results considered, before any future application is made to the Canal Corporation for additional clearing on their properties.*

Response 26: A tree inventory was completed for the project site and included trees on the embankment of the canal in the vicinity of the project. The Tree Inventory is in

DEIS Appendix C.6. The applicant acknowledges this comment as it relates to future clearing by the applicant, but cannot accept responsibility for clearing that may be performed by the New York State Canal Corporation on its own land. The applicant is not requesting such clearing.

Comment 27: *How will the clubhouse be screened from the canal as requested by the New York State Office of Parks, Recreation and Historic Preservation?*

Response 27: Per Chapter 2 Additional Information, the project has been modified to further reduce the amount of clearing on the canal embankment to only that amount needed to construct the trail connections. Existing vegetation will screen oblique views of the clubhouse from the canal and canal trail. Proposed supplemental plantings along the canal embankment, as shown in Planting Area 4 table following Figure 4C, show that Dogwood, Viburnum, and Hawthorne plantings are to be added to the embankment to fill in where invasive species are trimmed out.

Comment 28: *Does any storm water discharge into the park? What mitigation measures are proposed to address the potential impacts to the park from surface water drainage? Does the proposed drainage plan meet all the requirements of the official Town's drainage regulations (especially quantity), IWC regulations, Phase II Regulations? What are the projected volumes to be released from each of the proposed storm? The project may have to be modified to address the regulations and needed mitigations.*

Response 28: Existing drainage patterns discharge from the project site into the park, and existing patterns must be maintained, with mitigation, as not to divert water away from natural areas within the park that require a supply of water. Per Parks and Recreation Committee comment 2 on page 78 it is understood that it is also important that trails remain dry and usable. After a number of options were discussed with Town staff, it was decided that further meetings will be held during the Site Plan approval process with Town staff and interested parties from the Parks and Recreation Committee to address the topic.

Stormwater mitigation is proposed in accordance with, and in addition to the

minimum requirements of the Town of Brighton, Irondequoit Creek Watershed Committee (IWC), and Phase II Stormwater regulations. Detailed information is included in Chapter 2, topic 9, on page 28. That section also references the supplemental FEIS Drainage Summary in Appendix D. The impacts of stormwater will be mitigated beyond the extent of minimum requirements.

Also from the Parks and Recreation Committee comment, the applicant recognizes that there is an existing water problem on the trail. One solution discussed with Town staff is to add up to 6-inches of new gravel to the lowest portion(s) of the trail in the southwest corner of the park where it is currently impassible in the spring. This action would continue to maintain needed moisture in the woods and through the drainage way under the park wood bridge while making the trail more useable.

Comment 29: *How will the curtain drainage along the canal interact with post development drainage and associated impacts on the Town Park?*

Response 29: The Canal Corporation has required a curtain drain as a precaution because some portions of the canal embankment are prone to seepage. However, there are few signs of seepage within the bounds of this project site. Geotechnical investigations, deep holes and drilled borings, were performed and neither showed unusual signs of seepage. As the inverts of the proposed curtain drains are virtually at the elevation of existing ground, it is assumed that there will be little or no canal water collected in the drains. Observations have been recorded by the project Engineer for three seasons and based on the results of these observations there will be little or no added flow through the southeastern stormwater basin where the drains will discharge. Any flow collected by the curtain drain is collected in the piped system and routed through the stormwater facility, which detains flows leaving the site. (As part of the Site Plan approval process, the Sponsor will obtain verification from the Canal Corporation of conditions adjacent to the canal with regard to existing conditions and proposed improvements.)

Comment 30: *In the FEIS, the applicant should provide detailed topographical or survey*

information that depicts how the drainage from the 4 on-site sub basins traverses the adjoining properties and/or public ROW to the public drainage system. Based on this information, the applicant should identify needed improvements to mitigate the impacts to the Town Park and downstream properties;

Response 30: Refer to the response to comment 28. The project engineer field verified all drainage paths from the project site as functioning and adequate to accept the mitigated stormwater flows from the project. The FEIS Drainage Summary in Appendix D includes photographs along the drainage courses as well as a figure depicting the proposed grading plan in relationship to existing area topography.

The project Biologist subsequently field verified the types of vegetation in the southwest and northwest corners of the park, and made determinations with respect to the potential for impacts associated with an increase or decrease in stormwater. Correspondence is included in FEIS Appendix D.

Refer to the response to comment 28 above. A portion of the existing park trail can be improved to alleviate current wet trail conditions. Detention planned with the project will assure that post construction drainage discharge will be at or less than current conditions.

Comment 31: *In the FEIS, the applicant should provide schematics of how each discharge point leaves the site and connects to the public drainage system.*

Response 31: Refer to the response to comment 28. A schematic drainage routing figure has been prepared and is in the supplemental FEIS Drainage Summary in FEIS Appendix D.

Comment 32: *In the FEIS, the applicant must document if there is adequate capacity in the sanitary sewer to accommodate this project. The capacity of the sewers can not be determined until the sewers are metered and the data is collected. This information should be provided and discussed in the FEIS.*

Response 32: See Chapter 2, topic 11 on page 36. A Sanitary Sewer Monitoring Study was

performed at the direction of the Town Engineer in the summer of 2008. The results have been compiled in a report and provided to the Town. Results of the Study support calculations and information provided to the Town in 2007 by the project engineer that adequate capacity exists for *The Reserve* development. FEIS Appendix E addresses sanitary sewer discharge as it pertains to *The Reserve*.

Comment 33: *Will gravity sewers serve the project or will a pump station be needed? All sewers servicing the project should be a gravity system? If a pump station is proposed, a new sewer district will need to be created.*

Response 33: It is proposed that the proposed project be served by gravity sewers dedicated to the Town of Brighton. However, sixteen (16) townhouse units at the east end of Mays Point will require pumps for sewer discharge. The applicant understands that these pumps will be privately maintained individual residential “ejector style” pumps. No public pump station or associated sewer district is proposed. An application to the Town for expansion of the existing sewer district in the area is anticipated.

Comment 34: *Can anything be done in the Town Park to improve its use for bird habitat and, thus, to mitigate for the loss of these lands in the proposed project?*

Response 34: New plantings that generate fodder could be planted in the grassy northern passive portion of the park to improve bird habitat characteristics within the park. Figure 4c on page 51 of the DEIS lists the appropriate types of plants proposed for use in the Reserve, which could also be planted in the park by the Town. These plantings could also be positioned in a manner that enhances screening between the park and the new homes should the Town choose to plant them. With respect to the proposed development, seventy percent (70%) of The Reserve will remain as green space and will include naturalized meadows and other landscape plantings.

Comment 35: *In the FEIS, the applicant should provide calculations of the future assessed value of the project. The calculation for the condominiums must be in accord with Article 9-B, section 339-Y of the real Property law (the "Condominium*

Act").

Response 35: Page 167 of the DEIS addresses this topic. A representative of the developer has since presented calculated values to the Town Assessor for the development and was provided with confirmation that an acceptable method was used to arrive at an estimated tax generation for the development. These calculations are at the beginning of FEIS Appendix I.

Comment 36: *The private streets are proposed to be built to Town standards. As designed, the proposed street layout and building orientation and setbacks are inadequate for dedicated roadways. The FEIS should confirm that the proposed private roads would not be offered for dedication now or in the future.*

Response 36: Per Chapter 2 Additional Information, the project has been modified to remove the vehicle gate and is proposing dedicated streets. Table 5a on page 11 has been updated to reflect the needed incentive zoning required for relief of specific Town setback requirements making the development clustered, providing more greenspace and encouraging residents and visitors to use automobiles less by making the development more walkable and pedestrian friendly.

The developer removed the gate and is offering public parking. See comment number 11 on page 51. These changes are predicated on dedication of the street system. Town staff raised concerns in the Scoping Phase of the SEQR process about various public services and emergency access to a private development. These concerns and issues are alleviated with elimination of the gate and dedication of public streets.

The developer acknowledges that streets proposed as private streets (Colden Glen) will not be offered for dedication in the future. Streets offered for dedication as public streets will meet Town standards for dedication, including provision of cul-de-sacs. Bridgewater Reserve, Bridgewater Rise, Little Falls Circle, Oneida Pass, Jefferson Hill and Mays Point are by their function appropriate to be offered for dedication. Figure 4c Concept Signage Plan has

been revised to include conceptual locations of standard street signs. Figure 4c is in FEIS Appendix F.

Comment 37: *A conceptual subdivision map should be included in the FEIS. Will the roadways be a separated tax parcels/lots? Where will the proposed setbacks be measured from? The subdivision map should have a note stating that the roadway will not be dedicated in the future.*

Response 37: Per Chapter 2 Additional Information, the project has been modified to remove the vehicle gate and streets are proposed as public dedicated Town streets as noted in response 36 above. A new Figure 21, Concept Plat Map, has been prepared and is attached in Appendix F.

Comment 38: *Will the proposed single-family homes meet the Town's new livable floor area regulations? How will the maximum livable floor area for each lot be determined? This must be addressed in the FEIS.*

Response 38: The livable floor area regulations are not applicable to the WD Zone. Refer to Table 8b.

Comment 39: *Will all lots meet the 65% lot coverage requirements?*

Response 39: All single-family home lots will be less than 65% building coverage. Townhouse lots will be between 65% and 70% coverage. The lots for the loft buildings will be 91% coverage. This is summarized in detail in Table 8b on page 24.

Comment 40: *Will the proposed flag lots meet the Town's flag lot regulations?*

Response 40: The proposed flag lots do not meet standard Town frontage requirements. Other requirements are met. An incentive is being requested to address the frontage. Also see response to comment 36 and table 5a on page 11. Setbacks will be met.

Comment 41: *The setbacks for this project should be determined by the Planning Board during the site plan process as required in the WD District. This will give the Planning Board greater flexibility during site plan approval process to further*

mitigate the impacts from this project.

Response 41: The developer is following the Town process and regulations for Incentive Zoning as provided in the Town Code and is requesting incentives for non-conforming setbacks while offering proposed amenities. The Town Board designated itself as the Lead Agency in the SEQR process. The developer has included the Planning Board in all aspects of the review of the proposed development in the DEIS process and many comments from the Planning Board have been addressed in the current concept plan. The developer will comply with the requirements for Incentive Zoning approval and site plan approval as dictated by the Town Code.

Comment 42: *The project has too many double frontage lots. The site layout should be modified to address this issue.*

Response 42: The site plan layout as proposed by the applicant includes lots, which could be interpreted as “through lots”. This has occurred as a result of the developer’s efforts to create individual clustered neighborhoods, increase greenspace, and improve walkability of the development while maintaining a sustainable number of residential units. The current concept plan proposes driveways only to the neighborhood street associated with the through lots. Setbacks for rear yards that abut a public street will be considered as if they are front yards and will be landscaped to provide visual screening, as appropriate, to the street without the site access. This topic is addressed on page 39 in Chapter 2 and the applicant is requesting incentive to allow this configuration.

Comment 43: *None of the photo simulations (Figures 19 A-G) show the project viewed from the canal path directly in front of a loft building. The FEIS should include photo simulations of the project during the winter months with and without any proposed mitigations.*

The simulations should be taken from the following locations:

- *Canal trail in front of the loft buildings at various locations*
- *Canal trail in front of the area to be cleared for the clubhouse toward the*

loft buildings

- *Trail leading from the canal trail to the Town nature park toward the loft building*
- *Town park nature trail closest to the eastern lot on Jefferson Hill, eastern lot on Oneida and the eastern town homes.*
- *Town park woodchip nature trail closest to the northern lot on Jefferson Hill*

Response 43: For the DEIS, the developer prepared visual simulations, sketches, and photos of the development to illustrate the potential impact on viewsheds from the canal greenway trail and the Meridian Centre Park. These materials did not completely convey the message to the general public and Town officials. The developer then performed a balloon height study for Town Officials and the public on dates that were heavily advertised and covered by the local media. Appendix H includes the photographic results of the balloon study, taken at optimal moments when the balloons reached their full heights. As a result of this study, the developer has reduced the height of the loft buildings by one story, moved the loft buildings away from the park, and increased the setback from the park for single-family homes and townhomes.

New Figures 22a-22i, which simulate the lowered loft buildings as viewed from the canal trail and various homesites as viewed from the park, are included in FEIS Appendix F. These simulations were prepared at the request of the Town to address comment 43.

Comment 44: *The architectural design and materials of buildings should not be assumed to be approved until formal Architectural Review Board review is conducted in conjunction with Site Plan review. The applicant should make every effort to mitigate the height of the loft buildings through creative placement and orientation of those buildings.*

Response 44: Per Chapter 2 Additional Information, the project has been modified to reorient the buildings to address comments from Town officials and the general

public. Overall height of the loft buildings has been reduced by eliminating one story (11 ft) and the lofts have been moved further away from the park. The applicant understands that the Architectural Review Board must approve the appearance of proposed buildings. All building designs, except the custom homes on Jefferson Hill, have been developed in unison with the site plan and will be submitted to the Architectural Review Board during the Site Plan review process, or sooner during the Incentive Zoning process if directed to do so by the Town Board.

Comment 45: *Why is Golden Glen configured as three streets instead of one loop road (which would run roughly through the rear yards of the townhouses as shown)? This would reduce the amount of asphalt and the number of through lots proposed in the project.*

Response 45: The street configuration was selected to orient the Townhouse units closest to the expressway in a manner that places backyards away from the expressway. Refer to response 42 regarding through lots.

Comment 46: *It appears that additional signage is being requested for relief through incentive zoning. The application must be amended to include additional signage as an incentive. The Waterfront District permits signs as allowed by Chapter 207, Article VI (Signs). The provided information regarding the design and size of proposed signs and decorative elements is inadequate to understand the signage plan sufficiently to comment knowledgeably. It appears that the proposed signage is excessive. The sign plan should be subject to the sign review process. The FEIS should compare the existing sign requirements to the signage requested by the applicant. Concept drawings of the proposed signs should be provided and discussed in the FEIS. Why can't the project abide by the sign requirement of the WD District?*

Response 46: Table 5a on page 11 has been revised to reflect that the applicant is requesting incentives to allow the signs of the size and at the location proposed. DEIS Figure 4c Sign Plan on DEIS page 59a and the associated Sign Table in Figure 4c on DEIS page 59b has been modified to reduce sign face sizes and

number of signs. A new Figure 4C is included in FEIS Appendix F that also includes concept sign designs. Table 8b on page 24 addresses signage. The same applies to fences. A detailed signage plan will be prepared during the Site Plan review process for consideration by the Planning Board. The applicant indicates that additional signage (beyond the Code minimum number of signs) is being requested to allow the applicant to create individual neighborhood identities in addition to one identity for *The Reserve* through signage at South Clinton Avenue. The applicant is requesting additional signage to include interpretive signs for trails, conservation areas and other pedestrian signage. The design of the community and its unique location will promote non traditional pedestrian traffic requiring more way-finding and informational signage. Detailed design of the signage and associated landscape/fence accents will be presented to the Planning Board during the Site Plan review and approval process. An Incentive is requested to allow signage as proposed.

Comment 47: *Signage is proposed in environmental areas. What is the need for it?*

Response 47: The applicant proposed these informational signs in environmental areas as interpretive signs for use by the residents and the public to educate and protect wildlife and promote maintenance of these areas.

Comment 48: *Will any walls or fences exceed the height required by Town Code?*

Response 48: The 12 feet tall fence around the tennis court will exceed the Town Code requirement. Table 8a has been modified to include this as an incentive.

Comment 49: *Page 41 says: "It should be noted that the layout provides over 55% greenspace, leaving lot coverage at less than 50%," Page 44, Table 8b states that proposed lot coverage maximum is 65%. What is the maximum proposed coverage for each lot?*

Response 49: The applicant intends that each lot may be covered more than 65% as requested through requested incentives. Table 8b on page 24 summarizes individual lot coverage for each neighborhood. Coverage for the project as a whole (including buildings and pavement) is closer to 30% due to the large

(70%) amount of Greenspace (70%) that remains.

Comment 50: *Does the submitted concept plan show 50% lot coverage or less? How would the project look with 65% lot coverage? Would each lot be allowed to have 65% coverage?*

Response 50: See response to number 49 above.

Comment 51: *WD District requirement for 2nd floor residences to be no more than 25% of floor area of building is not addressed in Table 8b.*

Response 51: Table 8b has been modified to address this detail. Refer to page 24. An Incentive is requested to allow residences on upper floors.

Comment 52: *Will the sidewalks and streetlights be installed along the proposed roadways?*

Response 52: Five feet wide concrete sidewalks are proposed along the east side of Bridgewater Rise from Colden Glen to Mays Point per Figure 4A. Sidewalks are also proposed along the north side of Mays Point West and Mays Point East. Eight feet wide asphalt or stone dust trails are proposed connecting the Bridgewater Rise sidewalk to the park trails, connecting Little Falls Circle to Mays Point West sidewalk, and connecting Mays Point East to the canal trail. The trail connecting the clubhouse parking lot to the canal trail will be 14 ft wide and paved, and will serve as a secondary emergency access road. An Incentive is requested to allow the secondary emergency access at the proposed width. Pedestrians within the neighborhoods will walk on the streets.

Street lighting is proposed along Bridgewater Reserve, Bridgewater Rise, Mays Point West, and Mays Point East. No street lighting is proposed in the individual neighborhoods. Each home will be equipped with a residential yard pole light and/or porch lights.

Comment 53: *What is the total cost of the amenities? The amounts are inconsistently presented in the DEIS. This must be corrected in the FEIS.*

Response 53: Table 6 on page 18 and FEIS Appendix C include the latest summary of

amenities and calculation of amenity costs.

Comment 54: *All buildings and lots will need to obtain site plan approval prior to the issuance of building permits.*

Response 54: The applicant understands that Site Plan approval per section 217-8 through 217-13 of the Town Code is required for individual residential building sites. A complete site plan is being prepared for the project addressing setbacks, drainage and grading, and lot coverage. The applicant proposes that one blanket site plan be approved for the building envelope of all lots. Single Family Plans are currently prepared for: Glennville townhouses; Brewerton and Ft. Plains single family homes; and Mays Point townhouses, lofts and clubhouse. These neighborhoods have a maximum size model home that is offered, which can be reviewed for a blanket site plan approval by the Planning Board.

The 22 homes in the Waterford neighborhood are not pre-designed. A building envelope for the home sites will be prepared for a blanket site plan approval.

A plot plan with grading, drainage, erosion control, setbacks, lot coverage will be provided with each building permit application. Individual Site Plan applications will be prepared for each of the building sites where a home is proposed that substantially changes the approved site plan and cannot be approved through the building permit process. The applicant will provide for a stake-out prior to construction, a survey to confirm foundation location prior to framing, and an instrument survey of the finished home.

An Incentive is requested to permit the blanket site plan approval. Refer to Table 5a on page 11.

Comment 55: *The proposed number of units are inconsistently presented in the letter of intent and with the DEIS. This must be corrected in the FEIS.*

Response 55: As the project develops, the unit count has changed. Changes are the result of the developer's numerous changes to the concept plan in an effort to respond to concerns and ideas raised during the Town DEIS process. The current

number of units is 327 and is summarized in the revised Table 1 on page 9.

Comment 56: *Where are the put-ins proposed to be located? The FEIS should include a map showing the proposed location.*

Response 56: DEIS Figure 2.0d on page 33 indicates that the put-ins are planned for the waterfront immediately adjacent to the South Clinton Ave. canal access parking lot.

Comment 57: *The DEIS did not adequately address the proposed improvements for emergency access. Can emergency access be provided along the Canal path from Winton Rd instead? The FEIS should clearly specify all on-site and off-site improvements. An emergency access plan should be provided showing all emergency access routes and specifications. The Public Safety Committee should review the proposed emergency access.*

Response 57: DEIS Figures 2.0d and 2.0f beginning on page 33 show the safety improvements at the canal access parking lot and along the canal trail. DEIS and FEIS Tables 7a and 7b on pages 21 and 22 address proposed maintenance jurisdiction for the trail where safety improvements are made. The closest access point to the east is at French Road. Comments from the Fire Department indicated that this is not a desirable access point to the canal by emergency equipment. The proposed access point on South Clinton Avenue is 850' feet from the first building at *The Reserve* and is the access point recommended in the Meridian Centre Boulevard extension study conducted by the Town. The emergency access plan is comprised of primary access along Bridgewater Reserve, and secondary access from South Clinton Avenue and along the improved canal trail.

DEIS Figure 2f, which showed the linear park, has been replaced with a new Figure 2f in FEIS Appendix F that shows safety improvements in greater detail. These improvements will be subject to the review of the Public Safety Committee and the approval of the Planning Board during site plan review.

Comment 58: *What are the proposed security mitigation measures for the new canal*

parking areas?

Response 58: The improved canal trail access parking lot will include lighting at its interface with the canal trail as part of the Canal Grant improvements. Otherwise, it is proposed that the parking lot will continue to be patrolled by the Brighton Police as it is now. The addition of *The Reserve* community residents and improved public access will increase the safety of the canal through the increased number of Town residents and active canal trail participants in this area. This assertion has been accepted by a number of officials in law enforcement locally and nationally that increased numbers of residents and visitors to any area decreases the opportunity for criminal activity and acts as a deterrent.

Comment 59: *Another balloon test should be conducted. Photographs of the balloon test should be included and discussed in the FEIS. The balloon test should be scheduled with rain dates. The public should be notified in advanced of the test.*

Response 59: The more extensive balloon test was conducted by the applicant. Refer to response for comment 43 above.

Comment 60: *The applicant should clearly identify all incentives requested for this project. The incentive zoning application should be modified as necessary.*

Response 60: Requested Incentives are summarized in FEIS Table 5a on page 11. The applicant intends to officially update the Incentive Zoning Application after the ten (10) day FEIS public comment period and present it to the Town Board before acceptance of the Findings and Approval of the Incentive Zoning request.

b. Planning Board: Letter from Planning Board to Town Board, 6/23/08

The Planning Board at their meeting held June 18, 2008, reviewed the DEIS for *The Reserve* and has the following comments, followed by responses:

Comment 1: *The DEIS illustrates an inadequate buffering between the development and the adjacent Town nature park. It is recommended that a conservation easement with a minimum width of 50 feet be provided along the park*

boundary. A 75' building setback from the park boundary is also recommended. The board recommends that all proposed minimum building setbacks from the park boundary and all conservation areas be subject to conservation easements and deed restrictions.

Response 1: Per Chapter 2, topic 2 on page 23, the applicant has modified the plan to address this topic. The developer modified the concept plan to include larger setbacks from the park to new structures. Setbacks are now 50 feet from the north-south boundaries of the park, and 40 feet from the west-east boundary of the park. These setbacks include a 25 feet conservation easement that is contiguous to Meridian Center Park.

These setbacks allow the applicant to align the main boulevard with the Clubhouse as shown in the DEIS, while addressing the Planning Board comment to increase setbacks to the park. Setbacks larger than proposed would substantially change the concept plan. The proposed 40 feet and 50 feet setbacks maintain the design intent, and the project sponsor believes the setbacks address the Planning Board comments.

Comment 2: *This proposal appears to fall short of the Comprehensive Plan recommendations for this area in terms of public access. The project is proposed as a gated community with no public access at the site. It is inconsistent with existing development in the Town to have a gated community, especially in an area that is supposed to provide public access to the canal per the recommendations of the Town's Comprehensive Plan. The applicant has not demonstrated in the DEIS that a gated community is needed to meet the marketing goals for the project.*

Response 2: Per Chapter 2, topic 4 on page 27, the applicant has modified the plan to address the gated community topic. Also see response to number 36 on page 60, which addresses access with respect to street dedication.

Comment 3: *The applicant has not adequately illustrated in the DEIS the visual impacts to the canal and the canal path resulting from the loft buildings. The Board requests the flexibility to alter the placement, orientation, and architectural*

feature of the buildings during the site plan review process. To assist in this review it is requested that the FEIS include photo simulations of the project during the winter months with and without any proposed mitigations. The simulations should be taken from the following locations:

- *Canal trail in front of the loft buildings at various locations*
- *Canal trail in front of the area to be cleared for the clubhouse toward the loft buildings*
- *Trail leading from the canal trail to the Town nature park toward the loft building*
- *Town park nature trail closest to the eastern lot on Jefferson Hill, eastern lot on Oneida and the eastern town homes*
- *Town park woodchip nature trail closest to the northern lot on Jefferson Hill*

The photo simulations for the single family and town homes should be set at the proposed minimum 20' rear setback and at the max. 40' height.

Response 3: See response to staff comment number 43 on page 63.

Comment 4: *The applicant has failed to evaluate the impacts and mitigations for affordable housing in the DEIS as specifically required by the DEIS scope. In accordance with the Comprehensive Plan recommendations, it is important that residential development of the remainder of developable land in Brighton encourages and promotes a balance in the type and cost of residential development, along with providing a set-aside for affordable housing units.*

Response 4: See response to staff comment number 2 on page 41.

Comment 5: *In evaluating the impacts of the project as proposed on affordable housing goals of the Comprehensive Plan, the FEIS should evaluate pertinent factors, including but not limited to: the project's consumption of a large portion (approximately 62 acres) of the relatively small amount of remaining space*

available in the Town for new residential development; the target demographic for the project is "households of 45-65 year old professional and/or empty-nesters and/or move-downs, with annual incomes of \$150,000 or more" (DEIS, at 190); households with incomes of \$150,000 or more accounted for only 5.0% of the households in the project's target market area, the Rochester Metropolitan Statistical Area (MSA), in 2006 (DEIS App. C.7 Market Study, at 21); the present and projected growth in demand for housing options in the Town of Brighton that are affordable to households with the median household income, and with 80% of the median household income, in the Rochester MSA; the price of the lowest-priced units for the project are presently projected to start at \$275,000; based on the "Table 2-Market Study Recommended Product Program Chart" which was used as the basis for the housing types and density proposed for this Action" (DEIS, at 19), the PETS should contain a chart using the same format but specifying the product type, number of units, size range and projected base price range for each type of residential unit that is actually proposed for the project; the DEIS Market Study (C.7, at 15), charts the annual number and average price of existing home sales in the Rochester MSA for the years 2003-2006 (\$139,138 for 2006); the FEIS should contain an updated chart of the number of sales and average price of sales of homes through 2007, broken down into existing homes and new home sales for each of the Town of Brighton and the Rochester MSA markets.

Response 5: See response to staff comment number 2 on page 41.

[No comment 6 in the letter]

Comment 7: In evaluating the mitigation of the project's adverse impacts on the affordable housing goals set forth in the Comprehensive Plan, the FEIS should evaluate a reasonable range of potential approaches to mitigation, including but not limited to: setting aside a portion of the project site for affordable housing; setting aside for affordable housing some portion of the proposed CityGate development that is located within the Town of Brighton;

obtaining or setting aside for affordable housing some other suitable land in the Town of Brighton; by consulting with experts on the development of affordable housing developments, such as Providence Housing, Rural Opportunities, Conifer Realty or others, describe how state, federal and charitable grants, low-interest loans and mortgages, and tax credits can be used to make it feasible to develop affordable housing within the set aside areas described above; and factor into each mitigation measure the impacts on the real property tax base for the Town, school and service districts.

Response 7: See response to staff comment number 2 on page 41.

Comment 8: *The applicant did not address the monetary value of the proposed incentives (especially the increase density) in the DEIS. These values should be presented and discussed in the FEIS.*

Response 8: The Town Code as it relates to Incentive Zoning does not provide a formula for determining the value of “Incentives”. The code implies a value for amenities and these have been provided. The current proposed development has a projected value of \$154 million without land value added. If the development was developed under RLB zoning as illustrated in the DEIS, 101 single-family homes can be constructed on the site. Based on values applied to a 1,918 square feet single family home the development would have a comparable value of approximately \$39 million. This would require maximum open space of 35 percent and the corresponding loss of tax revenue, fees and proposed amenities. This would equate to a loss to the Town and School District of approximately \$1.9 million annually, plus the actual amenities. The Fire/Ambulance assessment would be \$125,000 less annually.

Comment 9: *The applicant has not addressed the drainage impacts to the Town nature park and adjacent Meridian Centre Park in the DEIS, as specifically required in the DEIS scope. Mitigation of the impacts may result in design change, loss of density and off-site drainage improvements.*

Response 9: Refer to the response to staff comment 28 on page 56 and Chapter 2, topic 9

on page 36.

Comment 10: *The Board has concerns about the interior lot and road orientation of the project. These concerns may be able to be addressed with site plan modifications.*

Response 10: A number of changes to the site plan previously described have been made in response to these comments. Refer to the response to staff comments 42 on page 62 and comment 45 on page 64. Lot and road orientation not specifically addressed by the Brighton Town Board approval will be addressed by the Brighton Planning Board.

Comment 11: *The Board recommends that the incentive zoning and rezoning approvals, if granted, do not include any commitment regarding the site plan layout or any commitment regarding approval of the proposed overall density, except as a maximum limit.*

Response 11: The applicant will comply with the approval processes provided in the Town Code as it relates to Incentive Zoning approval and Site Plan approval. The applicant will respond to any additional direction provided by the Town.

The Planning Board requests that all of the foregoing comments be addressed in the Final Environmental Impact Statement.

c. Conservation Board: Letter from Conservation Board to Town Board, 6/20/08

Conservation Board comments on the Draft EIS for the proposed "The Reserve" housing project. The Board offers the following comments:

Comment 1: *The proposed project is too dense and does not provide adequate buffering between the development and the canal to the south and to the park on the east. Reducing the amount of housing units will allow for the project to be clustered toward the center of the parcel providing greater buffers and reduced impacts. As per Comprehensive Plan 2000 the northern portion of Area 17 (the project site) is recommended for low density residential, which is sensitive to the parkland to the east.*

Response 1: Per Chapter 2, topic 1 on page 8, the applicant has modified the plan to further address the density comment through clustering of the development into neighborhoods. The current concept plan provides 70% greenspace.

Comment 2: *The height of the loft condominium buildings should be lowered and set further back to lessen the visual impact of these building from the canal and canal path. While they may be screened during the growing months, they will be quite visible for 6 months out of the year.*

Response 2: See Chapter 2, topic 12 on page 38. The applicant has modified the plan to further address this comment by removing one story from each loft.

Comment 3: *The wildlife corridors as proposed are not adequate and will not produce the desired effect. The corridors are too narrow and are directed through housing lots and across roadways. A less dense project may be better suited to provide a better designed wildlife corridor concentrated along the northern and southern portions of the project. The applicant should consult "Principles of Wildlife Corridor Design" by Monica Bond, Center for Biological Diversity, October 2003.*

Response 3: Comment acknowledged. Per the text referenced in the comment, the three areas labeled as "wildlife corridors" on Figure 4B of the DEIS are not a minimum of 1000 ft. wide. It would not be physically possible to provide wildlife corridors as described in the text, nor would wildlife corridors be appropriate for the wildlife present at the site. Therefore, they will no longer be referred to as Wildlife Corridors.

Comment 4: *Plantings done in the "more rustic and natural" style (see. letter from Kip Finley to Marie Sarchiapone, Aug, 23, 2007), along the perimeter of the site, including the canal embankment, should be limited to plants that have the highest wildlife value grasses, shrubs, trees, vines, etc. that demonstrably provide food or specific habitat needs for wildlife. Wildlife considerations should include insects, such as butterflies, moths, and dragonflies as well as birds and mammals.*

Response 4: Per Chapter 2, topic 3 on page 27, the applicant has modified the plan to further address this comment by moving the clubhouse away from the canal. Also see response to staff comment 25 on page 55 and staff comment 27 on page 56.

Comment 5: *Every effort should be made to preserving wetland A. Greater setback of the loft condominiums and clubhouse will allow for the preservation of wetland A and maintain a greater amount & natural habitat.*

Response 5: See response to comment 4 above.

Comment 6: *As per the letter to Kip Finley from Gene Pellett, Wetlands Ecologist and John Tauber Wildlife Biologist (Environmental Resources, LLC), dated December 28, 2007, the applicant shall incorporate management practices, project modifications and cooperation with adjacent properties to maintain and or enhance the wildlife habitat values of the project area. A blending of these qualities across property lines will create larger habitat communities and will greatly benefit wildlife species as well as area aesthetics.*

Response 6: Comment acknowledged. The project was designed to make use of adjoining habitat to create large habitat areas. For example, all four stormwater facilities, which include grasslands and plantings, are located in areas adjacent to other natural features. As described in previous areas of this section of the FEIS, conservation areas have been provided adjacent to the Meridian Centre Park.

Comment 7: *Canal improvements enhance not only the community but also the value of the proposed development. Therefore, the value of this amenity is less than as stated.*

Response 7: Comment acknowledged. The Town Code does not provide a formula for assessing the monetary value of amenities for residents of a development versus the general public. The applicant has provided a value based on the only standard identifiable – the value to implement the amenity. The Town

Board will ultimately have to assess the fairness of granting the Incentive Zoning based on the proposed amenities. The Town Code does provide for cash payments to the Town in lieu of amenity improvements. Refer to response to staff comment number 8 on page 49, which explains the Town Canalway Trail Grant and indicates the current number of canal trail users that will benefit.

Comment 8: *Although there are no natural steep slopes on the project site, the banking by the canal meets the criteria of a steep slope and needs to be addressed in accordance with the Town's steep slope regulations.*

Response 8: Comment acknowledged. The site plan application will include EPOD review as the curtain drain and a minor amount of filling up to the canal slope is proposed within 50' of the slope.

Comment 9: *The tree inventory shall include all trees 5" in diameter as per Code requirements.*

Response 9: A tree inventory was conducted in accordance with the Town Code in areas with potential for tree removals. Trees were not inventoried in the hedgerows surrounding the site as they will not be impacted. Refer to DEIS Figure 11a on page 93 for the trees inventoried. Proposed tree removals are shown on Figure 11b on DEIS page 97.

Comment 10: *The wetland areas should be labeled (A,B,C & D) on maps for easy reference.*

Response 10: Figure 10B has been amended for the FEIS with labels to match the figure in Appendix C.3, Wetlands. Refer to Appendix F.

d. Parks and Recreation Committee: Letter from Committee to Town Board, 6/23/08

The Parks and Recreation staff and committee reviewed the DEIS and have two areas of concern with the current proposal regarding Meridian Center Park:

Comment 1: *One concern is the impact it would have on the character of a portion of Meridian Centre Park. Our concern with the character of Meridian Centre Park deals with the close proximity of buildings along our walking trail system. There would be no year round visual barriers separating the two. The trails are used extensively by our community and one of the prime reasons is the natural habitat surrounding the trails: We ask that Anthony J. Costello and Son Development present alternatives that expand the current screening proposal, including the full perimeter of the Park area that abuts The Reserve development, and that incorporates a substantial amount of evergreen trees to provide year-round screening,*

Response 1: The applicant has modified the plan to further address this comment by adding buffer plantings to the project, both on the site and in the park. See the response to comment 18 on page 53, and pages 23 through 27 in Chapter 2 regarding setbacks, visual buffers, and easements.

Comment 2: *The retention pond in that area is also a concern. A portion of the trail nearest the canal is naturally wet during spring or after hard rains. The proposed retention pond could impact the Park site with its natural discharge. We need to have Anthony J. Costello and Son Development provide more detailed information about the capacity of the proposed drainage system not only for average conditions but also for extreme conditions, as well as mitigation measures to address impacts on the park.*

Response 2: In addition to stormwater mitigation addressed in detail in DEIS Appendix C and FEIS Appendix D, the applicant has acknowledged in the Supplemental Drainage Summary that trail improvements can be made to address staff comment 28 on page 56. Chapter 2, topic 9 on page 28 also discusses drainage.

Comment 3: *The impact of new amenities- Maintenance by our Park staff and the cost associated with the work and materials involved. Our maintenance staff is stretched to its limit now. It would demand an increase in staff. We also need to keep in mind the impact of the future development of Buckland Park, which*

will impact our staff. We feel the burden on the Town would be much too high for the benefits we would receive from the amenities. We ask Anthony J. Costello and Son Development to present alternatives to address maintenance of the amenities.

Response 3: Refer to Section 4.D.9 on page 165 of the DEIS, which summaries the positive impact on Town revenues and one time Park fees to the Town generated through the new development.

Comment 4: *Amenity Consideration- It is extremely difficult to maintain our rectangular fields due to the demand for use and lack of irrigation. An irrigation system for the Meridian Centre Park and Buckland Park rectangular fields would greatly benefit the quality of these. Looking at the long range need for an indoor recreation facility, a contribution toward this endeavor would also be of great benefit to our community.*

Response 4: Comment acknowledged. To date the applicant has not been asked to amend the type of amenities offered to the Town, other than to provide a Park Pavilion in Meridian Centre Park. The applicant will comply with the requirement to pay park fees in excess of \$150,000 and the development will generate new tax revenue for the Town General Fund which supports the Parks and Recreation Department's annual operating cost and capital cost.

2. Monroe County Comments

a. DOT: Letter from Brent Penwarden to Ramsey Bohner, 6/23/08

We have completed our review of the DEIS for the above referenced project, and offer the following comments and recommendations:

Comment 1: *The analyses that were performed of the Intersection of S. Clinton Ave. and Brighton Henrietta Town Line Rd. used incorrect timings which violate the minimum pedestrian walk times (30 seconds). Even though there are no pedestrian indications in the field these minimum walk times must be maintained. The intersection should be analyzed with dual southbound left turn lanes as shown in the sketches.*

Response 1: The traffic analysis has been updated to address the comment. See Chapter 2, topic 8 on page 28 and Supplemental traffic data in FEIS Appendix G.

Comment 2: *The DEIS should provide actual field measured sight distances for both the right out and the entrance/left out accesses along with the required sight distances for both.*

Response 2: Field data has been obtained that confirms adequate sight distance. See Chapter 2, topic 8 on page 28.

Comment 3: *There seems to be many different versions of the number of proposed units in different sections of the DEIS. Although it should not make a significant difference in the overall traffic analysis, the document should be consistent.*

Response 3: Comment acknowledged.

Comment 4: *It should be noted that as a part of this project, a surface treatment will be performed on South Clinton Ave, generally between Brighton-Henrietta Town Line Rd. and Senator Keating Blvd. in order to accomplish the required restriping, The specific details of the resurfacing, striping and signing will be addressed during the final design and permitting stage of the project.*

Response 4: Comment acknowledged. This is the applicant's understanding.

3. New York State Comments

a. NYS OPRHP: Letter from Marie Sarchiapone to Ramsey Boehner, 6/10/08

Comment 1: *According to the landscape plan in the Draft Environmental Impact Statement, no plantings have been planned between the clubhouse façade and the canal. Brush currently in this area is slated for removal. Since this area is a wetlands weeping willow trees which will be planted elsewhere in the project area would thrive here. Willows could screen the clubhouse from the canal in conformance with my condition on the No Adverse Effect finding.*

Response 1: See Chapter 2, topic 3 on page 27. The applicant has modified the plan to further address this comment by moving the clubhouse away from the trail

and clearing less vegetation. See staff comment number 27 on page 56. The project was modified from its original plan, which cleared the entire embankment, in response to the letter of No Adverse Effect finding.

It should also be noted that in meetings with the New York State Canal Corporation, staff indicated that Canal Corporation preference supports clearing the embankment of invasive species and replanting it with maintainable vegetation such as grass and shrubs. Recommendations of the State Preservation Officer (SHPO) have been incorporated into the design. The applicant is receptive to replacement plantings on the embankment if required by the Canal Corporation.

4. Written General Public Comments and Responses

Names of persons who submitted comments, plus dates of correspondence from the general public are summarized in correspondence from Ramsey Boehner to Terry Slaybaugh included in FEIS Appendix B, and are listed below. Copies of their correspondence are also included in FEIS Appendix B.

Similar comments were received from several individuals. For brevity, the general comment(s) from each person(s) authoring the letter is noted next to the author(s) name. Brief responses follow the list of names, including cross references to more detailed information located elsewhere in the FEIS document. The responses are listed alphabetically and are referenced as such next to each comment. An interpretation of each comment with respect to position on the project: [support], [concern], or [undetermined] is noted next to each name.

Written General Public Comments:

L. Novros (Seminole) 6/20/08 [concern] (Town Board Member referring comments from four neighbors who did not want to write letters); Comment (w/response reference below): gated community (a); access (b); need for development (c); height of lofts (d); and density (e);

M. Yurcheshen; 6/20/08 [concern] (Works in Brighton); Comment (w/response reference below): loss of habitat (f); potential long term negative economic impacts (g); loss of greenspace (h).

M. Sciremammano; 6/19/08 [concern] (Citizen); Comment (w/response reference below): gated community (a).

J. Keevert; 6/19/08 [concern] (Citizen); supports project. Comment (w/response reference below): gated community (a); access to canal (b).

J. Schwartz; 6/17/08 [concern] (Citizen); Comment (w/response reference below): affordable housing (cc); gated community (a).

J. Dolan; 6/22/08 [concern] (Citizen); opposes rezoning, existing problems at Woodsmeadow neighborhood (high ground water and drainage along canal, proximity to MCC drainage and trash from area highways); Comment (w/response reference below): traffic (i); area density (e);

J. & R. Frances; 6/21/08 [concern] (Citizen); Comment (w/response reference below): traffic (i); gated community (a).

T. & L. Schaefer; 6/22/08 [concern] (Citizen); oppose the project and lofts; Comment (w/response reference below): gated community (a); loss of habitat (f).

D. Tinkelman; 6/19/08 [concern] (Citizen); Comment (w/response reference below): gated community (a).

T. Duong; 6/23/08 [concern] (Citizen); opposes rezoning; Comment (w/response reference below): noise (j); traffic (i); gated community (a); loss of greenspace (h).

M. Bayer; [support](Design Professional); supports project and mitigation measures.

P. L. An; 6/23/08 [concern] (Citizen); opposes rezoning; Comment (w/response reference below): rezoning (l).

D. & A DuBois; 6/23/08 [concern] (Citizen); copied text from neighborhood handout; opposes rezoning and reiterates existing problems at Woodsmeadow neighborhood (drainage); Comment (w/response reference below): drainage (m).

L. Baldouf; 6/22/08 [concern] (Citizen); Comment (w/response reference below): traffic (i).

16 Woodsmeadow Ln. Resident 6/22/08 [concern] (Citizen); opposes rezoning, copied text

from neighborhood handout; Comment (w/response reference below): gated community (a); loss of greenspace (h).

R. Rupprecht; 6/23/08 [concern] (Citizen); reiterates existing problems at Woodsmeadow neighborhood (drainage). Comment (w/response reference below): loss of greenspace (h); building height (d); wetlands (q);

J. & S. Glanville; 6/23/08 [concern] (Citizen); copied text from neighborhood handout; opposes rezoning and reiterates existing problems at Woodsmeadow neighborhood (drainage); Comment (w/response reference below): potential for decrease in property values (j); and school impacts (k).

M. Schliber; 6/20/08 [concern] (Citizen); copied full text of neighborhood handout; opposes rezoning as it may set precedent for Buckingham property behind Brightwoods; reiterates existing problems at Woodsmeadow neighborhood (drainage Comment (w/response reference below): school impacts (k); greenspace (h); traffic (i); building height (d); and gated community (a).

J. & J. Gutman; 6/22/08 [undetermined] (Citizen); support new housing near canal; opposes gated community and rezoning; building heights. Comment (w/response reference below): gated community (a).

N. & N. Nemirovsky; 6/23/08 [concern] (Citizen); paraphrased text from neighborhood handout; reiterating existing problems at Woodsmeadow neighborhood (drainage); Comment (w/response reference below): gated community (a); environmental impacts of runoff/fertilizers (m); and school impacts (k).

K. Nomeika; 6/23/08 [concern] (Citizen); Comment (w/response reference below): gated community (a); affordable housing (cc); loss of greenspace (h).

M. Zachariah; 6/20/08 [support] (Works in Brighton); supports the project; unable to find new housing in Brighton to be able to move into same community where he works; indifferent on gated community.

S. Aser; 6/09/08 [support] (Citizen and Works in Brighton- realtor); supports the project; has first hand experience that new homes are much needed in Brighton.

J. King; 6/19/08 [concern] (Citizen); opposes the project; opposes rezoning as it may encourage other development; traffic (dual lefts at BHTL Rd.); paraphrased text from Woodsmeadow neighborhood handout; reiterating existing problems at Woodsmeadow neighborhood (drainage); Comment (w/response reference below): gated community (a); school impacts (k); and loss of habitat (f).

M. Cohen; 6/20/08 [concern] (Citizen); Questions process of developer preparing the DEIS for the Town; Town Website difficulties; Comment (w/response reference below): loss of habitat and wildlife impacts (f); noise (j); stormwater runoff impacting wetlands (q); flood hazard along canal (r).

K. Smith-Hetterich; 6/22/08 [concern] (Citizen); opposes project; Comment (w/response reference below): gated community (a); loss of greenspace (h).

T. Pawlik; 6/23/08 [concern] (Citizen); Comment (w/response reference below): traffic (i); access from South Clinton and from South Winton alternative (s).

S. Parker; 6/20/08 [concern] (Citizen); Comment (w/response reference below): school impacts (k); maintenance of private streets (t); traffic (i); fiscal benefits (u).

M. Kokanovich; 6/20/08 [undetermined] (Citizen); project can be a positive for town; Comment (w/response reference below): gated community (a); school impacts (i); density (e); building height (d); drainage (m); incentives far outweigh value of amenities and long term maintenance costs (v);

M. Daley; 6/23/08 [concern] (Citizen); opposes development in Brighton; Comment (w/response reference below): gated community (a); loss of habitat (p); traffic (i).

J&R Stein; 6/23/08 [concern] (Citizen); Comment (w/response reference below): gated community (a);

S. Christensen; 6/20/08 [concern] (Citizen); Comment (w/response reference below): gated community (a); access to the canal (b);

P.& A. Holahan; 6/23/08 [concern] (Citizen); Comment (w/response reference below): gated community (a); affordable housing (cc); HOA in control of open space (w); density (e);

D.&K. Marvin; 6/23/08 [concern] (Citizen); paraphrased text from neighborhood handout; reiterating existing problems at Woodsmeadow neighborhood (drainage); Comment (w/response reference below): gated community (a); loss of habitat (f).

D. Tarduno; 6/19/08 [concern] (Citizen); Comment (w/response reference below): traffic (i); height of building (d); rezoning (l); improving canal access with boat ramps, lighting, and parking is not good for preserving open space (x).

J.& J. Escurdero; 6/22/08 [concern] (Citizen); Comment (w/response reference below): Building height (d); access to canal (b).

C.& S. King; 6/23/08 [concern] (Citizen); Comment (w/response reference below): emergency access along canal (y); traffic (i); canal trail lighting (z); gated community (a);

S. Kittelberger; 6/19/08 [concern] (Citizen); opposed to Keating extension; opposes rezoning. Comment (w/response reference below): gated community (a); building height (d); private boat launch (bb).

Responses to Written General Public Comments:

The following responses provide brief answers to the comment plus cross references to more detailed information in the FEIS pertaining to specific comment:

- (a) **Gated Community-** Per Chapter 2, topic 4 on page 27, the applicant has modified the project to address the comment. There is no longer a vehicle gate.
- (b) **Access to Canal-** Per Chapter 2, topic 6 on page 28, the applicant has modified the project to address the topic. Public access to the canal is now through *The Reserve*, on public streets. Access to the canal is now provided through the project in addition to the other locations on the west end and on the east end of the project as noted in the DEIS.
- (c) **Need for Development-** Market Need is addressed beginning on page 17 of the DEIS. A market study is included in DEIS Appendix C.7 that supports development of the project.
- (d) **Height of Lofts-** Per Chapter 2, topic 1 on page 8 and topic 2 on page 23, the applicant modified the project to address the topic. A floor has been removed from all loft buildings, resulting in reduced height and loss of dwelling units. Simulated views,

including views of the lofts, are in Figures 22a-22i in Appendix F.

- (e) **Density-** See response to staff comment number 4 on page 47, Chapter 2 topic 1 on page 8, and Chapter 2 topic 2 on page 23. The applicant is using a “vertical” design to attain density that supports the investment while maximizing Greenspace and minimizing environmental impacts.
- (f) **Loss of Habitat-** Terrestrial and Aquatic Ecology is addressed beginning on page 138 of the DEIS. Habitat is lost with any development. The applicant has refined the project design to provide 70% Greenspace, now also including conservation easements, and “natural” settings surrounding the four stormwater facilities as a means to preserve habitat. Conservation easements are discussed in Chapter 2, topic 3 on page 27.
- (g) **Potential Long Term Negative Economic Impacts-** Negative long term economic impacts have not been identified. The economic effect of the project is addressed beginning on page 165 of the DEIS. Additional information regarding the added revenue through assessment of property taxes is included at the end of FEIS Appendix I.
- (h) **Loss of Greenspace-** See response to “loss of habitat” above.
- (i) **Traffic-** Traffic is addressed beginning on page 143 of the DEIS and in DEIS Appendix C.1. Additional information is included in FEIS Appendix G and in Chapter 2, topic 8 on page 28.
- (j) **Noise-** A residential project general does not pose noise impacts. A noise study was not performed.
- (j) **Potential for Decreased Property Values-** comment acknowledged. Introduction of over 300 homes priced in excess of \$250,000 is not likely to reduce property values of neighboring residences.
- (k) **School Impacts-** School impacts are addressed beginning on page 163 and on page 165 of the DEIS. The notable infusion of finances to the School District through taxation of assessed real estate more than compensates for the relatively low influx of students from new families buying into *The Reserve*. Additional information regarding the added revenue through assessment of property taxes is included at the end of FEIS Appendix I.

- (l) **Opposition to Rezoning, Precedent for Other Projects-** comment acknowledged. The Town must evaluate all applications for rezoning and make determinations based on the merit and impacts of each application.
- (m) **Environmental Impacts of Runoff/Fertilizers-** Drainage is addressed beginning on page 135 of the DEIS, in DEIS Appendix C.2, and further addressed in Chapter 2, topic 9 on page 28, and in FEIS Appendix D. The project design mitigates stormwater runoff more than required by applicable regulations.
- (n) **Questions Process of Developer Preparing DEIS-** Comment acknowledged. The process used for all development in the Town is the same process being used for this project. Town Officials do not accept the document until it has been reviewed by staff and by an independent consultant hired by the Town.
- (o) **Town Website Difficulties-** Comment acknowledged.
- (p) **Loss of Habitat and Wildlife Impacts-** See response to “loss of habitat” above.
- (q) **Stormwater Runoff Impacting Wetlands-** See response to environmental impacts of runoff/fertilizers above.
- (r) **Flood Hazard Along Canal-** Flood zones identified by the Federal Emergency Management Agency (FEMA) are addressed on page 89 of the DEIS. The canal is not identified as a potential flooding hazard. The canal is contained within an earthen embankment for much of its reach within the Town of Brighton.
- (s) **Access From South Clinton and From South Winton Alternative-** Access alternatives are addressed beginning on page 100 of the DEIS, which references the Meridian Boulevard Extension Study prepared by a consultant for the Town. That study identifies that access to South Winton Road is not necessary for development of the lands proposed for *The Reserve*.
- (t) **Maintenance of Private Streets-** Per Chapter 2, topic 1 on page 8 and topic 6 on page 28, the applicant has modified the project to include primarily dedicated streets that will be maintained by the Town, which will be responsible for providing adequate maintenance. Also see table 5a on page 11. The HOA will maintain the private streets.

- (u) **Fiscal Benefits (Timing of Tax Income for Town)-** Tax benefits are addressed beginning on page 165 of the DEIS and are further summarized in FEIS Appendix I. These benefits will be recognized as the project is developed, which should take approximately five years.
- (v) **Incentives Far Outweigh Value of Amenities and Long Term Maintenance Costs-** The Town Board is responsible for evaluating this balance. See the response to Planning Board comment number 8 on page 73.
- (w) **HOA in Charge of Open Space (Easements are Better)-** Per Chapter 2, topic 3 on page 27, the applicant has modified the project to include conservation easements to the Town of Brighton for protection of the most sensitive areas.
- (x) **Improving Canal Access with Boat Ramps and Parking is Not Good For Preserving Open Space-** Comment acknowledged. It is the intent and mission of the Canal Corporation to increase the use of this nationally recognized recreational resource. The Canal Master Plan does not include any data correlating the use of the canal to preservation of open space.
- (y) **Emergency Access Along Canal (Plowing?)-** Table 7a on page 36 of the DEIS indicates that the applicant intends plowing of the emergency access along the canal to be performed by the HOA. The HOA will be required to maintain access (plowing) at all times.
- (z) **Canal Trail Lighting (trail closes at dusk?)-** Comment acknowledged. There are no time limitation on use of the canal trail.
- (aa) **Opposes Keating Extension-** Comment acknowledged although it applies to a different project.
- (bb) **Opposes Private Boat Launch-** Figure 2.0a on page 30 of the DEIS indicates a public boat launch. No private boat launch is proposed.
- (cc) **Affordable Housing-** Affordable housing is not being offered by the project sponsor within *The Reserve*. The project sponsor is proposing to facilitate a plan, in conjunction with the Town of Brighton, which makes use of existing programs to better connect buyers with the affordable housing that already exists within the Town. Refer to the response to Staff comment 2 on page 41.

B. Responses to Oral Comments from Public Hearing of June 11, 2008

Pages 53 through 76 of the public hearing transcripts in Appendix A include oral comments made by citizens who spoke at the public hearing. Their comments are briefly paraphrased below and then followed by a response. Please refer to the transcripts for a full translation of their comments.

**Larry Kessler, 1034 Lake Road, Webster, New York;
and an office at 410 White Spruce Boulevard.**

Comment: *I am bowled over by this project, where visionary comes to mind when I see this. I have lived in Rochester for 33 years and I have never seen a development that is more timely and has the best a great prestige in the Town of Brighton, and I think this will -- the economic impact of this project to local businesses that I think is cannot be predicted, but I can tell you from being the beneficiary of other communities where the development of a much smaller scope has taken place has been tremendous. So I look at the Board and I say to you, I urge you to be a part of this great project that will show tremendous prestige to the Town. Thank you, Anthony, and your staff. This is unbelievable. Thank you.*

Response: Comment acknowledged. Refer to section 7.B of the DEIS beginning on page 190 for information regarding Stimulus to Area Businesses.

Jay Greenberg, 15 Neville Lane

Comment: *Good evening. My name is Jay Greenberg and I live at 15 Neville Lane, and I sense that there is an overwhelming kind of support for this project, but I happen to be one of those people who would like to preserve the natural habitat which is presently at the site, and I would like to comment on the DEIS. Earlier this morning I took a walk through the nature center that is adjacent to Meridian Center Park. In addition to the blue birds and numerous other species, perhaps best of all, there were several in the instrumental arc, both the grassland issues that are in severe decline. This is truly a wonderful place for bird-watching and from a conservation point of view, force is made on the side of the future reserve at Brighton, and their habitat will be obliterated if the development will go forward*

as planned. I would like to vote in the DEIS that states on page 142 on the online version, as litigation for the immediate loss of grassland project designed proposed to maintain the open spaces around the perimeter of the site adjacent to remaining grasslands of the radio tower site. Also, the storm water at large portions designed is maintainable meadow and are located at the perimeter of the project where they will connect to the remaining grasslands and the functions and extensions where there's grass in the habitat. These areas are referred to in the plans as conservation areas which preserves through special maintenance rules developed under the HOA. These special rules will include designations, specific dates, and maintenance will not be permitted and it would disturb certain natural activities. However, it is not the grassland at the site that will actually be preserved. When I looked at the append CIS at Town Hall, and they don't seem to be available online, I discovered that of the 61.4 acres of rush land currently on the site, only 1.0 will remain after development. That's a 98 percent loss of habitat. Furthermore, the document does not specify of this matter. It seems to me, in spite of the fact that we talked, there's no significant mitigation of the loss of grass and habitat. And on page three of the secret analysis and documentation, it was stated that there are no scenic views. I think this is completely untrue and a very self-serving statement. I would like to remind you that I have created a website with photos with some of the standard plants and animals in this area.. I have cards with the address of the website, if anyone is interested. Finally, I would like to say that if all the proposed development of the former pastures goes forward, let's spend. it on the grass and the birds in Brighton. That's all.

Response: Comment acknowledged. Although much of the site is disturbed during construction, the landscape plan indicates that stormwater facilities and a large portion of the site will be replanted to create the conservation areas for the future. With respect to scenic views, the project area is not formally designated in the Comprehensive Plan or by Code as having scenic views as is common in other Towns.

Bill Pum, 323 Willowcrest Drive

Comment: *I am a doctor, last name is Pum P-u-m. My wife and I have been residents of Brighton for the last four years,(Stenographic Correction: The Pums have lived in Brighton for 40 years) we love the town. We have raised three kids here. But I guess we fall into that aging group that will be empty-nested in the very near future. And when we heard about this development, we were very happy and pleased to think about this coming to our town. We currently utilize the canal a lot for biking and jogging, and do try to get out there occasionally. I see this as really a wonderful opportunity to really take advantage of what the canal brings to Brighton. Our current home is a two-story colonial. We were really looking and hoping that we will be changing our residence at some point in the near future, and I think the type of housing options that the Reserve would potentially offer our town and ourselves would be, you know, a real asset and something I think my wife and I are seriously looking at for our own future. So, I would ask the clerk to look at this carefully and take in the many respects that need to be visited. Thank you.*

Response: Comment acknowledged.

Dan Posalakwa, 44 Town Motor Trail, Brockport, New York

Comment: *Good evening. I have two kids, a wife, we have been wanting to live here in Brighton but -- there are no sites, no sites for a new home. We heard about this project -- very excited. There's no place here in Brighton that we can build a new home. My wife lived here in Brighton for a while. We would consider this project a place for us to live. We care about the safety of our children and we feel that this is the place to be. So please consider it as an option, and I think Brighton really needs it. Thank you.*

Response: Comment acknowledged.

Andrea Dileberto, 15 Brantley Way, Penfield, New York

Comment: *Good evening. My name is Andrea Dileberto, and I reside at 15 Brantley Way in Penfield, and I am actually a former teacher in Brighton central school District.*



And I actually have a child that is why I no longer am in Brighton central school district. Hopefully I will be back soon, but the reason why I am here tonight is my husband and I would like to reside in Brighton, and we are hoping to build a home in Brighton, but as Dan previously stated, it's difficult because when you have a growing family and you would like to be in a home that's green and is newer but you want your children in Brighton schools and my son and I, we walk on the canal every day and I have to drive 15 minutes every day to the canal. And this would be just perfect for us. So I feel like this is a privilege to live in this city and also have an opportunity like this. Hopefully, in front of us there will be some day that we can actually be in walking distance to the canal path and live in a safe environment and also live in Brighton. We hopefully will be in Brighton very soon. So thank you very much for giving me the opportunity to speak.

Response: Comment acknowledged.

Susan Gardner, 7 Grimsby Gate, Fairport, New York

Comment: *My name is Susan Gardener. I currently reside at 7 Grimsby Gate in Fairport, New York. I currently am a stay-at-home--mom. My husband works here in Brighton and we are unbelievably excited about the Reserve. We would like to move to a new house but it's difficult to find, to be able to build a house that comes with being green. Living in Brighton would cut down our commute. His commute is at least 10 or 15 minutes. He works at the VA, so we would be very close. So we are looking to go green and be closer to his employment and have just a great place to live, and I think this is just such a great idea and I would like the Board to really consider it.*

Response: Comment acknowledged.

David Dileberto, 15 Brantley Way, Penfield, New York

Comment: *Good evening, everyone. My name is David Dileberto. I live at 15 Brantley Way in Penfield. We have heard about this project. My wife and I have a young growing family. And we know about the Brighton schools, because my wife has indicated she's been a teacher in Brighton for many years and we know the great district that*

we have in Brighton. So we have been looking to build a home in Brighton, but there's no opportunity to build anything new -- if this project allows for new development along the canal with great security that we can provide for our child like I said, have growing family. Great park system that belongs next to the reserve, a secure environment along the canal which would be something that we have desired for many years, and this is the only opportunity that we see that we know of along in Brighton that has such great access to the things that we do everyday. That's the only opportunity that we know of that can fulfill the needs that we would like. So this is a great opportunity for us in the past, and we can live in the Brighton community and I hope that you would take this all into consideration and approve of this community.

Response: Comment acknowledged.

Paul Bush, 11 Donnegal Ridge Penfield, New York

Comment: *Hello. My name is Paul Bush. I live at 11 Donnegal Ridge in Penfield, New York. I am here probably for two reasons; one, being a past educator in Brighton Central School District for 43 years, and am going to be a senior at the senior referring to I have, on more than one occasion, had the opportunity in the last six years of being a teacher. There came parents who are moving in from the outside of the Rochester community to look at the Brighton Central School District. They were definitely interested in the educational programs, but once again, would not find an appropriate location in which to build so then moved onto Pittsford or Mendon. Second fold is that I am here and that I am addressing the Reserve and I'm interested in downsizing. I do use the canal on a regular basis for activities, and I also am interested in the type of housing that's provided for here, and the idea of being able to walk to restaurants, and being able to also go to all of the medical centers, all the doctors that I have and my mother have, actually are there at the crosses. So for me it's just this whole concept of being able to walk or, drive a very short distance to all the locations, so I really hope you consider it in this community. Thank you.*

Response: Comment acknowledged. DEIS Section 2.A.3 on page 17 addressed market demand and DEIS section 4.D.7 on page 164 addresses proximity to medical care.

Mark Goldgeir

Comment: *Good evening. I have been a Brighton resident along with my family since 1981. I have never been to a Town Board meeting, so it's sort of exciting. I wish I had a PowerPoint presentation, but I don't. We raised two kids here and we talk like some of the people who spoke here at the Brighton schools. I have a practice here. I have taken care of several people in this room. Both my children moved out of Brighton, both moved out of New York State. Why did they move? Jobs, housing, recreation, excitement. This provides some of that here in Rochester. First thing by practice is conflict.*

No, Mr. Costello doesn't pay me any money. I am not on the payroll, I am open to it. I actually pay him money because about a year ago I thought about moving my practice and my house and my family out of New York State to greener pastures, but we decided to stay here because of the medical conflicts in the center, so I am actually attentive to Clinton Crossing Medical Center and we love it. It's there, it's fantastic. The quality is great, the people who designed it and built it and run it are honorable people who keep their world and deliberate super quality product. So why did the kids move? Housing. There's no housing in Brighton for people who want to move into an extraordinary, exciting place which to live. It's a housing project. I would not want to live in a cookie-cutter place. I would not want to live with 16 dermatologists or 18 teachers or 15 accountants, I would like to live someplace where there's a good mix of people, and this promises it. I have 100,000 miles commuting on my bicycle to work since 1979. Most of it, on the canal. I have been run over, I have been chased off by kids with training wheels, I have been hit by deer, I have been, you know, I have seen all kinds of things there. One thing about the canal is it is really not accessible from roads. It's really not well-lit, sometimes it's not safe, and there's really nothing along it to stop that and look at it. Now, I know it's a spectacular place and I have seen the wild turkeys, I watch the deer, I look at the birds, I see the wildlife, I have seen snapping turtles,

etcetera, but this would be a project that could restore such light to this canal and when we look at other projects around the area like Fairport, Pittsford, and you look around the country at the river walk in San Antonio or cross street in Colorado, and you say, this unbelievable resource in Brighton, and I biked through Brighton's section of the canal for 27 years and until we put the blue signs up, I had no idea it was Brighton. And there's no way to know that this is actually Brighton. Excitement, housing, jobs, my office is at Clinton Crossings Medical center. I could walk to work easily. I would have to give up the bicycle. So, I think this is something that has tremendous potential and excitement. It is the most revolutionary housing and visionary housing that the Rochester market I think has ever seen. And to have in the Town of Brighton would fit in so many ways. Finally, Meridian Park is fabulous. The other two parks are fabulous. Access is sometimes a problem, and sort of a reason to be there sometimes is a problem, other than to swing or see your kids at soccer practice. I think this, together with perhaps a grander scheme of connecting with town parks, somehow, would be just a magnificent plus to thee people of Brighton and the people who visit Brighton. So with that, I would ask you to consider this as an option. Thank you.

Response: Comment acknowledged.

Mary Anne Schlitzer

Comment: *Hi. I am Mary Ann Schlitzer. I have lived in the Town of Brighton for 35 years, 25 of it with my husband, over in woods meadow Brighton Woods Meadow which is directly across the canal from where they would like to put the Reserve. I don't have that many concerns about buying the reserve because I know I will die on Bright woods Lane because I have a moderate priced house, and I see that this is a very, very expensive area to live in. Anthony always has very nice places to live in and buildings, offices, and such. However, I have some concerns. I see the height of the buildings of the loft exceeding the housing that's currently available in Brighton. Yes, it does not exceed Meridian Center, it doesn't exceed the Jewish Home, but for the average homeowner, the average apartment building in Brighton, they have always been limited to two or three stories. He has six stories, I*

think that it exceeds what is required for this residential development. I also see over 400 apartments, lofts, and homes being put on property on a single entrance. So, how many people do you have going in and out of there everyday? I calculate that 400 houses with two cars each is about 1,000 people more on our street. I don't know about you, but I think all the residents on our street can tell you, we back up all the way to Westfall Road in the morning, and we cannot get of the Woods Meadow Brighton neighborhood. We cannot turn left, we cannot turn right; we sit there for 20 minutes trying to turn out of that lane, and by putting another 1,000 people another 1,000 cars into that single place, and they get a light and we don't, they can get out onto South Clinton, but we can't. Have they considered our neighborhood which is just: down the road, over the hill from them? So how many are you putting on the road? I don't see the traffic study. I looked on the website for it. I didn't really find it. It was a little hard to navigate on. You point out that you're going to put a light probably at your entrance. Again, that controls your entrance, but it controls the traffic on South Clinton, backs it up to Westfall Road, backs it up to Woods Meadow, backs it up at Brighton/Henrietta Townline Road. It is a gridlock now. I don't see it getting any better. I agree with the gentleman that we are not preserving enough green space. Yes, you are trying to preserve the brushland, stuff like that. You need to do more on that. You have a number of storm retention ponds, which is not unusual in that area. We know from our neighborhood that water is the worst thing that we have in our neighborhood, and we don't see that your plan has addressed it a lot. Storage pretension usually indicates you have a water problem. And, luckily, you are on the other side of the canal from me so it doesn't affect me like the one in Buckingham does. Schooling: 300, 400 additional housing units is going to put how many more kids in our school system? Our school system is already over loaded. I have a daughter who is in Geneseo now and is now a town employee working at the 12 corners, excuse me, the French Road school system for the rest of the year as a substitute teacher. We can't get enough people in our school systems now to teach the kids that we already have there. We don't have enough space to add onto French Road middle school and the council rock School, and especially the high school again. How any kids

are we going to potentially put into those school districts? We are having these 300, 400 houses. They are going to be high-priced units, they are going to have good demands on your school system, and I don't see it addressed anywhere in the proposal. That's all I have to say. Thank you, very much.

Response: Comment acknowledged. Table 1 on page 13 of the DEIS indicates the dwelling unit count as 350. Per Chapter 2, topic 1 on page 8 the applicant has modified the project to include 327 units. DEIS Table 15b on page 147 summarizes trip generation for the project based on the DEIS unit count; maximum peak hour exiting *The Reserve* is 139 vehicles. The traffic study is in DEIS Appendix C.1, and updated information is in FEIS Appendix G. Section 4.D.6 on page 163 of the DEIS indicates a projection of 119 new students matriculating into Brighton schools over a three to four year period.

Marguerite Holderly, 31 Brightwoods Lane

Comment: *Good evening. My name is Marguerite Holderly and I had not planned on speaking tonight, but I live at 31 Brighton woods Lane. My property backs up to Clinton Avenue and I have been part of this project planning from the first time we were invited to attend the meetings. My big concern, and I have talked to Mr. Costello about the traffic issue on South Clinton Avenue, and no where did I see that addressed tonight. I have repeatedly asked if they would do some kind of traffic study on South Clinton Avenue during the school year. It was my understanding that they did a traffic study, but it was not during the school year when there were school busses and normal traffic going on South Clinton Avenue. I taught another district for 39 years and been in the area for 25 years. I have a great deal of trouble getting out of the Woods Meadow to get out of my job and to get to school on time, because of the traffic. It's my understanding that there was approximately 350 more units in here. Even if there was one car for 350 units, that's 350 more cars on south Clinton Avenue. I am also concerned about the entrance, because as you come over the hill, it's a blind spot until you get to the top of the hill, if you were going north. If you come south, it is also a blind spot until you get under the bridge. If you have an entrance there, I think its going to create a traffic problem. I*

think the reserve is a wonderful project, I wish I could afford to live there, but my main concern is the traffic and the increased traffic on South Clinton Avenue. I really think that the town should address this more before we make a decision on this project. I don't feel comfortable with the decisions that have been made. I see no solutions to our problem. Thank you.

Response: Comment acknowledged. Refer to the response above for Mary Anne Schlitzer regarding traffic, and the response to MCDOT comment number 2 regarding sight distance on page 80 and information in topic 8 on page 28. In reference to the concern about the time of year the study was performed, seasonal conditions including the absence of school traffic is factored into the traffic study results.

No name comment; Reported by audience to be Lee; lives at 107 Brightwoods Lane.

Comment: *There is a question without a name. Are there going to be traffic lights on the 590 crossover at the main entrance? How do you improve that problem? If the person who wrote this wishes to come forward and explain the concerns, please do.*
Audience member: The gentleman that wrote that was Lee , I can't remember his last name. He lives at 107 Brighton Woods Lane. His problem is the traffic, again on South Clinton. He feels that a traffic light definitely needs to be put up at the entrance to the Reserve. That is what is called at the 590 underpass.

Response: No traffic signal is proposed at the entrance to The Reserve nor is one warranted under the present traffic projections for the development. Also refer to the response to MCDOT comment number 2 regarding sight distance on page 80 and information in topic 8 on page 28.

Paul Holohan, 2942 Brighton/Henrietta Townline Road.

Comment: *Hello. My name is Paul Holohan. I live at 2942 Brighton/Henrietta Townline Road. I did not intend to speak tonight, but I probably will submit some written comments later. I do agree that this is an interesting project. I find myself in the middle-ground. I understand that this is not likely to be kept, as a natural habitat, which I would most prefer, but I also feel that there are a number of concerns about the density of this project. I share the concerns about the building's height along the*

canal, and I share the concerns about the density of the residences in this development. There is no limitation of the single interest and there area traffic problems on South Clinton Avenue. I would ask that both of those concerns be examined much more closely. And I do have a concern about this being a gated community. Brighton attempts to have a very close neighborhood feel to it and we recently had a Brighton green event where we all went out and cleaned up around the town. I have a feeling that gated communities, and I have visited several in the south, developed a very clustered atmosphere. I do not feel that it is appropriate for Brighton to entertain the idea of maintaining a gated community and just to clear things up for myself here, will this be part of the Brighton Central School District? Does anybody know that for sure? Thank you, very much.

Response: Comment acknowledged. Refer to Chapter 2, topic 12 on page 38 for more information regarding building height. Incentive Zoning for increased density will be evaluated by the Town Board as it correlates to amenities offered by the applicant. Reported traffic problems on South Clinton Avenue are being addressed with a traffic signal at Senator Keating Boulevard to be installed under another project, by intersections modifications at Westfall Road with a MCDOT project, and travel lanes on South Clinton Avenue are proposed to be changed to one lane in each direction with this project to calm traffic and eliminate one lane of opposing traffic in each direction to make it easier to pull out of side streets. Refer to Chapter 2, topic 4 on page 27 regarding new information pertaining to the gated community. The project is located in the Brighton Central School District.

Tom Warth, 219 Chancer Road

Comment: *I am a relatively new appointee to the Planning Board and was appointed after the Planning Board had their comments and commented on the scope of the DEIS and here are a lot of things about this project that are very exciting and interesting and commendable, but being the person the type of person to look at how to make it better, one concern I see is that it is solely devoted to the affluent market -- the market that's there. But we have a -- this is called a community of neighborhoods and it's supposed to be integrative of Brighton, and I am pretty concerned about*

the fact that there's no affordable housing in there. And if this were just the neighborhood of 30 homes or 50 homes, it probably wouldn't bother me as much, but when it's such a large development on residential zoned land and it's somewhat ingrate into the key boulevard project as well, which is also residential land and all we have is high-end housing our concern about the needs of other people that want to live in Brighton and the jobs in the area at the medical offices and elsewhere, there's a lot of jobs there that are below \$75,000 a year, and those people need housing too. So what I would hope to see is an amenity in place with some other amenities being offered now, is some level of low income or affordable housing. That's my comment.

Response: Comment acknowledged. Refer to the responses to staff comment 2 on page 41 pertaining to affordable housing.

Amish Cohen, 211 Highland Parkway

Comment: *My name is Amish Cohen and I live at 211 Highland Parkway. I just wanted to point out that I think this is the last wild space in Brighton that hasn't been developed. I walk my dog there often and it's just a gorgeous area. I have seen herds of 20 deer, lots of wild turkeys, it's beautiful. I would love to see meridian Centre Park expand into that area and become a large, gorgeous wild space, I do have a couple of concerns I am wondering if the radio tower area is going to interfere with the people living there. The residents there are going to be effected by all that health-wise or aesthetically. And also, if the embankment is feet below or if the Town has people below the embankment, is that going to have flooding or.*

Response: Comment acknowledged. Having a similar concern, the applicant investigated the potential impacts of radio waves. It was found that health issues are not a concern. Radio frequency interference is an issue that is being dealt with by installing special insulated wiring for electrical and communications wiring in the new homes, to avoid interference. Much of the canal within the Town boundaries is above grade, and contained by an earthen embankment. This is generally not considered a flood hazard. The Reserve has been designed in a manner that keeps the proposed buildings over 100' away from the canal and the site is graded to

divert water away from the buildings to manage normal stormwater runoff.

