TOWN BOARD MEETING
August 14, 2024
7:00 PM
Brighton Town Hall
2300 Elmwood Avenue

This meeting is conducted in-person with remote participation available via video conferencing at townofbrighton.org/499/Streaming-Video.

PRESENTATIONS/RECOGNITIONS:
Women’s Equality Day Proclamation

MEETING CALLED TO ORDER:

OPEN FORUM:

APPROVAL OF AGENDA

PUBLIC HEARINGS:
MATTER RE: Public hearing on the Incentive Zoning and Rezoning Application of Home Leasing and Providence Housing for the Westgate Apartments Project and approve the SEQR negative declaration (see letter dated July 2, 2024 from Rick Distefano, Senior Planner).

MATTER RE: Public hearing on the demolition of 185 Kimbark Road per Town Code Chapter 51 (see Resolution #1 and letter dated June 25, 2024 from James P. Sprague, P.E., Commissioner of Public Works).

MATTER RE: Public hearing on a proposed Local Law known as “A Local Law to Amend Chapter 113 of the Code of the Town of Brighton with Respect to Demonstration and Special Event Permits” and approve the SEQR negative declaration (see Resolution #2 and letters dated May 22, 2024 from William W. Moehle, Town Supervisor; June 26, 2024 from Kevin McGowan, Brighton Central School District Superintendent; June 26, 2024 from Jocelyn Goldberg – Schaible; June 26, 2024 from Ed Pelta; June 26, 2024 from Shoshana Brayman; June 26, 2024 from Leah M. Goldman, Esq.; July 2 from Gail Finkelstein; July 10 from Julie Gelfand; and July 15 from Jonathan W. Siegal).

MATTER RE: Public hearing on a proposed amendment to the Town Code, Flood Damage Protection, Chapter 211, Section 3.2, for technical reasons at the request of the NYS Department of Environmental Conservation (see Resolution #10 and letter dated July 16, 2024 from Ken Hurley, P.E., Town Engineer).

COMMUNICATIONS

COMMITTEE REPORTS:
Community Services Committee
Finance and Administrative Services
Public Safety Services
Public Works Services
OLD BUSINESS:

NEW BUSINESS:

MATTER RE: Reading and approval of claims (Resolution #08-14-24-CLAIMS).

MATTER RE: Authorize the solicitation of bids for repairs to the Corbett’s Glen Aerial Sewer Line and amend the budget by transferring $100,000 from the Sewer Department’s Engineering Fees account to the Sewer Construction/Repair account for said repairs (see Resolution #3 and letter dated August 5, 2024 from Brendan Ryan, Assistant Engineer).

MATTER RE: Accept a NYSERDA Clean Energy Community grant totaling $100,000 and authorize the Supervisor to execute the grant contract; authorize the solicitation of bids for four solar projects; authorize the Supervisor to enter into an agreement with Geotherm in an amount not to exceed $24,620 for geothermal work at the Buckland Park Lodge; and authorize the Finance Department to make any necessary budget amendments for said projects (see Resolution #4 and letter dated August 5, 2024 from Brendan Ryan, Assistant Engineer).

MATTER RE: Approve the SEQR negative declaration for certain sidewalk projects on Monroe County roads (see Resolution #5 and letter dated July 31, 2024 from Rick Distefano, Senior Planner).

MATTER RE: Set a public hearing for the proposed extension of the Brighton Consolidated Refuse District to include certain properties on Evandale Road (see Resolution #6 and letter dated May 22, 2024 from Chad Roscoe, Junior Engineer).

MATTER RE: Set a public hearing for the proposed extension of the Brighton Consolidated Refuse District to include certain properties on Highland Avenue (see Resolution #7 and letter dated May 22, 2024 from Chad Roscoe, Junior Engineer).

MATTER RE: Set a public hearing for the proposed extension of the Brighton Consolidated Refuse District to include 1356 South Winton Rd (see Resolution #8 and letter dated May 22, 2024 from Chad Roscoe, Junior Engineer).

MATTER RE: Set a public hearing for the proposed extension #15 to the Brighton Consolidated Refuse District (see Resolution #9 and letter dated July 11, 2024 from Chad Roscoe, Junior Engineer).

MATTERS OF THE SUPERVISOR:

MATTERS OF THE TOWN ATTORNEY:

MATTERS OF THE TOWN CLERK:

MATTERS OF THE BOARD:
MOTION TO GO INTO EXECUTIVE SESSION:
MATTER RE: Employment of particular people.

MEETING ADJOURNED:

NEXT TOWN BOARD MEETING:
Wednesday, August 28, 2024 at 7 PM
RECOGNITIONS/PRESENTATIONS
OPEN FORUM
PUBLIC HEARINGS
July 2, 2024

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

Re: Home Leasing & Providence Housing – Westgate Apartments, Elmwood Avenue, Incentive Zoning / Rezoning Application

Honorable Supervisor and Members:

I Recommend that your Honorable Body:

1. Receive and file this communication and the attached letter submitted by Betsy D. Brugg, Esq., Woods Oviatt Gilman LLP, dated July 1, 2024.

2. Receive and file the attached advisory report from the Town of Brighton Planning Board pursuant to Section 209-5. C. of the Comprehensive Development Regulations.

3. Direct the Senior Planner to submit the required Development Referral Form and documents to Monroe County Department of Planning and Development for review.

4. Set a public hearing regarding the Incentive Zoning / Rezoning Application.

5. Direct the Senior Planner to provide the applicant with a copy of the Town of Brighton’s Policy on Public Notice for Incentive Zoning and Rezoning Applications and name of all Interested Parties.

6. Require the applicant to mail written notice to Affected Residents of multi-family dwellings at the Board’s discretion.

Respectfully Submitted,

Rick DiStefano
Senior Planner

cc: J. Sprague
    J. Mancuso

attachments
July 1, 2024

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

Re: Home Leasing & Providence Housing
    Proposed Affordable Housing Development- Westgate Apartments
    Tax Parcels #136.14-1-1.2 and #136.14-1-1.3
    Request Public Hearing for Rezoning and Incentive Zoning Request

Dear Town Board Members:

This letter is forwarded to request that the Town Board schedule a public hearing for the application for rezoning and incentive zoning approval for the proposed Westgate Apartment project, a proposed development consisting of 120 units of affordable and supportive housing by Home Leasing and Providence Housing, proposed on the above-referenced property.

The Town Board referred the application to the Planning Board for its review and report pursuant to the Town Code. We appeared at the Planning Board on the referral of the application at their meeting of June 20, 2024. The referral was well received and the Planning Board issued a report back to the Town Board. The next step in the approval process is for the Town Board to set a public hearing for the application. Accordingly, we are requesting that the Town Board set the public hearing at your July 10 meeting (your next meeting), for the hearing to be held at your August 14 meeting (or sooner if feasible). We have not received the final Planning Board report yet but will request a copy. We look forward to presenting and discussing the project at a public hearing.

We are also familiar with the Town’s Public Notice Policy which requires the applicant to send notice of the public hearing to neighboring properties within 1,000 feet. The Town Board has the discretion to determine the extent to which to require the applicant to send the notice of hearing to residents of apartment communities, in addition to the property owners, as well notices to neighbors outside the Town.

In this case, we propose to send the notice to residents of the adjacent Brookstone Independent Senior Living Community in Brighton, and St. John’s Meadows (if they are within 1000 feet) as these are the most immediate Brighton neighbors to the property and most directly
affected by the project. Home Leasing has met with residents and maintains communication with Brookstone about the project.

Notice to residents of the massive Elmwood Manor Apartments, mostly beyond 1,000 feet and the several residential streets in the City would be extremely burdensome and excessive given the tremendous number of dwelling units involved, and the fact that there was extensive public input when the City of Rochester adopted its PDD zoning for the property in the City, when matters such as the entire road system were established and approved. Public interest today would likely focus less on the present affordable housing request than on curiosity about the Terrance Building, the larger City project, and matters addressed in past approval by the City. Of course, we would provide notice to the owners of the Elmwood Manor Apartments, who could share that information with their tenants, as well as the Azalea Neighborhood Association.

We look forward to appearing at a public hearing on this request for rezoning and incentive zoning approval. Should you require any additional information or have any questions regarding this matter, please do not hesitate to contact us at any time.

Thank you for your consideration.

Very truly yours,

WOODS OVIATT GILMAN LLP

Betsy D. Brugg
Please direct responses to Rochester Office

C: Home Leasing- Bret Garwood, Adam Driscoll, Angela Eicholtz
    Colliers Engineers & Design—Brian Burri
    John A. Mancuso, Esq, Town Attorney.
    Rick DiStefano, Town Senior Planner
June 20, 2024

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

RE: Planning Board Advisory Report

Regarding Home Leasing and Providence Housing’s Incentive Zoning proposal to construct 120 units of affordable housing (40 townhouses and an 80 unit multifamily building) and other site improvements on the 9.88 +/- acre Brighton portion of the former state hospital property located on Elmwood Avenue (Tax parcels 136.14-1-1.2 and 136.14-1-1.3) (the “Project”).

Dear Town Board Members:

On June 20, 2024, the Planning Board reviewed the above referenced matter and offers the following comments regarding the adequacy of the proposed Project as it relates to the project site and the adjacent uses and structures.

1. The Planning Board supports the proposed application and recommends to the Town Board that the Project is worthy of further consideration as part of the Incentive Zoning review process. The proposed Project appears to be well suited for the project site and area. The proposal also furthers the town’s comprehensive plan (Envision Brighton 2028), specifically:

   Environmental Policy Objection (volume 2, page 6):
   “Preserve, in their natural state, open space areas that have significant ecological value, and sensitive environmental areas, including wetlands, floodplains, watercourses, woodlots, steep slopes, and wildlife habitats.”

   Environmental Policy Objective (volume 2, page 6):
   “Promote and support the increased use of renewable energy sources…”

   Sense of Community Policy Objective (volume 2, page 12):
   “Provide a balance in the type and affordability of housing for Brighton residents, employing smart-growth principles that strategically encourage density and diversity of housing options in areas with ready access to local goods, services, infrastructure, and mass transit.”
2. The Planning Board recommends that the Town move to a public hearing on this application only after receiving firm commitments on the proposed amenities that include affordable and supportive housing, adherence to green building standards, open space/playground, and real property taxes.

3. The Planning Board notes the proposed amenity of affordable housing is the first on the list identified in the Incentive Zoning chapter of the Town Code, **Town of Brighton Code Section 209-3**: Amenities for which incentives may be offered under this article.

4. The bulk of the former state hospital site, including the Terrence Building, immediately to the west of the project site, located over the town line in the City of Rochester, currently has proposed development under review by the City. Careful and ongoing coordination between the Town of Brighton review processes and the City of Rochester review processes is necessary to create an efficient, cohesive development. This is especially critical since substantial vehicular traffic and nearly all the pedestrian access for the 9.88 acre Brighton portion will pass through the City.

5. The Planning Board notes the proposal does not include any new curb openings on any public road. All vehicular access to the project site will be from a new private road to be constructed just over the town line, to the west, in the City of Rochester. This will connect at the north to the existing cross access point to Brickstone Circle and at the south to the existing Science Parkway and ultimately to South Avenue. This new private roadway is entirely within the City of Rochester and conceptual plans show sidewalks on both sides.

While this transportation infrastructure is in an adjacent municipality, it is critical to the accessibility of the development on the Brighton side of the municipal boundary. Affordable housing, in particular, should carefully consider access to transit. The sidewalk network to the west provides this access to transit on Elmwood Avenue and South Avenue.

6. Regional materials should be used to construct the proposed Project. Additionally, a waste reduction plan should be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.

7. The inclusion of renewable energy installations (ground mounted solar) is to be commended.

8. The project is adjacent to the existing Highland Crossing Trail and the applicant has also noted that the project site contains environmentally sensitive areas, including wetlands and a woodlot. In order to accommodate and protect such environmental resources, the applicant has represented that a 100 foot buffer around the wetlands within the subject site will be maintained, the Project will complement the existing Highland Crossing Trail, and the applicant will offer a conservation easement to the Town of Brighton, which will
assist in the creation of a greenway between the Town Park on Westfall Road and Highland Park in the City of Rochester. The Town Board may wish to consider an additional amenity in the form of trail improvements, including but not limited to trail surface rehabilitation and landscaped buffers, subject to Site Plan Review and the Town Engineer.

9. Environmental Review pursuant to the New York State Environmental Quality Review Act was conducted by the City of Rochester in 2017 and a Negative Declaration was issued. As the project remains substantially the same, it is consistent with the 2017 Environmental Determination.

10. The provisions of Code Section 225-6(b) require that the Planning Board make a determination concerning the following issues:

(a) Whether the uses permitted by the proposed change would be appropriate in the area concerned.

The site under review is bordered by large scale legacy institutional structures to the west and south and medium scale residential development to the east.

Given the scale and intensity of existing and proposed surrounding land uses, both in the Town of Brighton and the City of Rochester, the uses permitted by the proposed zoning change are entirely appropriate for the area concerned.

(b) Whether adequate public school facilities and other public facilities and services, including roads, exist or can be reasonably expected to be created to serve the needs of any additional dwellings or other uses likely to be constructed as a result of such change.

Access to the project site from Elmwood Avenue will be through the existing Brickstone development to the east. In addition, there is proposed access to the existing traffic light at Elmwood Avenue and Azalea Road via a new internal street network to the west, to South Avenue via an extension of Science Parkway, and to the existing traffic light at Westfall Road at Sawgrass Drive via the internal street network to the south.

The nearest transit service to the project site is at the north end of the site, surrounding the intersection of Elmwood Avenue and Goodman Street. These stops are currently served by RTS routes 97 and 41. A little over a half a mile to the west of the site, there is additional transit access to RTS route 13 at South Avenue and Science Parkway.

The proposed zoning change will allow additional residential development that will include school-age children. However, only 34 units of the 120 total will be three bedroom units and only 14 will be two bedroom units. It is reasonable to expect that the Brighton Central School District has adequate school capacity for
48 housing units sized to accommodate families, if the school-age children residing at the project site attend Brighton Central School District schools.

(c) Whether the proposed change is in accord with any existing or proposed plans in the vicinity.

The proposed rezoning to Residential High Density 2 (RHD-2) District is in accord with the proposed development immediately adjacent to the west on the rest of the former state hospital site and with existing medium density residential development to the east.

(d) The effect of the proposed amendment upon the growth of the town as envisioned by the Master Plan.

As noted in item #1 of this document, the proposed zoning change furthers the town’s comprehensive plan (Envision Brighton 2028).

11. If the Town Board decides to move forward with the IZ proposal, the Planning Board looks forward to providing additional project review and comment as part of the site plan review and approval process.

Sincerely,

[Signature]

Jason Haremza, AICP
Executive Secretary
Planning Board
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August, 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,

Councilmembers

WHEREAS, the Town Board at its July 10, 2024 meeting received and filed correspondence dated June 25, 2024 from Commissioner of Public Works James P. Sprague, P.E. and a letter report dated January 16, 2024 from Building Inspector Edward Shero, regarding a request to declare a structure at 185 Kimbark Road in the Town of Brighton (Tax Map No. 123.13-5-58.1) (the “Property”) as dangerous and unsafe under the provisions of Chapter 51 of the Brighton Town Code, order its demolition and removal, and set a public hearing; and

WHEREAS, the Town Board at its July 10, 2024 meeting reviewed the findings and recommendations of the above-referenced report, considered the same, and determined in its opinion that the structure on the Property is dangerous and unsafe and should be demolished and removed; and

WHEREAS, the Town Board at its July 10, 2024 meeting ordered the demolition and removal of the structure located at the Property pursuant to the provisions of Chapter 51 of the Brighton Town Code; and

WHEREAS, a public hearing on the demolition and removal of said structure was duly set and noticed pursuant to Chapter 51 of the Town Code of the Town of Brighton to be held at the Brighton Town Hall, 2300 Elmwood Avenue, Town of Brighton, County of Monroe, State of New York at 7:00 p.m. on August 14, 2024; and
WHEREAS, notice of the order of the Town Board and of the public hearing on the demolition and removal of said structure was served, filed and posted in the manner and on the persons and places as set forth in Chapter 51 of the Town Code; and

WHEREAS, said public hearing was duly held at the time and place as indicated in said notice and all persons having an interest in such matter having had an opportunity to be heard at said hearing; now

BE IT RESOLVED, that demolition and removal of the structure located at the Property shall commence within 10 days of the date of this resolution and be completed within 30 days hereof; and

BE IT FURTHER RESOLVED, that in the event the owner of said property and structure shall fail to timely demolish the structure, the Town shall cause such structure to be destroyed and all costs incurred by the Town for work performed or services rendered in said demolition or removal shall be recovered by the Town by assessment and levy on the real property on which such violation occurred, including but not limited to the cost of actually removing said structure. The expense so assessed shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges.

Dated: August 14, 2024

William W. Moehle, Supervisor Voting ___
Christopher K. Werner, Councilmember Voting ___
Robin R. Wilt, Councilmember Voting ___
Christine E. Corrado, Councilmember Voting ___
Nathaniel V. Salzman, Councilmember Voting ___
25 June 2024

The Honorable Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: 185 Kimbark Road
     Rochester, New York 14610
     Board Up and Demolition Request

Dear Chairperson Salzman and Committee Members:

The single family home at 185 Kimbark Road, Rochester, New York, is located in the Town of Brighton. This residential structure was assessed by Edward Shero, Building Inspector for the Town of Brighton, and found to be unsafe to the general public. Building Inspector Shero’s report is attached. Further, the Brighton Fire Department has requested that the Town proactively board up the multiple unsecured openings on this structure.

Under Chapter 51 of the Town of Brighton Code, the Town Board can, upon receipt of information that a structure is unsafe, initiate action to order the structure be made safe or be demolished. It is my recommendation that consideration of this property be added to the next available Finance and Administrative Services Committee (FASC) meeting, and this Chapter 51 process be initiated for this property. Should the property owner fail to make the property safe in compliance with Chapter 51, I recommend that the Town of Brighton pursue demolishing it.

Further, I request authorization to order an emergency board up of the property, as requested by the Brighton Fire Department.

Please contact me at your convenience with any questions about this matter.

Regards,

James P. Sprague, P.E.
Commissioner of Public Works

cc: Earl Johnson, Director of Finance, Staff to the FASC
    Edward Shero, Building Inspector
    Christopher Roth, Fire Marshall
January 16, 2024

Mr. Evert Garcia, Public Works Commissioner
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618

Re: 185 Kimbark Rd. Rochester, NY 14610
    Condition Assessment

Dear Commissioner Garcia,

I conducted a site visit of the home at the above referenced address on December 28th, 2023 to assess the condition of the structure. The home has been vacant and neglected for many years. Because of this neglect the home has been damaged by the weather and external elements. This assessment was limited to the exterior of the building.

The following report summarizes my observations:

The site visit revealed that the home has been vacant and unoccupied for a number of years. It was not possible to access the home and assess any interior damage. The home in its current dilapidated condition is unsafe to the general public and is unfit for the purpose for which it may lawfully be used. The following pictures document the condition of the home with attached garage at 185 Kimbark Rd.

Photo 1 Front of 185 Kimbark Rd.
Photo's 1 and 2 illustrate a deteriorated and dilapidated roof without any permanent covering. The temporary covering has come lose in several spots and water is leaking through penetrations not properly sealed.

*Photo 2 rear of 185 Kimbark Rd.*

Photo 3 is taken through the open patio door door. You can see the ceiling wall board an insulation falling down.

*Photo 3 inside of 185 Kimbark d.*
Photo 4 Rear of 185 Kimbark Rd.

Photo 4 shows open window in the rear of 185 Kimbark Rd.

Photo’s 5 & 6 show large amounts of debris in rear yard. There is an abandoned hot tub in the yard. An open and unsecured shed is shown.

Photo 5 is the rear of property at 185 Kimbark Rd

Photo 6 shows the open and unsecured shed at 185 Kimbark Rd
Chapter 51 of the Code of the Town of Brighton states, “Unsafe buildings or structures pose a threat to life and property. Buildings and structures may become unsafe by reason of damage by fire, the elements, age or general deterioration. Vacant buildings or structures not properly secured also serve as an attractive nuisance for young children who may be injured therein, as well as a point of congregation by vagrants and transients.” The documentation presented previously demonstrates that the house and garage at 185 Kimbark Rd are unsafe structures in accordance with Chapter 51 of the Code of the Town of Brighton.

After conducting this site investigation it is my opinion that the house and garage at 185 Kimbark Rd are unsafe to the general public, are open and unsecured to human and animal life and are unfit for the purposes for which they may be lawfully used. The property is vacant and abandoned which presents the possibility of congregation by vagrants and transients. It is my recommendation as the Building Inspector that the house and garage at 185 Kimbark Rd. are unsafe buildings and should be demolished to insure the health, safety and welfare of the general public.

Sincerely,

Edward Shero, Building Inspector
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,

Councilmembers

WHEREAS, the Town Board duly scheduled a public hearing to be held on June 26, 2024 at 7:00 p.m., to consider the adoption of a proposed Local Law to be known as “A Local Law to amend Chapter 113 of the Code of the Town of Brighton with respect to Demonstration and Special Event Permits”; and

WHEREAS, such public hearing was duly called and held on June 26, 2024 at 7:00 pm at Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, Monroe County, New York, and continued on July 10, 2024, July 24, 2024 and August 14, 2024, and all persons having an interest in the matter having had an opportunity to be heard;

NOW, THEREFORE, on motion of Councilmember ____________________, seconded by Councilmember ____________________,

BE IT RESOLVED, that all written comments provided to the Town at the Public Hearing regarding the proposed Local Law be received and filed; and further

BE IT RESOLVED, that a proposed negative declaration and Short Environmental Assessment Form, each dated August 14, 2024, regarding the proposed Local Law be received and filed; and further

BE IT RESOLVED that the Town Board pursuant to the New York State Environmental Quality Review Act (SEQRA) hereby declares itself as Lead
Agency, has taken a hard look at the potential environmental impacts of the proposed action and made the determination that the proposed action will not have a significant adverse impact on the environment, and adopts the proposed negative declaration; and

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BRIGHTON, that pursuant to its police power and the provisions of Article 3 of the Municipal Home Rule Law of the State of New York, the Town hereby adopts Local Law No. 3 of 2024 to amend Chapter 113 of the Code of the Town of Brighton with respect to Demonstration and Special Event Permits as set forth in the annexed Local Law; and it is further

RESOLVED, that the Clerk of the Town of Brighton shall within twenty days after the adoption of the Local Law file one certified copy thereof in the Office of the Town Clerk and file one certified copy in the Office of the Secretary of State of the State of New York; and it is further

RESOLVED, that Local Law No. 3 of 2024 shall take effect immediately upon its filing in the Office of the Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

Dated: August 14, 2024

William W. Moehle, Supervisor Voting ___
Christopher K. Werner, Councilmember Voting ___
Robin R. Wilt, Councilmember Voting ___
Christine E. Corrado, Councilmember Voting ___
Nathaniel V. Salzman, Councilmember Voting ___
LOCAL LAW NO. 3 OF 2024

A LOCAL LAW TO AMEND CHAPTER 113 OF THE CODE
OF THE TOWN OF BRIGHTON WITH RESPECT TO
DEMONSTRATION AND SPECIAL EVENT PERMITS

BE IT ENACTED by the Town Board of the Town of Brighton, Monroe County, New York, as follows:

Section 1. Preamble; Legislative Intent.

The right to peacefully assemble or demonstrate is afforded to all persons and is protected by the First Amendment of the United States Constitution and Article I, Sections 8 and 9 of the New York State Constitution. However, content-neutral time, place, and manner restrictions may reasonably limit free expression in order to protect a significant governmental interest. Gatherings and demonstrations, when combined with pedestrians, bystanders, and motor vehicles simultaneously using Town parks, in the absence of advance notice to the Town may obstruct and impede the flow of traffic on the public roadways and driveways at or around parks, and jeopardize the safety of all such users. The Town Board finds that the Town has a significant and important governmental interest in preserving public peace and good order on lands operated as public parks in the Town of Brighton and safeguarding public health, safety, and enjoyment of users of Town parkland and surrounding public property from obstruction, interference, or threats of physical harm. The Town Board further finds that it also has a significant and important governmental interest in ensuring the safety of gatherers, demonstrators, pedestrian bystanders, and motor vehicle users in high traffic areas of the Town.

The purpose of this local law is to protect the health, safety, and welfare of users of public parks and the surrounding areas by amending Chapter 113 of the Town Code of the Town of Brighton (the “Town Code”) governing parks in the Town by requiring certain demonstrations and special events to obtain a permit from the Town Commissioner of Public Works, without unreasonably restricting the expressive activity of any gatherings, demonstrations, or large assemblies of individuals, regardless of their identity or the content of their speech.

Section 2. Definitions.

Section 113-2 of Chapter 113 of the Town Code is hereby amended to add the following definitions:

“DEMONSTRATION

A group activity, including but not limited to, a meeting, assembly, protest, rally, march, or vigil which involves the expression of views or grievances, involving more individuals than the thresholds set forth in Section 113-4(A)(3) or a group activity involving less than such thresholds for which specific space is requested to be reserved.

SPECIAL EVENT

A group activity, including but not limited to, a performance, meeting, assembly,
ceremony, parade, athletic competition, reading, or picnic involving individuals more than the thresholds set forth in Section 113-4(A)(3) or a group activity involving less than such thresholds for which specific space is requested to be reserved.”

Section 3. Permits required for certain activities; issuance of permits.

Section 113-4(A) of the Town Code is hereby amended by adding the following paragraph (3):

“(3) Demonstrations or Special Events equal to or greater than the number of people set forth in the chart below:

<table>
<thead>
<tr>
<th>Park</th>
<th>Number of People</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meridian Centre Park</td>
<td>50</td>
</tr>
<tr>
<td>Buckland Park</td>
<td>50</td>
</tr>
<tr>
<td>Brighton Town Park</td>
<td>50</td>
</tr>
<tr>
<td>12 Corners Park</td>
<td>20</td>
</tr>
<tr>
<td>Corbett’s Glen Nature Park</td>
<td>20</td>
</tr>
<tr>
<td>Sandra L. Frankel Nature Park</td>
<td>20</td>
</tr>
<tr>
<td>Lehigh Valley Trail</td>
<td>20</td>
</tr>
<tr>
<td>Town Hall Park</td>
<td>20</td>
</tr>
<tr>
<td>Blossom Road Park</td>
<td>20</td>
</tr>
<tr>
<td>Any Town Pocket Park</td>
<td>20</td>
</tr>
<tr>
<td>Persimmon Park</td>
<td>N/A</td>
</tr>
<tr>
<td>Lynch Woods</td>
<td>N/A</td>
</tr>
<tr>
<td>Stowell Conservancy</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*No Demonstration or Special Event permits may be issued for Parks designated N/A”

Section 113-4 of the Town Code is hereby amended by adding the following subsection (F):

“F. Permits for a Demonstration or Special Event.

(1) Applications for a Special Event permit must be received at least 30 days and not more than 180 days prior to the request date for the Special Event. Applications for a Demonstration permit must be received at least 72 hours and not more than 180 days prior to the requested date for the Demonstration.

(i) Notwithstanding the deadlines under Section 113-4(F)(1), the Commissioner of Public Works, or such other office as the Commissioner of Public Works may determine, shall accept applications for Demonstrations or Special Events whenever submitted and process such applications as soon as it is feasible to do so, considering the magnitude of the event and the resources of the Commissioner. Applications for a Demonstration permit will be deemed granted if not acted upon within 48 hours of the application being received.
(ii) Spontaneous Demonstrations that are occasioned by news or affairs coming into public knowledge less than 72 hours prior to such Demonstration may be conducted in Meridian Centre Park or Buckland Park, in areas designated by the Superintendent of Parks, without the organizers first having to obtain a permit; provided that the event is not otherwise prohibited under this Chapter, and the areas are available and do not unreasonably interfere with previously planned programs or other park users. Organizers of a spontaneous Demonstration shall provide notice to the Brighton Police Department at least 24 hours prior to such event, including providing their name, address, telephone number, location and date/time of the proposed Demonstration, and an estimate the number of people who will be participating. If the spontaneous event is a “counter-event,” meaning it is in response to a Demonstration, the foregoing notice requirements shall apply, but the location restriction shall not apply.

(2) Upon receipt of such application, the Commissioner of Public Works, or such other office as the Commissioner of Public Works may determine, shall refer same to the Brighton Chief of Police and the Parks Department for review as may be necessary to ensure the protection of public health, safety, and welfare.

(3) The Commissioner of Public Works, or such other office as the Commissioner of Public Works may determine, may deny a permit if: (i) the location sought is not suitable because of environmental conditions reasonably likely to be harmed by the proposed event; (ii) the location sought is not suitable because the proposed Demonstration or Special Event is of such nature or duration that it cannot be reasonably accommodated in the requested location; (iii) the date and/or time requested has been previously allotted by permit; (iv) the Demonstration or Special Event would conflict with previously planned programs organized and/or conducted by the Town, or conflict with the Town’s priority use field schedule maintained by the Parks Department; (v) the time, place, or size of the Demonstration or Special Event would unreasonably interfere with the safe use and enjoyment of the park by other users; (vi) the intended use or activity is unlawful, or would unreasonably endanger the health and safety of surrounding persons; (vii) there are not significant Town resources available at the time of the proposed Demonstration or Special Event to mitigate disruption and/or the diversion of police protection would deny reasonable police protection to the Town; (viii) if the permit application contains a material falsehood or misrepresentation; or (ix) if the permit application contains a material falsehood or misrepresentation; or (ix) within the preceding two years, the applicant has been granted a permit and did, on that prior occasion, knowingly violate a material term or condition of the permit, or any law, ordinance, state or regulation relating to the use of parks. Notwithstanding the foregoing, if a permit has been denied pursuant to this subparagraph (3)(i) through (v) or (vii), the Commissioner of Public Works shall employ reasonable efforts to offer the applicant suitable alternative locations and/or times and/or dates for the proposed Demonstration or Special Event.
(4) All permit applications will be processed on a “first come, first serve” basis; provided that if two or more permit applicants request the same date and the same location, and one or more of such applicants held a permit for such location during the twelve month period immediately preceding the date for which such permit is now sought, the permit application from the applicant who has not previously held a permit shall be first eligible for approval. Notwithstanding the foregoing, a Demonstration or Special Event proposed at any athletic field shall be at all times subject to the Town’s priority use field schedule maintained by the Parks Department, and a Demonstration or Special Event proposed at any lodge or pavilion shall be at all times subject to the requirements of Section 113-5, including that a previous rental or reservation of such lodge or pavilion obtained from the Parks Department.

(5) In the event a permit application is denied, the applicant may appeal the determination by written request filed with the Town Supervisor, who may reverse, affirm, or modify the original determination and provide a written explanation of the decision. If a permit application is denied more than 10 days prior to the proposed event, the applicant shall have 3 days from the date such denial is delivered to the applicant to appeal such denial. The Town Supervisor shall render a decision on such appeal within 5 days of receipt of such appeal. If a permit application is denied less than 10 days prior to the proposed event, the applicant shall have 1 day from the date such denial is delivered to the applicant to appeal such denial. The Town Supervisor shall render a decision on such appeal as soon as is reasonably practicable, but no later than 3 days of receipt of such appeal or 24 hours before the proposed event, whichever is sooner.

(6) Permittees must have the Demonstration or Special Events permit, in either hard copy or digital form, in their possession at the time and site of the event.

(7) More than two Demonstration or Special Event permit may not be issued for any park for the same date and time, except for Buckland Park, Meridian Centre Park, and Brighton Town Park.

(8) No Demonstration or Special Event permit shall be issued when parks are closed under Section 113-3.

(9) The requirements of this subsection 113-4(F) shall be inapplicable to a Demonstration or Special Event proposed at a park lodge or pavilion, which shall be subject to the permitting requirements of Section 113-5. No Special Event permit is required for a regularly scheduled athletic event that has otherwise been approved by the Parks Department.

(10) Notwithstanding subsection 113-4(E), no fees shall be charged for a Demonstration permit, unless such Demonstration is proposed to be held at a Town lodge, pavilion, or playing field, in which case the fee applicable to such lodge, pavilion, or playing field as established by the Town Board shall be charged.”
Section 4. Certain acts prohibited without written permission

Subsection 113-6(B) of the Town Code is hereby deleted in its entirety and replaced with the following:

“B. Hold any Demonstration or Special Event; conduct any funeral procession or vehicle containing the body of a deceased person; or use any loudspeaker or other sound-amplifying equipment.”

Section 5. General regulations.

Subsection 113-7(A) of the Town Code is hereby amended by adding the following paragraph (8):

“(8) No person shall by force or threat of force, or by physically obstructing or blocking, knowingly injure, or interfere with, or attempt to injure, or interfere with, another person using a park or any walkway or sidewalk adjoining or adjacent to a park. For purposes of this paragraph: (i) “physically obstruct or block” shall mean to physically hinder, restrain, or impede, or to attempt to physically hinder, restrain or impede, or to otherwise render ingress to or egress from a park, or render any walkway or sidewalk adjoining or adjacent to a park impassable, unreasonably difficult, or hazardous; and (ii) “interfere with” shall mean to stop or to restrict a person’s freedom of movement.”

Section 6. Penalties for offenses.

Section 113-11 of the Town Code is hereby deleted in its entirety and replaced with the following:

“Any person who knowingly violates Section 113-4(F) of this Chapter, or who violates any of the remaining provisions of this chapter or any subsection thereof shall be guilty of an offense punishable as provided in Chapter 1, General Provisions, Article I. Each separate violation shall constitute a separate additional offense.”

Section 7. No Endorsement by Town.

The enforcement of this local law by the Town shall in no way be considered an endorsement or any expression of support, disagreement or any position or opinion on behalf of the Town whatsoever with respect to the activities, policies, opinions, positions, precepts or other aspects of the individuals organizing, sponsoring, holding or participating in a demonstration.

Section 8. Conflict with Other Provisions.

When the requirements or restrictions imposed by this local law conflict with the requirements or restrictions imposed by other laws, ordinances, codes, rules or regulations, the more proscriptive requirement or restriction, respectively, shall prevail.

Section 9. Severability.

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the
remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 10. Effective Date.**

This local law shall go into effect immediately upon filing with the New York State Secretary of State.
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

### Part 1 – Project and Sponsor Information

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Local Law No. 3 of 2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>N/A</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>The action proposes the adoption of a local law to amend Chapter 113 of the Code of the Town of Brighton with respect to requiring Demonstration and Special Event Permits for certain activities within Town Parks.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 585-784-5250</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Board of the Town of Brighton</td>
<td>E-Mail:</td>
</tr>
<tr>
<td>Address:</td>
<td>2300 Elmwood Avenue</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Rochester</td>
</tr>
<tr>
<td>State:</td>
<td>NY</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>14618</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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</thead>
<tbody>
<tr>
<td>[ ]</td>
<td>[✓]</td>
</tr>
</tbody>
</table>

2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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</tbody>
</table>

3. a. Total acreage of the site of the proposed action? _____ acres
   b. Total acreage to be physically disturbed? _____ acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   - Urban
   - Rural (non-agriculture)
   - Industrial
   - Commercial
   - Residential (suburban)
   - Forest
   - Agriculture
   - Aquatic
   - Other(Specify):
   - Parkland
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
   b. Consistent with the adopted comprehensive plan?  

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify:  

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
   b. Are public transportation services available at or near the site of the proposed action?  
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?  

9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies:  

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  
    b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
    b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
    If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  

<table>
<thead>
<tr>
<th></th>
<th>NO</th>
<th>YES</th>
<th>N/A</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- Shoreline  
- Forest  
- Agricultural/grasslands  
- Early mid-successional  
- Wetland  
- Urban  
- Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?  

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
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</table>

16. Is the project site located in the 100-year flood plan?  

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
<tr>
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</tbody>
</table>

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
If Yes,  

- a. Will storm water discharges flow to adjacent properties?  

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
<tr>
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</tbody>
</table>

- b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

If Yes, briefly describe:
____________________________________________________________________________________________  
____________________________________________________________________________________________  

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?  
If Yes, explain the purpose and size of the impoundment:
____________________________________________________________________________________________
____________________________________________________________________________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
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</table>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?  
If Yes, describe:
____________________________________________________________________________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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<tbody>
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</table>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?  
If Yes, describe:
____________________________________________________________________________________________

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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</table>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Town Board of the Town of Brighton  
Date: 8/14/2024

Signature: ___________________________________________________  
Title: Attorney to the Town
Part 1 Narrative

The action proposes the adoption of a local law to amend Chapter 113 of the Code of the Town of Brighton with respect to requiring permits for certain activities within Town Parks. Gatherings and demonstrations, when combined with pedestrians, bystanders, and motor vehicles simultaneously using Town parks, in the absence of advance notice to the Town may obstruct and impede the flow of traffic on the public roadways and driveways at or around parks, and jeopardize the safety of all such users. The intent of the proposed action is to protect the health, safety, and welfare of users of public parks and the surrounding areas by requiring certain demonstrations and special events to obtain a permit from the Town Commissioner of Public Works, without unreasonably restricting the expressive activity of any gatherings, demonstrations, or large assemblies of individuals, regardless of their identity or the content of their speech. No environmental resources will be affected in the municipality by the proposed action.
**Short Environmental Assessment Form**

**Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing: a. public / private water supplies?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>☑</td>
<td>✗</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>☑</td>
<td>✗</td>
</tr>
</tbody>
</table>
Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town Board of the Town of Brighton 8/14/2024

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)
State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: N/A                 Date: August 14, 2024

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Local Law No. 3 of 2024

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: The action proposes the adoption of a local law to amend Chapter 113 of the Code of the Town of Brighton with respect to requiring Demonstration and Special Event Permits for certain activities within Town Parks.

Location: N/A

Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town Board finds that the proposed action will not have a significant impact on the environment. The proposed action involves the adoption of legislation by the Brighton Town Board amending Chapter 113 of the Code of Town of Brighton (Parks) by imposing permitting requirements for certain activities (demonstrations and special events) within Town Parks. The proposed action does not involve any construction or physical activities, and will not otherwise result in an impact to any physical conditions, including land, air, water, minerals, flora, fauna, noise, resources of agricultural, archeological, historic or aesthetic significance, existing patterns of population concentration, distribution or growth, existing community or neighborhood character, and human health.

For further information:

Contact Person: Rick DiStefano, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618
June 26, 2024

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

Dear Supervisor Moehle,

Thank you for your efforts and those of Town staff members, including Chief Catholdi and Members of the Town Board for your consideration regarding an amendment to Section 113-2 of Chapter 113 of the Town Code. We at school are grateful for your partnership and for your work to thoughtfully address our concerns regarding protests at 12 Corners. We are very much in support of the proposed amendment and believe that this will be a useful tool in addressing the overriding concern we have regarding student safety at arrival and dismissal times.

We remain committed to supporting the right to freedom of expression and believe in our obligation as educators to support the important lessons that are modeled through peaceful civil discourse. However, we also believe that our first priority is doing all that we can to ensure the safety of our students and staff. Significant gatherings, unpredictable in many ways, that occur while students are compelled to cross at certain locations during specific times have been of great concern to us. To the credit of the community, our own pleas for consideration in this regard seem to have been heeded. However, we believe that this amendment will add additional reassurance that our arrival and dismissal times will be the safest possible times for students to move through the 12 Corners free from obstructions that cannot be planned around or managed.

Thank you, as always, for your partnership and the incredible work of the Brighton Police Department to keep all of us safe, secure and able to enjoy our Town in every way. Although I am not able to attend this evening’s Town Board meeting, it is my hope that these sentiments can be shared with the Town Board.
Thank you.

Sincerely,

Kevin C. McGowan, Ed.D.
Superintendent of Schools

KGM/kl

Cc: Board of Education
   Lou Alaimo, Deputy Superintendent
   Dr. Allison Rioux, Asst. Superintendent for Curriculum & Instruction
   Deanna Spagnola, Director of Student Services
For the record of the hearing.

Bill

William W. Moehle, Supervisor (he/him)
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618
(585) 784-5252

Dear Bill,

I cannot be at tonight’s session because I am leading a Rochester Research Group team doing audience census research at the Jazz Festival. But I wanted to thank you and the town board for understanding the importance of protecting the safety of our community.

The bill you have proposed is excellent and I am one of many who hope that it is approved and implemented. It is truly reassuring to have Brighton in such wise and capable hands.

Onward,
Jocelyn Goldberg-Schaible
585.967.4558
For the record of the hearing.

Bill

William W. Moehle, Supervisor (he/him)
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618
(585) 784-5252

Supervisor Moehle and Town Board Member Salzman,

Unfortunately, I will not be able to attend tonight’s Town Board meeting.

I want to thank you for working with community members to develop sensible, content-neutral rules that will allow for free speech and robust discourse, but at the same time protect children and the public from physical and emotional harm, a significant public interest. That's what balance is all about, and I applaud the efforts of Town counsel, our Supervisor and other Brighton Town Board members to listen, discuss and reach a balanced outcome. If we listen to only one voice, it should be that of School Board Superintendent Dr. McGowan, who asks that we think about and protect our children, while still allowing speech with reasonable, narrowly-focused restrictions, consistent with the First Amendment.

I respectfully ask that my remarks be entered into the record on this topic.

Regards,

Ed Pelta
50 Heatherstone Lane
For the public hearing record tonight.

Bill

William W. Moehle, Supervisor (he/him)
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618
(585) 784-5252

From: Zvi Brayman <sbrayman17@yahoo.com>
Sent: Wednesday, June 26, 2024 3:38 PM
To: William Moehle <william.moehle@townofbrighton.org>
Subject: Proposed bill regarding permits on tonight’s agenda

Good evening,

I will not be able to attend tonight's meeting as I will be attending my daughter's music therapy performance this evening. I am a Brighton resident, residing here for 27 years. Both my daughter's went to Brighton schools special education department. Although my children are no longer in school I know for them demonstrations are confusing and scary. I think about the special education students who are currently part of the Brighton school system. For students with special needs it can be traumatic.

I am thankful to be living in a community who cares about the children in our community. I want to thank you and the town board for understanding the importance of protecting Brighton students.

The bill you have proposed is excellent. I and many others hope the bill will be approved and implemented.

Thank you for your support and understanding.
Shoshana Brayman
There is no need to change the agenda, but here is another item of communication to be received into the record for tonight’s hearing.

Bill

William W. Moehle, Supervisor (he/him)
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618
(585) 784-5252

Dear Supervisor Moehle and Brighton Town Board Members,

I am unable to attend tonight’s meeting due to family scheduling conflicts, but want to share my gratitude for the work that the Board has done drafting legislation around permitting for demonstrations and other large gatherings. I respectfully request that you enter this email into the public record.

Thank you for your many months of listening, fact-gathering, and consideration of our community’s safety concerns related to large gatherings and demonstrations. It is clear from the legislative intent notes and the thoughtful process set forth in the proposed ordinance that our Town leadership drafted the legislation to protect Brighton’s citizens, making public safety paramount. The proposed ordinance is reasonable, commonsense and narrowly-tailored and will increase the safety of Brighton residents and those who work in or travel through Brighton.

It is reassuring to know that you are prioritizing the mental and physical health and best interests of our children, bikers, pedestrians and drivers in 12 Corners and other community parks by instituting a permitting process like so many other municipalities have in place.

We are grateful for your leadership and careful and measured evaluation of community needs, balancing public safety and our constitutional rights to craft an even-handed, progressive, inclusive and practical ordinance.

While I wish the legislation could go further because I still have concerns with groups of 19 or less assembling at 12 Corners at school drop off and dismissal times, alarming students, causing potential traffic distractions and possibly leading to public safety issues, I also understand that the proposed ordinance, as drafted, will foster additional safety for our community beyond what is currently in
Thank you for your attention to this important matter of community safety.

Sincerely,

Leah M. Goldman, Esq.
July 2, 2024

William W. Moehle, Supervisor
Town of Brighton
2300 Elmwood Ave., Rochester, New York 14618

Re: Proposed Local Law known as “A Local Law to Amend Chapter 113 of the Code of the Town of Brighton with Respect to Demonstration and Special Event Permits”

Dear Supervisor Moehle,

I want to thank you and the Town Board for working to develop a set of sensible rules that will allow for free speech and robust discourse, within a framework that protects participants and the community.

As I said during the 6/26/2024 Public Hearing, we’ve recently seen many occasions across the US where demonstrations have quickly devolved into uncontrollable situations. In Brighton, we want to support freedom of speech and assembly, while at the same time doing our best to ensure dignity and respect for all, without incitement, defamation, threats, or hate speech.

I tried to listen carefully to the comments at that meeting. I think that several of the comments on “timing” and “numbers” reflected misunderstanding of the proposed text. I have a few suggestions for format and terminology that might help clarify the intended meanings. They are included in the attachment.

I also have one suggestion to add to the proposal, that would address concerns about exposing school children to demonstrations. My opinion is that demonstrations don’t belong at schools when children are arriving, leaving, or even taking a walk during their breaks or lunch. Children are minors, and can unduly be influenced by the presumably-adult demonstrators. Adults have implied authority over minors. The adult demonstrators may, intentionally or inadvertently, try to influence children to their cause. This suggestion is also included in the attachment.

Another issue that might be addressed in the proposed document is currently found in the standing law – 1136-6 (A) – no post or display of any sign, banner or advertisement without a written permit. To completely cover the topic, it may make sense to include in section 113-4 that signs and banners are allowed with a permit, and also explain any limitations that might apply. Also, it might help to clarify whether “posting a sign” includes carrying a sign.
I respectfully request that these remarks and suggested changes be entered into the public record for this proposed law.

Respectfully,

Gail Finkelstein
74 Westerloe Avenue, Brighton, NY

--------------------------------

Suggestions to clarify the proposed law:

(1) Amend the proposed terminology to:

(3) Demonstrations or Special Events expected to involve more than the number of people set forth in the chart below are required to have a permit.

<table>
<thead>
<tr>
<th>Park</th>
<th>Number of People Expected Exceeds:</th>
</tr>
</thead>
</table>

(2) Add a subsection to 113-4 (F):

The permit applicant is responsible for accurately estimating the number of people expected to attend. The applicant may decide not to apply for a permit because the number expected is below that required for a permit. In the event that the number at the Demonstration or Special Event exceeds the number requiring a permit, the applicant must promptly (1) contact, (2) inform, and (3) follow instructions of:

(1) The Brighton Police Chief, and
(2) The Office of the Commissioner of Public Works.

The verbal Demonstration or Special Event permit request may be approved, approved with conditions, or denied.

(3) In 113-4 (F)(1), reformat to make it easier for the reader to find “number of days prior” requirements. For example:

Special Event permit: Application must be received at least 30 days ...
Demonstration permit: Applications must be received at least 5 days ...
Notwithstanding the foregoing, ...

Suggestion to modify the proposed law:

(4) Add a subsection to 113-4 (F):

No Demonstration permit shall be issued for 12 Corners park from 7:00am to 4:00pm on days when school is in session.
Bridget/Dan:

Ms. Gelfand spoke at last night's public hearing. After the meeting, I asked her whether she still wanted her written remarks included in the record of the public hearing. She indicated that she did, so please include this as part of the agenda for the public hearing at our next meeting, along with the other communication that we received in advance of the meeting, that was not formally added into the record last night.

Bill

William W. Moehle, Supervisor (he/him)
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618
(585) 784-5252

From: julie gelfand <gpphotog@aol.com>
Sent: Wednesday, July 10, 2024 5:04 PM
To: Robin Wilt <robin.wilt@townofbrighton.org>; Christine Corrado <christine.corrado@townofbrighton.org>; Chris Werner <chris.werner@townofbrighton.org>; Nate Salzman <nate.salzman@townofbrighton.org>; Daniel Aman <daniel.aman@townofbrighton.org>; Miriam Moore <miriam.moore@townofbrighton.org>; William Moehle <william.moehle@townofbrighton.org>
Subject: My piece for tonight's public forum on permit law piece

I am not be able to make it tonight, but would like the following to be considered my contribution during the public forum.:

All politics is local. That’s what they say, and we sure have been seeing that here.

Common sense policies that strengthen our community should be our goal. To argue otherwise is to have an agenda which is not likely to be putting community first. Decisions made by the town council, and town supervisors have a direct and immediate impact on our lives. At the end of the day, our concern should be with policies that help strengthen our community and unite us
rather than divide us. It’s time to tune out the politics and put community first.


Try this statement written by Meredith Dragon, the CEO of the Jewish Federation about Palestinian protesters last week at the 4th of July Parade in Fairport.

“Terrorist sympathizers and antisemites on the march at Fairport’s Fourth of July parade. That they choose to desecrate the 4th of July is unfathomable. Note the utter lack of support for these hate fueled people from the crowd on the parade route. Help us fight these uninformed hateful people in our backyard.”

Second quote: Dan Kinel, JFED President: “Jew hating racists on the far progressive left. They are like a creek swelling against a mountain dam miles away from the actual rain. The river swells, the dam eventually washes away and everything in the resulting deadly tsunami’s path is utterly destroyed. These progressives chant slogans like “free Palestine from the river to the sea.”

In the name of antisemitism, and because of the global efforts to continue the supply of weaponry and money to Israel, the Jewish Federation, AntiDefamation League, and AIPAC are using fear and condemnation.

The demand that the town adopts a town code for gatherings and protests was initiated and spread by JFed in order to condemn and silence the voices of those supporting Palestine. As their campaign grew, the fight morphed from calling out antisemitism to fear for the safety of our children. The town needed to act. Fear and worry began to dominate the majority of the speeches heard at Town Hall.

This law as it exists will not do anything to protect our children and calm those fears. Ironically, as written, it can have little effect. Protests will not be stopped. In the City of Rochester, there are permit requirements which are rarely acknowledged. Immediacy always wins over regulation. Quotas regarding the number of participants are unenforceable. Carrying permits will not be required. Mass killers can still show up. Your children will be no safer than they are as we sit in this room tonight.

But the law will give Meredith and Dan the aura of power. They like that they are scaring you because they can manipulate you. They like that they may be convincing you that Palestinians supporters are evil minded people, including the
Jews like me who they call Jew Haters. This is not about your safety.

Regarding the Fairport parade. I was there. You can find my video on Facebook under the channel Julie Gelfand. Look at the kids standing next to the protesters. All they cared about was the candy being thrown from the marchers and floats. They shouted and fell to the ground as handfuls of treats came their way, and then filled their pockets and mouths with sugar. No frightened, damaged children. Truth, information, and compassion. Let’s fill this room with that.

One more quote from Meredith Dragon from last month. A quote that has a wide reach and might be spoken by all of us in this room, even though it may not have been Meredith’s intention:

“The words of Anne Frank, who would have turned 95 this week, "How wonderful it is that nobody need wait a single moment before starting to improve the world." As hard as the days continue to be, we will continue to improve the world, despite those who want to harm us because we have no choice. This is who we are and that’s what we do. No amount of hate can deter us from our mission.”
Bridget, please include Mr. Siegel's communication in the record of the public hearing on this local law.
I hope you are enjoying your time off!

Bill

William W. Moehle, Supervisor (he/him)
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618
(585) 784-5252

From: Jonathan Siegel <jwintersiegel@gmail.com>
Sent: Monday, July 15, 2024 3:55 PM
To: William Moehle <william.moehle@townofbrighton.org>; Nate Salzman <nate.salzman@townofbrighton.org>; Christine Corrado <christine.corrado@townofbrighton.org>; Chris Werner <chris.werner@townofbrighton.org>; Robin Wilt <robin.wilt@townofbrighton.org>
Subject: A Local Law to Amend Chapter 113 of the Code of the Town of Brighton with Respect to Demonstration and Special Event Permits

Dear Town Board Members and Supervisor Moehle:

Unfortunately I will be out of town at the next board meeting and will thus not be able to speak at the public hearing on this ordinance. This letter will have to do instead. I apologize that this letter is coming late in the game; I did not realize an ordinance on this topic was before the board until last Wednesday.

My comments pertain only to the elements of the ordinance that have to do with demonstrations.

In my view portions of this ordinance need to be changed. The ordinance needs to give more attention to the right of protest and the town's obligations to protestors. Here in non-legal language is what, in my view, needs to be done:

1. The ordinance should begin with a clear statement that in Brighton we do more than acknowledge the right to demonstrate. It should state that we view it as a precious and fundamental right that it is the responsibility of the Town government to protect.

2. The ordinance should clearly state that the permit review process begins with a strong presumption that the permit should be granted and that only compelling reasons should be
used to deny a permit.

3. Denial of a permit because of a lack of town resources should be rare and the town should be required to provide a detailed explanation of this decision to the permit requestors and to the public more generally.

4. The ordinance should clearly state that the town must protect the right to protest during a protest as well as the safety of bystanders.

We live in dangerous times where the meaning of the constitution is undergoing great change, changes that promise to limit the freedom of all Americans. Making these changes will show that Brighton remains committed to a higher standard than passing constitutional muster, a standard that treats protest as an essential part of the democratic fabric of American life.

Sincerely,

Jonathan W. Siegel
309 Hemingway Drive
MEMORANDUM

TO: Honorable Town Board
FROM: William W. Moehle, Supervisor
DATE: May 22, 2024
RE: Proposed Local Law amending Chapter 113 of the Town Code with respect to Demonstration and Special Event Permits

During the past several Town Board meetings, we have heard from many residents expressing concern with gatherings and demonstrations in the Twelve Corners Park. In response to those concerns, and to ensure that the Brighton Police Department and Parks Department are aware of gatherings in our parks that might cause safety issues, I have asked Attorney to the Town John Mancuso, Esq., to draft a local law directing that organizers of special events and demonstrations of a certain size in our parks be required to obtain a permit for such events or demonstrations. This would ensure that the Police Department and Parks Department are aware of upcoming events and can better address safety concerns that may arise.

I would ask that the Town Board set a public hearing for June 26, 2024 to receive public comment on the proposed law. I would also suggest that the proposed law be reviewed at the Town Board Public Safety Committee meeting on June 12, 2024.
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 10th day of August 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor
CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,
Councilmembers

WHEREAS, the Town Board duly scheduled a public hearing to be held on August 14, 2024 at 7:00 p.m., to consider the adoption of a proposed Local Law to be known as “A Local Law to Amend Chapter 211 of the Code of the Town of Brighton (Flood Damage Prevention)”; and

WHEREAS, such public hearing was duly called and held on August 14, 2024 at 7:00 pm at Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, Monroe County, New York and all persons having an interest in the matter having had an opportunity to be heard;

NOW, THEREFORE, on motion of Councilmember ____________________, seconded by Councilmember ____________________,

BE IT RESOLVED, that all written comments provided to the Town at the Public Hearing held on August 14, 2024 regarding the proposed Local Law be received and filed; and

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BRIGHTON, that pursuant to the provisions of Article 3 of the Municipal Home Rule Law of the State of New York, the Town hereby adopts Local Law No. 4 of 2024 to amend Chapter 211 of the Code of the Town of Brighton with respect to Flood Damage Prevention as set forth in the annexed Local Law; and it is further
RESOLVED, that the Clerk of the Town of Brighton shall within twenty days after the adoption of the Local Law file one certified copy thereof in the Office of the Town Clerk and file one certified copy in the Office of the Secretary of State of the State of New York; and it is further

RESOLVED, that Local Law No. 4 of 2024 shall take effect immediately upon its filing in the Office of the Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

Dated: August 14, 2024

William W. Moehle, Supervisor

Christopher K. Werner, Councilmember

Robin R. Wilt, Councilmember

Christine E. Corrado, Councilmember

Nathaniel V. Salzman, Councilmember

Voting ___

Voting ___

Voting ___

Voting ___
LOCAL LAW NO. 4 OF 2024

A LOCAL LAW TO AMEND CHAPTER 211 OF THE CODE OF THE TOWN OF BRIGHTON (FLOOD DAMAGE PREVENTION)

BE IT ENACTED by the Town Board of the Town of Brighton, Monroe County, New York, as follows:

Section 1. Authorization.

The adoption of this local law is in accordance with New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36.

Section 2. Title.

This local law shall be known as “A Local Law for Flood Damage Prevention.”

Section 3. Amendments to Chapter 211 of the Code of the Town of Brighton.

Section 211-6 of Chapter 211 (Flood Damage Prevention) of the Code of the Town of Brighton is hereby repealed in its entirety and replaced with the following:

§211-6 Basis for establishing the areas of special flood hazard.

A The areas of special flood hazard for the Town of Brighton, Community Number 360410 are identified and defined on the following documents prepared by the Federal Emergency Management Agency.

(1) Flood Insurance Rate Map Panel(s): 36055C0217H, whose effective date is July 31, 2024, and any subsequent revisions to these map panels that do not affect areas under our community’s jurisdiction.

(2) A scientific and engineering report entitled "Flood Insurance Study, Monroe County, New York (All Jurisdictions)," dated July 31, 2024.


B. The above documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and/or maps are on file at Town Offices, Town of Brighton.

Section 4. Conflict with Other Provisions.

When the requirements or restrictions imposed by this local law conflict with the requirements or restrictions imposed by other laws, ordinances, codes, rules or regulations, the more proscriptive requirement or restriction, respectively, shall prevail.

Section 5. Severability.

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 6. Effective Date.

This local law shall go into effect immediately upon filing with the New York State Secretary of State.
July 16, 2024

The Honorable Town of Brighton Town Board
Town of Brighton
2300 Elmwood Ave.
Rochester, New York 14618

Re: Town of Brighton Town Code Revision
Chapter 211 -Flood Damage Protection, Section 3.2

Dear Supervisor Moehle and Town Board Members:

At the June 12, 2024, Town Board meeting, the Board approved adopting the FEMA required changes to the Town’s Chapter 211-Flood Damage Protection code. During the approval process, the NYSDEC was concurrently reviewing our proposed draft code for compliance with the FEMA requirements. After the June meeting, the NYSDEC notified us of additional changes needed to Section 3.2 of the Chapter 211 recently adopted code. A copy of these minor revisions has been sent to the Town Attorney for his review.

I am requesting that the Town Board initiate the review and approval process for the amended Chapter 211 – Flood Damage Protection, Section 3.2 and open a public hearing. Upon review by the Town Attorney and draft review determination of the Local Law by the NYSDEC, the Town Board would be able to close the hearing and adopt the revised code at their discretion.

As always, thank you for your consideration. A member for the DPW will be in attendance at your regularly scheduled July 24, 2024, meeting in the event that you have any questions regarding this matter. As always, your consideration of matters such as this is greatly appreciated.

Sincerely,

Ken Hurley, P.E.
Department of Public Works

Cc: Jim Sprague
3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Town of Brighton, Community Number 360410 are identified and defined on the following documents prepared by the Federal Emergency Management Agency.

(1) Flood Insurance Rate Map Panel(s):

36055C0217H

whose effective date is July 31, 2024 and any subsequent revisions to these map panels that do not affect areas under our community’s jurisdiction.

(2) A scientific and engineering report entitled "Flood Insurance Study, Monroe County, New York (All Jurisdictions)," dated July 31, 2024.

(3) Flood Insurance Rate Map Panel(s):


whose effective date is August 28, 2008 and any subsequent revisions to these map panels that do not affect areas under our community’s jurisdiction.


The above documents are hereby adopted and declared to be a part of this Local Law. The Flood Insurance Study and/or maps are on file at:

_________________________________________________________________________
_________________________________________________________________________
COMMUNICATIONS
CLAIMS FOR APPROVAL AT TOWN BOARD MEETING

August 14, 2024

THAT THE CLAIMS NUMBERED 3342 THROUGH 3650 AS SUMMARIZED BELOW HAVING BEEN APPROVED BY THE RESPECTIVE DEPARTMENT HEADS AND AUDITED BY THE CHAIR OF THE FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE ARE HEREBY APPROVED FOR PAYMENT.

A - GENERAL 259,164.08
CM - COMMUNITY FUND 975.00
D - HIGHWAY 267,750.05
H - CAPITAL 234,784.78
L - LIBRARY 111.75
SB - BUSINESS IMPROVEMENT DISTRICT 250.00
SD - DRAINAGE DISTRICT 320.00
SF - FIRE DISTRICT 24,833.05
SK - SIDEWALK DISTRICT 120,211.82
SL - LIGHTING DIST 30,678.49
SP - PARKS DISTRICT 275.00
SR-REFUSE DISTRICT 107,999.05
SS - SEWER DISTRICT 23,747.34

TOTAL: $1,071,100.41

UPON ROLL CALL MOTION CARRIED

APPROVED BY: SUPERVISOR
William W. Moehle

COUNCIL MEMBER
Nathaniel Saltzman
COUNCIL MEMBER
Christopher Werner

COUNCIL MEMBER
Robin Wilt
COUNCIL MEMBER
Christine Corrado

TO THE SUPERVISOR:

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

August 14, 2024
DATE

TOWN CLERK
Daniel Aman
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**TOWN OF BRIGHTON CLAIMS ABSTRACT FOR 8/14/2024**

**CLAIM NUMBER 3342 THROUGH 3650**

**84 LUMBER COMPANY INC Total**

$703.44

**ACTION TELEPHONE EXCHANGE Total**

$99.41

**ADVANCED PROPERTY CONTRACTORS, LLC Total**

$15,770.00

**AMAN, DANIEL - CUSTODIAN OF PETTY CASH/CHANGE FUND Total**

$270.89

**AMAZON.COM, INC. Total**

$917.33

**AMERICAN RENTALS dba DUKE CO. Total**

$1,400.00

**ATTICA PACKAGE COMPANY, INC. Total**

$8,400.00

**AUSTIN-SPENCER COLLISION, INC. Total**

$1,283.96

**BAGEL LAND Total**

$120.00

**BAGEL LAND Total**

$120.00

**BAREFOOT SPORTSWEAR, INC. Total**

$791.10
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**TOTALS**

- **COOK BROTHERS TRUCK PARTS Total**: $84.10
- **CORTESE FORD LLC Total**: $189.90
- **CROSMAN SEED CORP Total**: $400.00
- **D. CLARK DISTRIBUTORS, LLC Total**: $3,622.66
- **D.J.M. EQUIPMENT, INC. Total**: $1,813.85
- **DAVIDSON FINK LLP Total**: $1,927.50
- **DECKER MAN OIL COMPANY, INC. Total**: $290.00
- **DEPOSITORY TRUST COMPANY, THE Total**: $41,115.63
- **GREGG DOUGHERTY-HERMAN Total**: $100.00
- **DRAIN MAN PLUMBING, INC. Total**: $1,485.00
- **DROPBOX, INC. Total**: $199.00
- **ECO GREEN PARK LTD Total**: $80.01
- **ECONOMY PRODUCTS & SOLUTIONS INC. Total**: $1,371.51
- **ECONOMIC FIELD PRODUCTIONS, INC. Total**: $4,333.33
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**Total Amounts:**
- IMMEDIATE MAILING SERVICE, INC.: $1,914.75
- IN/EX ARCHITECTURE P.C.: $218,931.00
- INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS: $225.00
- INTERPRETEK: $704.00
- IROQUOIS ROCK PRODUCTS / DOLOMITE GROUP: $55,954.90
- JACKSON WELDING & GAS PRODUCTS: $60.99
- JOE JOHNSON EQUIPMENT: $2,838.94
- SARAH JONES: $60.00
- SABRINA KALPIN: $175.00
- KIMBALL MIDWEST: $803.25
- HEIDI NICOLE KLOSSNER: $1,223.19
- LAKESIDE SOD SUPPLY CO., INC.: $3,912.16
- LDL POOLS INC: $590.00
- LEWIS GENERAL TIRES, INC.: $1,914.75
- LEWIS GENERAL TIRES, INC.: $1,512.00
- LU ENGINEERS: $15,853.78
- M & T BANK: $64.96
- M & T BANK: $64.96

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**TOWN OF BRIGHTON CLAIMS ABSTRACT FOR 8/14/2024**

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**WEGMANS FOOD MARKET INC Total** $354.75

**WEIDER'S HARDWARE, INC Total** $1,055.03

**WHITE CAP, L.P. Total** $426.78

**Grand Total** $1,071,100.41
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,
Councilmembers

BE IT RESOLVED, that correspondence dated August 5, 2024 from Assistant Engineer Brendan Ryan requesting authorization to solicit bids for repairs to an aerial sewer line located in Corbett’s Glen Nature Park, and approval of a budget amendment to transfer $100,000 from account SS.SEEPER.8120.4.52 (Engineering Fees) to SS.SEEPER.8120.2.80 (Sewer Const./Repair), to fund such repairs to the aerial sewer line, be received and filed; and it is further

RESOLVED, that the Town Board hereby authorizes the solicitation of bids for the repairs to an aerial sewer line located in Corbett’s Glen Nature Park, and approves a budget amendment to transfer $100,000 from account SS.SEEPER.8120.4.52 (Engineering Fees) to SS.SEEPER.8120.2.80 (Sewer Const./Repair), to fund such repairs to the aerial sewer line.

Dated: August 14, 2024

William W. Moehle, Supervisor  Voting ___
Christopher K. Werner, Councilmember  Voting ___
Robin R. Wilt, Councilmember  Voting ___
Christine E. Corrado, Councilmember  Voting ___
Nathaniel V. Salzman, Councilmember  Voting ___
August 5, 2024

The Honorable Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: Corbett’s Glen Aerial Sewer

Dear Councilperson Salzman and Committee Members:

Corbett’s Glen contains an aerial sewer line that runs above the road and is affixed to the underside of the bridge archway of the CSX-owned railroad bridge. In 2023, some damage to the pipe was sustained due to a tree limb falling on the aerial portion. The 2024 budget included $100,000 to conduct an engineering study on the damage and determine the best course of action to repair it. However, it was ultimately determined that Town staff would conduct the necessary study, and the pipe was surveyed to determine necessary parameters. Town staff has determined that the best course of action is to add additional supports to the attachment of the pipe to the ceiling of the tunnel and to conduct a cleaning and CIPP (cured in place pipe) relining of the existing pipe to ensure that no future issues arise from possible undetected damage or future incidents.

The Town does have a term contract with Skanex Pipe Services to conduct relining work, but it was determined that this project would be outside of the scope of services outlined within this contract and that Town staff would need to take the project out to bid as a discrete project. Town staff estimates that the work can be conducted within the $100,000 that was originally budgeted for the study, so staff requests that this money be repurposed from the study to the construction and thereby moved from SS.SEWER.8120.4.52 (Engineering Fees) to SS.SEWER8120.2.80 (Sewer Const/Repair) . No additional money is being requested for this project from the budget.

Town staff is requesting authorization for the Finance Department to make the requested amendments to the budget, and for Town staff to seek competitive bids for the completion of this work.

I will be in attendance at your scheduled August 7, 2024 meeting in the event that you have any questions related to this matter. As always, your consideration of matters such as this is greatly appreciated.

Sincerely,

Brendan Ryan
Department of Public Works
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August, 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,
Councilmembers

BE IT RESOLVED, that a proposed negative declaration and correspondence each dated July 31, 2024 from Environmental Review Liaison Officer Rick DiStefano, regarding a request to the Town Board to complete the environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) relative to the Town’s installation of approximately 6,300 linear feet of five foot wide ADA compliant sidewalk at: (i) Elmwood Avenue (north side) between 2700 Elmwood Avenue and Highland Avenue (2,450 linear feet); (ii) Westfall Road (north side) between Roosevelt Road and Monroe Avenue, Westfall Road (south side) between Del Rio and Edgewood Avenue (2,850 linear feet); (iii) Edgewood Avenue (west side) between 17 Edgewood Avenue and Monroe Avenue (500 linear feet); and (iv) Allens Creek Road (north side) between Monroe Avenue and Schoolhouse Lane (800 linear feet), by declaring itself as lead agency and adopting the proposed negative declaration prepared by Town staff regarding said project, be received and filed; and it is further

RESOLVED, that the Town Board pursuant to SEQRA hereby declares itself as Lead Agency, has taken a hard look at the potential environmental impacts of the proposed action and made the determination that the proposed action will not have a significant adverse impact on the environment, and adopts the proposed negative declaration prepared by Town staff regarding the Town’s
planned installation of approximately 6,300 linear feet of five foot wide ADA compliant sidewalk at: (i) Elmwood Avenue (north side) between 2700 Elmwood Avenue and Highland Avenue (2,450 linear feet); (ii) Westfall Road (north side) between Roosevelt Road and Monroe Avenue, Westfall Road (south side) between Del Rio and Edgewood Avenue (2,850 linear feet); (iii) Edgewood Avenue (west side) between 17 Edgewood Avenue and Monroe Avenue (500 linear feet); and (iv) Allens Creek Road (north side) between Monroe Avenue and Schoolhouse Lane (800 linear feet).

Dated: August 14, 2024

William W. Moehle, Supervisor
Christopher K. Werner, Councilmember
Robin R. Wilt, Councilmember
Christine E. Corrado, Councilmember
Nathaniel V. Salzman, Councilmember

Voting
Voting
Voting
Voting
Voting
August 5, 2024

The Honorable Finance and Administrative Services Committee
Town of Brighton
2300 Elmwood Avenue
Rochester, New York 14618

Re: Clean Energy Community Grant Application Request

Dear Councilperson DiPonzio and Committee Members:

The Town of Brighton is a participant in the Clean Energy Communities Program administered by the New York State Energy Research & Development Authority (NYSERDA). Reaching certain program point levels qualifies municipalities for grants through this program, and the Town of Brighton recently was awarded $100,000 for successfully reaching the 5,000 point threshold.

Town staff and the Sustainability Oversight Committee identified a total of five priority projects to use this money on. The proposed projects are solar arrays on Buckland Park Lodge, Buckland Park Concessions Building, Meridian Centre Park, and the Town Hall Pool building, as well as a ground source heat pump (geothermal) heating and cooling system for the Buckland Park Lodge. These projects will deliver substantial energy savings to the Town and pave the way for the Town to reach the 7,000 point threshold and an additional grant. Together, these projects would result in cutting greenhouse gas emissions by roughly 30.8 metric tons of CO2e annually, which represents a nearly 8% decrease in the Town’s total building sector emissions. They also represent a total utility cost savings of roughly $11,000 annually between the four facilities. The Town Board previously granted approval to staff to apply for the $100,000 grant from NYSERDA for this project, and the application has been approved. This proposed system would be eligible for NYSERDA NY-SUN incentive which is paid directly to contractors—all quotes are inclusive of this credit. Additionally, all pieces of this project would qualify for a federal direct pay Inflation Reduction Act benefit of 30% of the project cost.

Town staff sought three quotes for the geothermal project from ACES Energy, Geotherm, and Moravec/Van Hee. ACES Energy and Geotherm responded, with Geotherm providing the lowest quote of $24,620. ACES Energy provided a quote for $34,200. The four solar projects will need to be released as a competitive bid package as they total greater than $35,000 in spending.

Town staff is requesting authorization to accept the $100,000 grant, to release a competitive bid solicitation for the four solar projects, for the Town Supervisor to execute the grant contract with NYSERDA, for the Town Supervisor to enter into an agreement with Geotherm to complete the geothermal work, and for the Finance Department to make any necessary amendments to the budget to proceed with this project.

I will be in attendance at your scheduled August 7, 2024 meeting in the event that you have any questions related to this matter. As always, your consideration of matters such as this is greatly appreciated.
Sincerely,

Brendan Ryan
Department of Public Works
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August, 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,

Councilmembers

BE IT RESOLVED, that a proposed negative declaration and correspondence each dated July 31, 2024 from Environmental Review Liaison Officer Rick DiStefano, regarding a request to the Town Board to complete the environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) relative to the Town’s installation of approximately 6,300 linear feet of five foot wide ADA compliant sidewalk at: (i) Elmwood Avenue (north side) between 2700 Elmwood Avenue and Highland Avenue (2,450 linear feet); (ii) Westfall Road (north side) between Roosevelt Road and Monroe Avenue, Westfall Road (south side) between Del Rio and Edgewood Avenue (2,850 linear feet); (iii) Edgewood Avenue (west side) between 17 Edgewood Avenue and Monroe Avenue (500 linear feet); and (iv) Allens Creek Road (north side) between Monroe Avenue and Schoolhouse Lane (800 linear feet), by declaring itself as lead agency and adopting the proposed negative declaration prepared by Town staff regarding said project, be received and filed; and it is further

RESOLVED, that the Town Board pursuant to SEQRA hereby declares itself as Lead Agency, has taken a hard look at the potential environmental impacts of the proposed action and made the determination that the proposed action will not have a significant adverse impact on the environment, and adopts the proposed negative declaration prepared by Town staff regarding the Town’s
planned installation of approximately 6,300 linear feet of five foot wide ADA compliant sidewalk at: (i) Elmwood Avenue (north side) between 2700 Elmwood Avenue and Highland Avenue (2,450 linear feet); (ii) Westfall Road (north side) between Roosevelt Road and Monroe Avenue, Westfall Road (south side) between Del Rio and Edgewood Avenue (2,850 linear feet); (iii) Edgewood Avenue (west side) between 17 Edgewood Avenue and Monroe Avenue (500 linear feet); and (iv) Allens Creek Road (north side) between Monroe Avenue and Schoolhouse Lane (800 linear feet).

Dated: August 14, 2024

William W. Moehle, Supervisor  Voting  
Christopher K. Werner, Councilmember  Voting  
Robin R. Wilt, Councilmember  Voting  
Christine E. Corrado, Councilmember  Voting  
Nathaniel V. Salzman, Councilmember  Voting  
July 31, 2024

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

Re: Environmental Determination - Negative Declaration
2024 Sidewalk Projects

To the Supervisor and Board Members:

The 2024 Sidewalk Project involves installation of 6,300 +/- linear feet of ADA compliant, five-foot wide concrete sidewalk at four locations:
1. Elmwood Avenue (north side) between 2700 Elmwood Avenue and Highland Avenue (2,450 LF)
2. Westfall Road (north side) between Roosevelt Road and Monroe Avenue, Westfall Road (south side) between Del Rio and Edgewood Avenue (2,850 LF)
3. Edgewood Avenue (west side) between 17 Edgewood Avenue and Monroe Avenue (500 LF)
4. Allens Creek Road (north side) between Monroe Avenue and Schoolhouse Lane (800 LF)

The Town of Brighton is applying to the County of Monroe to construct the 6,300 +/- linear feet. Based on the review of the Environmental Assessment form prepared for the Project and review by Town staff, the project will not result in any adverse environmental impacts.

I recommend that the Town Board:

1. Receive and file this letter and the attached negative declaration for the 2024 Sidewalk Project;

2. Declare that the Town Board be lead agency under the State of New York Environmental Quality Review Act; and

3. Adopt the attached negative declaration prepared by Town Staff for the Project

Sincerely,

Rick DiStefano
Environmental Review Liaison Officer

xc via email: James P. Sprague, Commissioner of Public Works

2300 Elmwood Avenue Rochester, New York 14618 www.townofbrighton.org
Rick.DiStefano@townofbrighton.org 585-784-5228
State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: ER-7-24 Date: July 31, 2024

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: 2024 Sidewalk Projects

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Installation of 6,300 +/- linear feet of ADA compliant, five-foot wide concrete sidewalk at four locations.

Location:
1. Elmwood Avenue (north side) between 2700 Elmwood Avenue and Highland Avenue (2,450 LF)
2. Westfall Road (north side) between Roosevelt Road and Monroe Avenue, Westfall Road (south side) between Del Rio and Edgewood Avenue (2,850 LF)
3. Edgewood Avenue (west side) between 17 Edgewood Avenue and Monroe Avenue (500 LF)
4. Allens Creek Road (north side) between Monroe Avenue and Schoolhouse Lane (800 LF)

Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. The requirements of the State Environmental Quality Review Law have been complied with.
2. There will be no resources of value irreversibly lost.
3. The project construction period will be short; noise impacts from construction will be
limited.

4. Proper erosion control measures will be used. There will be no adverse impact on the environment.

For further information:

Contact Person: Chad Roscoe, Junior Engineer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Email: chad.roscoe@townofbrighton.org
Telephone: 585-784-5224
**Short Environmental Assessment Form**  
*Part 2 - Impact Assessment*

Part 2 is to be completed by the Lead Agency.  
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✓</td>
<td>☐</td>
</tr>
</tbody>
</table>
Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

<table>
<thead>
<tr>
<th>Town of Brighton Town Board</th>
<th>Name of Lead Agency</th>
<th>7-31-2024</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chad Roscoe</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Print or Type Name of Responsible Officer in Lead Agency</td>
<td>Signature of Responsible Officer in Lead Agency</td>
<td>Jason Haremza</td>
<td>Signature of Preparer (if different from Responsible Officer)</td>
</tr>
</tbody>
</table>

PRINT FORM
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

### Part 1 – Project and Sponsor Information

**Name of Action or Project:**
Edgewood Avenue Sidewalk

**Project Location (describe, and attach a location map):**
Install sidewalks along the west side of Edgewood Avenue from #17 Edgewood Ave to Monroe Avenue.

**Brief Description of Proposed Action:**
Install 200 LF of 5’ wide concrete sidewalk

---

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 585-784-5224</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of Brighton / Chad Roscoe</td>
<td>E-Mail: <a href="mailto:chad.roscoe@townofbrighton.org">chad.roscoe@townofbrighton.org</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2300 Elmwood Avenue</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City/PO:</th>
<th>State:</th>
<th>Zip Code:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rochester</td>
<td>NY</td>
<td>14618</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? NO YES
   - If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

2. Does the proposed action require a permit, approval or funding from any other government agency? NO YES
   - If Yes, list agency(s) name and permit or approval: MCDOT Highway Permit & Funding approvals

3. a. Total acreage of the site of the proposed action? .03 acres
   - b. Total acreage to be physically disturbed? .03 acres
   - c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .03 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   - [ ] Urban
   - [ ] Rural (non-agriculture)
   - [ ] Industrial
   - [ ] Commercial
   - [ ] Residential (suburban)
   - [ ] Forest
   - [ ] Agriculture
   - [ ] Aquatic
   - [ ] Other (Specify):
   - [ ] Parkland

Page 1 of 3
5. Is the proposed action,
   a. A permitted use under the zoning regulations?  
      | NO | YES | N/A |
      |    | ✓   |     |
   b. Consistent with the adopted comprehensive plan? 
      |    | ✓   |     |

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? 
   | NO | YES |
   |    | ✓   |

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? 
   If Yes, identify: ___________________________ 
   |   | YES |
   | ✓ |     |

8. a. Will the proposed action result in a substantial increase in traffic above present levels? 
      | NO | YES |
      | ✓  |     |
   b. Are public transportation services available at or near the site of the proposed action? 
      |    | ✓   |     |
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? 
      |    | ✓   |     |

9. Does the proposed action meet or exceed the state energy code requirements? 
   If the proposed action will exceed requirements, describe design features and technologies: 
   ___________________________ 
   |   | YES |
   | ✓ |     |

10. Will the proposed action connect to an existing public/private water supply? 
    If No, describe method for providing potable water: ___________________________ 
    | N/A | YES |
    | ✓  |     |

11. Will the proposed action connect to existing wastewater utilities? 
    If No, describe method for providing wastewater treatment: ___________________________ 
    | N/A | YES |
    | ✓  |     |

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? 
    | YES | NO |
    | ✓  |    |
   b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? 
    | YES | NO |
    | ✓  |    |

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? 
    | NO | YES |
    |    | ✓   |
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- [ ] Shoreline
- [ ] Forest
- [ ] Agricultural/grasslands
- [ ] Early mid-successional
- [ ] Wetland
- [ ] Urban
- [✓] Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?  
   - [✓] NO  
   - [ ] YES

16. Is the project site located in the 100-year flood plan?  
   - [ ] NO  
   - [✓] YES

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
   - [✓] NO  
   - [ ] YES
   a. Will storm water discharges flow to adjacent properties?  
   - [✓] NO  
   - [ ] YES
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
   - [✓] NO  
   - [ ] YES
   If Yes, briefly describe:

   __________________________________________________________

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?  
   - [✓] NO  
   - [ ] YES
   If Yes, explain the purpose and size of the impoundment:

   __________________________________________________________

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?  
   - [✓] NO  
   - [ ] YES
   If Yes, describe:

   __________________________________________________________

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?  
   - [ ] NO  
   - [✓] YES
   If Yes, describe:

   __________________________________________________________

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Chad Roscoe  
Date: 8/1/24

Signature: Chad Roscoe  
Title: Junior Engineer
**Part 1 / Question 7** [Critical Environmental Area]  
No

**Part 1 / Question 12a** [National or State Register of Historic Places or State Eligible Sites]  
No

**Part 1 / Question 12b** [Archaeological Sites]  
No

**Part 1 / Question 13a** [Wetlands or Other Regulated Waterbodies]  
Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

**Part 1 / Question 15** [Threatened or Endangered Animal]  
No

**Part 1 / Question 16** [100 Year Flood Plain]  
Yes

**Part 1 / Question 20** [Remediation Site]  
Yes
Edgewood Ave Sidewalks (200 LF Total)  
(17 Edgewood Ave. to Monroe Ave. - westside)

Project Details:
1. #17 Edgewood Ave to Monroe Ave (westside)
2. 200 LF of 5' wide concrete sidewalk with greenspace
3. Retaining wall 100' LF 24"+/-
4. No utilities impacted

Department of Public Works  
2300 Elmwood Avenue  
Rochester, NY 14618  
(585) 764-5250  
www.townofbrighton.org
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th><strong>Part 1 – Project and Sponsor Information</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of Action or Project:</strong></td>
</tr>
<tr>
<td>Elmwood Avenue Sidewalks</td>
</tr>
<tr>
<td><strong>Project Location (describe, and attach a location map):</strong></td>
</tr>
<tr>
<td>Along the northside of Elmwood Avenue from 12 Corners to Highland Crossing Trail</td>
</tr>
<tr>
<td><strong>Brief Description of Proposed Action:</strong></td>
</tr>
<tr>
<td>Install 2450 LF of 5' wide concrete sidewalks along the northside of Elmwood Avenue starting at 2700 Elmwood Ave. traveling easterly to the Highland Crossing Trail.</td>
</tr>
</tbody>
</table>

| **Name of Applicant or Sponsor:**           |
| Town of Brighton/ Chad Roscoe               |
| **Telephone:** 585-784-5224                 |
| **E-Mail:** chad.roscoe@townofbrighton.org  |
| **Address:** 2300 Elmwood Avenue            |
| **City/PO:** Rochester                      |
| **State:** NY                               |
| **Zip Code:** 14618                         |

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?  
   - If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.  
   - NO □ YES □

2. Does the proposed action require a permit, approval or funding from any other government Agency?  
   - If Yes, list agency(s) name and permit or approval: MCDOT Highway Permit & funding approval  
   - NO □ YES □

3. a. Total acreage of the site of the proposed action?  
   - .43 acres  
   b. Total acreage to be physically disturbed?  
   - .43 acres  
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   - .43 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:  
   - □ Urban  □ Rural (non-agriculture)  □ Industrial  □ Commercial □ Residential (suburban)  
   - □ Forest  □ Agriculture  □ Aquatic  □ Other(Specify):  
   - □ Parkland

Page 1 of 3
5. **Is the proposed action,**
   a. A permitted use under the zoning regulations?  
      | NO | YES | N/A |
      |    | ✓   |     |
   b. Consistent with the adopted comprehensive plan?  
      |    | ✓   |     |

6. **Is the proposed action consistent with the predominant character of the existing built or natural landscape?**  
   | NO | YES |
   |    | ✓   |

7. **Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?**  
   If Yes, identify:  
   ____________________________________________  
   | ✓ |     |

8. a. **Will the proposed action result in a substantial increase in traffic above present levels?**  
    | NO | YES |
    |    | ✓   |
   b. **Are public transportation services available at or near the site of the proposed action?**  
    | ✓ |     |
   c. **Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?**  
    | ✓ |     |

9. **Does the proposed action meet or exceed the state energy code requirements?**  
   If the proposed action will exceed requirements, describe design features and technologies:  
   N/A  
   | ✓ |     |

10. **Will the proposed action connect to an existing public/private water supply?**  
    If No, describe method for providing potable water:  
    N/A  
    | ✓ |     |

11. **Will the proposed action connect to existing wastewater utilities?**  
    If No, describe method for providing wastewater treatment:  
    N/A  
    | ✓ |     |

12. a. **Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?**  
    | ✓ |     |
   b. **Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?**  
    | ✓ |     |

13. a. **Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?**  
    |     | ✓  |
   b. **Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?**  
    | ✓ |     |

If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  
__________________________________________________________
__________________________________________________________

Page 2 of 3
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- Shoreline
- Forest
- Agricultural/grasslands
- Early mid-successional
- Wetland
- Urban
- Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

- NO
- YES

16. Is the project site located in the 100-year flood plan?

- NO
- YES

17. Will the proposed action create storm water discharge, either from point or non-point sources?

- NO
- YES

  a. Will storm water discharges flow to adjacent properties?

  - NO
  - YES

  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

  - NO
  - YES

  If Yes, briefly describe:

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

- NO
- YES

  If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

- NO
- YES

  If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

- NO
- YES

  If Yes, describe:

---

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Chad Roscoe

Signature: Chad Roscoe

Date: 8/1/24

Title: 8/1/24
Part 1 / Question 7 [Critical Environmental Area] No

Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] No

Part 1 / Question 12b [Archeological Sites] No

Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

Part 1 / Question 15 [Threatened or Endangered Animal] No

Part 1 / Question 16 [100 Year Flood Plain] Yes

Part 1 / Question 20 [Remediation Site] Yes
**Project Details:**

1. Proposed sidewalk to be installed on the northside of Elmwood Avenue.
2. Trail to 590 on ramp existing sidewalks 150LF
3. 590 off ramp to existing sidewalk (westward) 2300 LF
4. Easements required
5. Hydrant & Utility Pole relocations required
6. Grading will be required

Elmwood Ave 2450 LF Total (Existing sidewalks to 590 Ramp & Existing sidewalks to Trail.)
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

**Part 1 – Project and Sponsor Information**

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Westfall Road Sidewalks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>Westfall Road between Roosevelt Road and Monroe Avenue</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>Install approximately 2850 LF of 5' wide concrete sidewalks along a portion of the northern side of Westfall Road from Roosevelt Road to Monroe Avenue and then on the southern side of Westfall Road from Del Rio to Edgewood Ave.</td>
</tr>
</tbody>
</table>

**Name of Applicant or Sponsor:**

| Telephone: 585-784-5224 |
| E-Mail: chad.roscoe@townofbrighton.org |

**Address:**

| 2300 Elmwood Avenue |

**City/PO:**

| Rochester |

**State:**

| NY |

**Zip Code:**

| 14618 |

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? Yes □ No □

   If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

2. Does the proposed action require a permit, approval or funding from any other government Agency? Yes □ No □

   If Yes, list agency(s) name and permit or approval: MCDOT Highway Permit & funding approval

3. a. Total acreage of the site of the proposed action? .45 acres

   b. Total acreage to be physically disturbed? .45 acres

   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .45 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

   - □ Urban
   - □ Rural (non-agriculture)
   - □ Industrial
   - □ Commercial
   - □ Residential (suburban)
   - □ Forest
   - □ Agriculture
   - □ Aquatic
   - □ Other(Specify):
   - □ Parkland
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  NO YES N/A  
   b. Consistent with the adopted comprehensive plan?  NO YES N/A

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  NO YES

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  NO YES  
   If Yes, identify: ________________________________  YES NO

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  YES NO
   b. Are public transportation services available at or near the site of the proposed action?  YES NO
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?  YES NO

9. Does the proposed action meet or exceed the state energy code requirements?  NO YES  
   If the proposed action will exceed requirements, describe design features and technologies:  YES NO
   N/A

10. Will the proposed action connect to an existing public/private water supply?  NO YES  
    If No, describe method for providing potable water:  YES NO
        N/A

11. Will the proposed action connect to existing wastewater utilities?  NO YES  
    If No, describe method for providing wastewater treatment:  YES NO
        N/A

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  YES NO
    b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  YES NO

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  NO YES
    b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  YES NO  
    If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: ________________________________
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

<table>
<thead>
<tr>
<th></th>
<th>Shoreline</th>
<th>Forest</th>
<th>Agricultural/grasslands</th>
<th>Early mid-successional</th>
<th>Wetland</th>
<th>Urban</th>
<th>Suburban</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO</td>
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<tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

16. Is the project site located in the 100-year flood plan?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

17. Will the proposed action create storm water discharge, either from point or non-point sources?
   If Yes,
   
   a. Will storm water discharges flow to adjacent properties?
   
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
   If Yes, briefly describe:

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?
   If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
   If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
   If Yes, describe:

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Chad Roscoe  
Date: 8/1/24

Signature: Chad Roscoe  
Title: Junior Engineer
<table>
<thead>
<tr>
<th>Part 1 / Question 7 [Critical Environmental Area]</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 12b [Archeological Sites]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]</td>
<td>Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.</td>
</tr>
<tr>
<td>Part 1 / Question 15 [Threatened or Endangered Animal]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 16 [100 Year Flood Plain]</td>
<td>Yes</td>
</tr>
<tr>
<td>Part 1 / Question 20 [Remediation Site]</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.
Project Details
1. Roosevelt Road to Monroe Ave (northside)
   - Multiple Easements required
   - 2000' LF of sidewalk
   - Hydrant & Utility Pole relocations required
2. Edgewood Ave to Del Rio (southside)
   - 850' LF of sidewalk
   - Hydrant & Utility Pole relocations required

Westfall Road (CO239) Sidewalks 2850 LF total
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

### Part 1 - Project and Sponsor Information

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Aliens Creek Road Sidewalks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a location map):</td>
<td>Aliens Creek Road along the northside of the road heading easterly from Monroe Ave to Schoolhouse Lane</td>
</tr>
<tr>
<td>Brief Description of Proposed Action:</td>
<td>Install 800 LF of 5’ wide concrete sidewalk</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 585-784-5224</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of Brighton / Chad Roscoe</td>
<td>E-Mail: <a href="mailto:chad.roscoe@townofbrighton.org">chad.roscoe@townofbrighton.org</a></td>
</tr>
<tr>
<td>Address:</td>
<td>2300 Elmwood Avenue</td>
</tr>
<tr>
<td>City/PO: Rochester</td>
<td>State: NY</td>
</tr>
<tr>
<td>Zip Code: 14618</td>
<td></td>
</tr>
</tbody>
</table>

1. **Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?**
   - **If Yes**, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.
   - **NO**
   - **YES**

2. **Does the proposed action require a permit, approval or funding from any other government Agency?**
   - **If Yes**, list agency(s) name and permit or approval: MCDOT Highway Permit & funding approval
   - **NO**
   - **YES**

3. a. **Total acreage of the site of the proposed action?**
   - **.13 acres**
   b. **Total acreage to be physically disturbed?**
   - **.13 acres**
   c. **Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?**
   - **.13 acres**

4. Check all land uses that occur on, are adjoining or near the proposed action:
   - 
   - Urba
   - Rural (non-agriculture)
   - Industrial
   - Commercial
   - Residential (suburban)
   - Forest
   - Agriculture
   - Aquatic
   - Other(Specify): Parkland

---

Page 1 of 3
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
      NO  YES  N/A  
   b. Consistent with the adopted comprehensive plan?  
      NO  YES  N/A  

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   NO  YES  

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   If Yes, identify:  
   NO  YES  

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
   b. Are public transportation services available at or near the site of the proposed action?  
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?  
   NO  YES  

9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies:  
   N/A  
   NO  YES  

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  
    N/A  
    NO  YES  

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  
    N/A  
    NO  YES  

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  
   b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  
   NO  YES  

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
   b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
   If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  
   NO  YES  

Page 2 of 3
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- Shoreline
- Forest
- Agricultural/grasslands
- Early mid-successional
- Wetland
- Urban
- Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

- YES
- NO

16. Is the project site located in the 100-year flood plan?

- YES
- NO

17. Will the proposed action create storm water discharge, either from point or non-point sources?
   If Yes,
   a. Will storm water discharges flow to adjacent properties?
   - YES
   - NO
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
   - YES
   - NO
   If Yes, briefly describe:

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?
   If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
   If Yes, describe:
   - YES
   - NO

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
   If Yes, describe:
   - YES
   - NO

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: **Chad Roscoe**
Date: **8/1/24**

Signature: **Chad Roscoe**
Title: **Junior Engineer**
Part 1 / Question 7 [Critical Environmental Area] | No
---|---
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No
Part 1 / Question 12b [Archeological Sites] | No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal] | No
Part 1 / Question 16 [100 Year Flood Plain] | No
Part 1 / Question 20 [Remediation Site] | Yes
Project Details:
1. 800' LF of 5' wide concrete sidewalk
2. No sidewalks under 590 N/S overpass
3. Hydrant relocation required

Allens Creek Sidewalks (Monroe Avenue to Schoolhouse Lane-northside) 800 LF total
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August, 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,

Councilmembers

WHEREAS, a Map, Plan and Report regarding the extension of the Brighton Consolidated Refuse District to include certain residential properties on Evandale Road as well as one property on Glenhill Drive and one property on Idlewood Lane as identified in the Map, Plan and Report was prepared by Town Junior Engineer Chad Roscoe dated July 11, 2024, and a petition requesting the extension of said District was signed by residents representing in excess of one half of the assessed value of all residential taxable parcels in the proposed extension, all pursuant to the provisions of Article 12 of the New York State Town Law; and

WHEREAS, the proposed extension will provide a mechanism to pay for refuse services and garbage pickup for the homes in the extension and to have each home pay an equal share of the cost of said services along with all other properties that are part of the Brighton Consolidated Refuse District. No improvements are to be made as part of the proposed extension; now therefore it is hereby

ORDERED, that correspondence from Junior Engineer Chad Roscoe regarding the proposed extension of the Brighton Consolidated Refuse District and correspondence from the Town Assessor dated May 22, 2024 and June 24, 2024, respectively, a Negative Declaration, Short Environmental Assessment Form
dated June 24, 2024 and all other supporting documents prepared pursuant to
the State Environmental Quality Review Act, and the above referenced petition
be received and filed; and be it further

ORDERED, that the Town Board hereby sets a public hearing to consider
the proposed extension of the Brighton Consolidated Refuse District for
September 11, 2024 at 7:00 p.m. or as soon thereafter as the matter can be
heard at Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton,
County of Monroe and State of New York to hear all persons who have an
interest in said proposed District extension; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to publish a
certified copy of this Order in the official newspaper of the Town and to
post a certified copy of this Order on the signboard of the Town no sooner
than twenty days and no later than ten days prior to said public hearing.

Dated: August 14, 2024

William W. Moehle, Supervisor           Voting  ___
Christopher K. Werner, Councilmember    Voting  ___
Robin R. Wilt, Councilmember             Voting  ___
Christine E. Corrado, Councilmember      Voting  ___
Nathaniel V. Salzman, Councilmember      Voting  ___
5/22/24

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

Re: Proposed Extension to the Brighton Consolidated Refuse District
    Receive and File Petitions
    Receive and File Map, Plan and Report
    Set Public Hearing

Honorable Supervisor and Members:

Petitions have been received to Extend the Brighton Consolidated Refuse District to include a number of homes along Evandale Road. As necessary per Article 12, Section 190 of the Town Law of the State of New York, petitions have been signed by 63% of the resident owners which represents 70% of the assessed value of residential properties in the proposed Extension.

I recommend that you receive and file the petitions, the originals of which have been placed in the Town Clerk’s Office.

I further recommend that you receive and file the plan, map and report for the proposed Extension. Services would be offered on a “benefits derived” basis, and would begin in 2025.

I further recommend that your Honorable Body establish a public hearing date for the above.

Sincerely,

Chad Roscoe
Town of Brighton

Cc: J. Mancuso
   D. Aman
   P. Post
   J. Sprague
Map, Plan & Report
Proposed Extension to the Brighton Consolidate Refuse District
to a portion of Evendale Road

1. Introduction

The purpose of this Map, Plan and Report is to extend the Brighton Consolidated Refuse District to include the residential properties along Evendale Road (hereinafter “Extension”) as shown on the attached Map. Article 12 of the Town Law of the State of New York permits the Town to form special assessment districts to provide refuse collection and disposal services.

Petitions for the establishment of the Extension have been received from the residential owners owning at least one-half of the assessed valuation of all the taxable real property of the proposed Extension owned by resident owners according to the latest completed assessment roll. In fact, such petitions contain signatures representing 70% of the assessed value of the residential properties within the proposed Extension.

2. Area of the Proposed Extension

The Extension is proposed to include all those properties shown on the attached map. A legal description of the proposed Extension is also attached.

3. Purpose of the Proposed Extension

The purpose of the proposed Extension is to provide for the equitable, public sharing of the cost of providing services to remove and to dispose of refuse and recyclables within the Extension.

4. Extension Charges

The charges of the proposed Extension will be assessed by the Town Board in proportion as nearly may be to the benefit which each parcel will drive therefrom. It is proposed that each parcel with a principal structure on it shall be considered as one unit for these purposes. The annual cost of the Extension to the typical property in the Extension is estimated to be $284.52+/- including all operation, administrative and other charges or costs.

5. Indebtedness

The proposed Extension has no plans to issue any indebtedness to finance its activities.

6. Dated: 7/11/24
Schedule ‘A’
Description of
Evandale Road Refuse District

All that tract or parcel of land being a part of Town Lot 23, Township 13, Range 7, 2nd Division, Town of Brighton, County of Monroe, State of New York, and being more or less bounded and described as follows:

Beginning at a point on the southwest property corner of 301 Idlewood Road, T.A.N. 150.06-1-54, thence;

THENCE (1) North 25°37'59" East, 148.42 feet to a point of non-tangency;
THENCE (2) North 48°25'24" West, 53.15 feet to a point of non-tangency;
THENCE (3) North 22°16'10" West, 52.01 feet to a point of non-tangency;
THENCE (4) North 20°50'09" East, 440.14 feet to a point of non-tangency;
THENCE (5) North 34°56'53" East, 162.00 feet to a point of non-tangency;
THENCE (6) South 68°08'02" East, 361.89 feet to a point of non-tangency;
THENCE (7) South 7°18'11" West, 164.70 feet to a point of non-tangency;
THENCE (8) South 21°27'42" West, 379.32 feet to a point of non-tangency;
THENCE (9) South 34°05'56" West, 57.77 feet to a point of non-tangency;
THENCE (10) South 67°24'36" West, 56.74 feet to a point of non-tangency;
THENCE (11) South 88°04'17" West, 54.59 feet to a point of non-tangency;
THENCE (12) South 4°58'46" West, 152.42 feet to a point of non-tangency;
THENCE (13) North 77°47'49" West, 69.63 feet to a point of non-tangency;
THENCE (14) North 66°13'52" West, 161.15 feet to a point of non-tangency;
THENCE (15) North 61°41'49" West, 70.56 feet; that point being the Point of Beginning.

Containing 317,836.60 square feet, having an area of 7.29 acres.
<table>
<thead>
<tr>
<th>Owner</th>
<th>Owner</th>
<th>Address</th>
<th>Signed</th>
<th>Assessed Value</th>
<th>Signed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lucas, Grosodonia Maiola</td>
<td>Michelle, Grosodonia Maiola</td>
<td>1 Evandale Road</td>
<td>yes</td>
<td>$280,800.00</td>
<td>$280,800.00</td>
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<tr>
<td>Giovanni, Schifitto</td>
<td>Mary Ann, Schifitto</td>
<td>2 Evandale Road</td>
<td>yes</td>
<td>$236,500.00</td>
<td>$236,500.00</td>
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<tr>
<td>Robert, McGraw</td>
<td>Karne, McGraw</td>
<td>3 Evandale Road</td>
<td>yes</td>
<td>$336,000.00</td>
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<td>Janet, Cordaro</td>
<td>John, Nelson</td>
<td>7 Evandale Road</td>
<td>yes</td>
<td>$206,700.00</td>
<td>$206,700.00</td>
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<tr>
<td>Gabreilla Rose, Sterne</td>
<td>Brian Vance, Kearns</td>
<td>10 Evandale Road</td>
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<td>$185,000.00</td>
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<tr>
<td>Daniel, Taramasco</td>
<td></td>
<td>19 Evandale Road</td>
<td>yes</td>
<td>$198,400.00</td>
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<tr>
<td>Steven, Hunt</td>
<td>Alice, Kiniorski</td>
<td>20 Evandale Road</td>
<td>yes</td>
<td>$270,500.00</td>
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<tr>
<td>Samuel, Rind</td>
<td>Gabriella, Rind</td>
<td>25 Evandale Road</td>
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<td>$197,300.00</td>
<td>$197,300.00</td>
</tr>
<tr>
<td>Dylan, Mohr</td>
<td>Arta, Ankrava</td>
<td>30 Evandale Road</td>
<td>yes</td>
<td>$208,400.00</td>
<td>$208,400.00</td>
</tr>
<tr>
<td>Casey, Voelkl</td>
<td></td>
<td>39 Evandale Road</td>
<td></td>
<td>$215,200.00</td>
<td></td>
</tr>
<tr>
<td>Alan, Lorenz</td>
<td></td>
<td>40 Evandale Road</td>
<td>yes</td>
<td>$263,100.00</td>
<td>$263,100.00</td>
</tr>
<tr>
<td>Anne, Sturrup</td>
<td>Marc, Berliant</td>
<td>49 Evandale Road</td>
<td></td>
<td>$194,900.00</td>
<td></td>
</tr>
<tr>
<td>Mark, Bennett</td>
<td>Barbara, Lowe</td>
<td>50 Evandale Road</td>
<td>yes</td>
<td>$215,000.00</td>
<td>$215,000.00</td>
</tr>
<tr>
<td>Ann, Whittaker</td>
<td></td>
<td>60 Evandale Road</td>
<td></td>
<td>$212,500.00</td>
<td></td>
</tr>
<tr>
<td>Costas, Solomou</td>
<td>Michelle, Solomou</td>
<td>61 Evandale Road</td>
<td></td>
<td>$296,000.00</td>
<td></td>
</tr>
<tr>
<td>Ronald, Amelotte</td>
<td>Diane, Amelotte</td>
<td>225 Glenhill Drive</td>
<td></td>
<td>$280,000.00</td>
<td></td>
</tr>
<tr>
<td>Brenda, Devine</td>
<td></td>
<td>301 Idlewood Lane</td>
<td>yes</td>
<td>$226,100.00</td>
<td>$226,100.00</td>
</tr>
</tbody>
</table>

Total Assessed Value: $4,022,400.00
Total Assessed Value (signed): $2,823,800.00
Total Signed: 12
Percent signed: 63.16%
Percent of Total Assessed Value signed: 70.20%
June 24, 2024

Tax ID Numbers: **150.06-1-38, 39,40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, & 54**

Identified on the proposed Extension to the existing Brighton Consolidated Refuse District (BR630), Evandale Road Boundary Map for

All that tract or parcel of land being a part of Town Lot 23, Range 7, 2nd Division, Township 13, Town of Brighton, County of Monroe, State of New York.

Beginning at a point which is on the southwesterly property corner of 301 Idlewood Road (150.06-1-54) and including the above-mentioned tax map ID’s (17 total units) and containing 7.29 acres more or less.

Prepared by Town of Brighton Department of Public Works

RE: Addition to the existing Unit Based Special District: BR630 – **Brighton Consolidated Refuse District**

I, Pamela Post, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petitions as requested in a letter dated May 22, 2024 from Chad Roscoe, Town of Brighton Junior Engineer, for the extension of the existing **Brighton Consolidated Refuse District** in the Town of Brighton, to include the Evandale Rd extension including the 17 parcels named above to be filed in the Town Clerk’s Office in the Town of Brighton, County of Monroe, State of New York, and that:

1. The total assessed valuation of all taxable real property owned by the resident owners within the parcels from which said addition to the existing district will be placed is $4,022,400.00.
2. The aggregate assessed valuation of the taxable real property therein owned by resident owners who signed said petition is $2,823,800.00.00.
3. Said petition includes the signatures of resident owners of 70.20% of the value of the taxable real property within the area from which the proposed extension to the existing consolidated refuse district will be added.

All as appears from the 2024 Tentative Assessment Roll, which is the latest completed roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 25th day of June 2024.

Pamela Post
Assessor
Town of Brighton

2300 Elmwood Avenue, Rochester, New York 14618 www.townofbrighton.org pamela.post@townofbrighton.org 585-784-5216
In the Matter of the Establishment

Of

The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

__________________________
PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit "A".

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this extension, together with the expenses of providing the services by the proposed extension, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, from the several lots and parcels within the proposed extension in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the extension.

Dated: October 14th, 2023

Address: 1 Evan Dale Rd 14618

__________________________
Signature

Michelle Grosedonia Maiola

Print Name

__________________________
Signature

Lucas Grosedonia Maiola

Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 14th day of October, 2023, before me the undersigned, personally appeared Michelle Grosedonia Maiola, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

CHAD A WILLIAMSON
Notary Public - State of New York
No. 01W16215155
Qualified in Monroe County
My Commission Expires Dec. 21, 2025

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 14th day of October, 2023, before me the undersigned, personally appeared Lucas Grosedonia Maiola, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

CHAD A WILLIAMSON
Notary Public - State of New York
No. 01W16215155
Qualified in Monroe County
My Commission Expires Dec. 21, 2025
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit “A”.

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Dated: November 2023
Address: 2 Evandal Rd

Mary Ann Schifitto
Signature
Mary Ann Schifitto
Print Name

Giovanni Schifitto
Signature
Giovanni Schifitto
Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 14th day of November 2023 before me the undersigned, personally appeared Mary Ann Schifitto, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

JUSTIN M YOKAJTY
Notary Public - State of New York
NO. 01Y06426429
Qualified in Monroe County
My Commission Expires Dec 13, 2025

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 22nd day of November 2023 before me the undersigned, personally appeared Giovanni Schifitto, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

KEVIN MATTHEW MURDOCK
Notary Public - State of New York
NO. 01MU5368161
Qualified in Monroe County
My Commission Expires Dec 11, 2025
PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit “A”.

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Dated: October 19, 2023

Address: 3 Eversale Rd, Rochester, NY 14615

Signature

Robert F. McGraw III
Print Name

Kathleen
Signature

Karen D. McGraw
Print Name

STATE OF NEW YORK
COUNTY OF MONROE ) ss.:

On this 19th day of October, 2023, before me the undersigned, personally appeared Robert F. McGraw III, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Kathleen M. Roesser
Notary Public, State of New York
Reg. No. 01R06035134
Qualified in Monroe County
Certificate Filed in Monroe County
Commission Expires: 5/6/2023

STATE OF NEW YORK
COUNTY OF MONROE ) ss.:

On this 23rd day of October, 2023, before me the undersigned, personally appeared Karen D. McGraw, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Christine Lavere
Notary Public - State of New York
No. 01-LA6040419
Qualified in Monroe County
My Commission Expires: 4/24/2023
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit "A".

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Dated: May 6, 2024

Janet M Cordaro
Signature

John C. Nelson
Signature

7 Evan Dale Road
Rochester, NY 14618

Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 6th day of May, 2024, before me the undersigned, personally appeared
Janet M Cordaro, personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Khadilia Ahmed
Notary Public - State of New York
No. 01AH0020466
Qualified in Monroe County
My Commission Expires Jan. 29, 2029

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 6th day of May, 2024, before me the undersigned, personally appeared
John C. Nelson, personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Khadilia Ahmed
Notary Public - State of New York
No. 01AH0020466
Qualified in Monroe County
My Commission Expires Jan. 29, 2029
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit “A”.

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Dated: March 15, 2024

Address: 10 Evandale Rd.
Rochester, NY 14618

Signature

Brian V. Kearns

Print Name

Gabriella B. Sterne

Print Name

STATE OF NEW YORK
COUNTY OF MONROE ) ss.:

On this 17th day of March, 2024, before me the undersigned, personally appeared Brian Kearns, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York
No. 01P0010600
Qualified in Monroe County
My Commission Expires July 05, 2027

KEVIN MATTHEW MURDOCK
Notary Public - State of New York
No. 01MU6368161
Qualified in Monroe County
My Commission Expires Dec 11, 2025
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honororable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit “A”.

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Dated: 08/24/20

Address: 19 Evandale Rd
Brighton, NY 14618

______________________________
Signature

______________________________
Signature

Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 6 day of May, 2024, before me the undersigned, personally appeared Daniel Taramasco, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

MARK PITTENGER
Notary Public, State of New York
Notary Public
Qualified in Monroe County
Reg. No. 01P15035653
My Commission Expires Nov. 7, 2026

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this ______ day of ____________, 20__, before me the undersigned, personally appeared __________________, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

______________________________
Notary Public
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit “A”.

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Dated: November 2, 2023

Alice M. Kiniorski

[Signature]

Print Name

Address: 20 Evandale Rd.

Steven M. Hunt

[Signature]

Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 2 day of November, 2023, before me the undersigned, personally appeared Alice Kiniorski, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Maritese Vito
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01V6424277
Qualified in Monroe County
Commission Expires October 25, 2025

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 2 day of November, 2023, before me the undersigned, personally appeared Steven Hunt, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Maritese Vito
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01V6424277
Qualified in Monroe County
Commission Expires October 25, 2025
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit “A”.

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Dated: 3-20-24, 2024
Address: 25 EVANDALE RD

GABRIELA H. RIND
Signature
GABRIELA H. RIND
Print Name

SAMUEL RIND
Signature
SAMUEL RIND
Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 20th day of March, 2024, before me the undersigned, personally appeared GABRIELA H. RIND, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

KALI PESTLE
NOTARY PUBLIC STATE OF NEW YORK
ONTARIO COUNTY
LIC. #01PE6428872.
COMM. EXP. 12/20/2023

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 20th day of March, 2024, before me the undersigned, personally appeared SAMUEL RIND, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

KALI PESTLE
NOTARY PUBLIC STATE OF NEW YORK
ONTARIO COUNTY
LIC. #01PE6428872.
COMM. EXP. 12/20/2023.
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

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Dated: October 31, 2023
Address: 30 Evandale Rd, Rochester, NY 14618

Dylan Mohr
Signature
Print Name

Arta Amravale
Signature
Print Name

STATE OF NEW YORK
COUNTY OF MONROE ) ss:

On this 31st day of October, 2023 before me the undersigned, personally appeared Dylan Mohr, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Jillian A. Schmidt
Notary Public, State of New York
No. 01SC6424488
Qualified in Monroe County
Commission Expires Nov. 1, 2025

STATE OF NEW YORK
COUNTY OF MONROE ) ss:

On this 31st day of October, 2023 before me the undersigned, personally appeared Arta Amravale, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Jillian A. Schmidt
Notary Public, State of New York
No. 01SC6424488
Qualified in Monroe County
Commission Expires Nov. 1, 2025
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

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Dated: May 3, 2024

Signature

Print Name

Address: 40 Everardale Rd
Rochester, NY 14618

Signature

Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 3 day of May, 2024, before me the undersigned, personally appeared Alan Lorenzo, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

AMANDA COLON
Notary Public, State of New York
No. 01CO6304034
Qualified in Monroe County
Commission Expires: July 1, 2027

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this _____ day of _______, 20___, before me the undersigned, personally appeared ______________________, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

____________________
Notary Public
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit “A”.

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this extension, together with the expenses of providing the services by the proposed extension, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, from the several lots and parcels within the proposed extension in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the extension.

Dated: April 26, 2024
Address: 50 Evandale Road

Barbara Lowe
Signature
Barbara Lowe
Print Name

MARK W. BENNETT
Signature
MARK W. BENNETT
Print Name

STATE OF NEW YORK
COUNTY OF MONROE ) ss.:

On this 26 day of April, 2024, before me the undersigned, personally appeared
Barbara Lowe, personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

DANIEL E. AMAN
Notary Public - State of New York
Monroe County - 01AM6303724
Commission Expires: May 19, 2026

STATE OF NEW YORK
COUNTY OF MONROE ) ss.:

On this 26 day of April, 2024, before me the undersigned, personally appeared
MARK W. BENNETT, personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

DANIEL E. AMAN
Notary Public - State of New York
Monroe County - 01AM6303724
Commission Expires: May 19, 2026
PETITION

In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed extension hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed extension is bounded and described as set forth in the attached Exhibit "A".

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this extension, together with the expenses of providing the services by the proposed extension, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive there from, from the several lots and parcels within the proposed extension in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the extension.

Dated: April 11, 2024

Address:
301 Idlewood Road
Rochester, N.Y. 14618

Brenda Devine
Signature

Print Name

STATE OF NEW YORK)
COUNTY OF MONROE } ss.:  

On this 11th day of April, 2024, before me the undersigned, personally appeared Brenda Devine, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

TAWNI L. PUHL
Notary Public, State of New York
Qualified in Monroe County
Commission Expires May 4, 2025

STATE OF NEW YORK)
COUNTY OF MONROE } ss.:  

On this ______ day of ____________, 20__, before me the undersigned, personally appeared ________, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public
State Environmental Quality Review

Notice of Determination

Negative Declaration

Project Number: ER-05-24
Date: 6-24-2024

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8
(State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Brighton Department of Public Works, has determined that the proposed action
described below will not have a significant effect on the environment and a Draft Environmental
Impact Statement will not be prepared.

Name of Action: Extension to the Brighton Consolidated Refuse District

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Extend the geographic area of the Brighton Consolidated Refuse
District by 29 parcels totaling 14.13 acres.

Location: Properties on Highland Avenue (11 properties), Idlewood Road Avenue (1 property),
Evandale Road (15 properties), Glenhill Drive (1 property), and South Winton Road (AKA
Winton Road South) (1 property) all in the central part of the Town of Brighton.

Findings and Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form
prepared by the applicant (Part I) and Town Staff (Parts II & III) and the Criteria for determining
significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton
Planning Board finds that the proposed action will not have a significant impact on the
environment based on the following finding:


The proposed Project is a municipal administrative function and does not physically alter any
aspect of the environment.

The proposed Project will not create any significant adverse impact in the existing air quality or
water quality, nor in solid waste production, nor potential for erosion, nor promote drainage
problems. Air quality may be slightly improved by the greater efficiencies of running refuse
trucks coordinated at the neighborhood level rather than left to individual properties owners.


The Project will not impact the neighborhood character of the surrounding area nor will it create any adverse noise or visual impacts. Noise impacts may be slightly improved over the current level due to the greater efficiencies of running refuse trucks coordinated at the neighborhood level once a week. When refuse services are left to individual properties owners to contract individually, a situation may occur where a refuse truck is running down a given street every day, rather than once a week.

The Project will not be detrimental to the health, safety or general welfare of persons residing or working in the area of the proposed use and will not be detrimental or injurious to property and improvements in the area or to the general welfare of the Town.

3. Agriculture, Archeology, Historic, Natural, or Cultural Resources.

The Project will not adversely impact agricultural, archeological, historical, natural, or cultural resources. There is no physical disturbance proposed.


The Project will not have a significant adverse impact on plant or animal life. There is no change from the current situation with regard to any impacts. Trucks currently use local roads to access residential properties to collect refuse and will continue to do so, albeit in a more efficient manner, with the extension of the refuse district.

5. Community Plans, Use of Land, and Natural Resources.

The refuse trucks associated with this Project operate on already constructed roads and will have no adverse impacts on the natural resources found on the site.

6. Critical Environmental Area.

The Project will not have an impact on any designated Critical Environmental Area as set forth in 6 N.Y.C.R.R. Section 617.14(g).

7. Traffic.

The proposed Project will reduce traffic by more efficient management and routing of refuse collection trucks.


The Project is subject to all applicable Federal, State, and Local laws, regulations, and code requirements including all requirements of the Town of Brighton, Monroe County Department of Transportation, Monroe County Water Authority, Monroe County Department of Health, and
New York State Department of Environmental Conservation.

Pursuant to SEQRA, based on the abovementioned information, documentation, testimony, correspondence, and findings, and after examining the relevant issues, including all relevant issues raised and recommendations offered by Town Staff, the Lead Agency determines that the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration, and, therefore, SEQRA does not require further action relative to the Project.

The Town of Brighton Department of Public Works, as Lead Agency, has made the following additional determinations:

A. The Lead Agency has met the procedural and substantive requirements of SEQRA.

B. The Lead Agency has carefully considered each and every criterion for determining the potential significance of the Project upon the environment as set forth in SEQRA, and the Lead Agency finds that none of the criteria for determining significance set forth in SEQRA would be implicated as a result of the Project.

C. The Lead Agency has carefully considered (that is, has taken the required “hard look” at) the Project and the relevant environmental impacts, facts, and conclusions in connection with same.

D. The Lead Agency has made a reasoned elaboration of the rationale for arriving at its determination of environmental non-significance, and the Lead Agency’s determination is supported by substantial evidence, as set forth herein.

E. To the maximum extent practicable, potential adverse environmental impacts will be largely avoided or minimized by the Applicant’s careful incorporation in its application materials of measures designed to avoid such impacts that were identified as practicable.

Date Issued: 6-24-2024

For further information:

Contact Person: Chad Roscoe, Junior Engineer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Email: chad.roscoe@townofbrighton.org
Telephone: 585-784-5224
**Short Environmental Assessment Form**

**Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✅</td>
<td>❌</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✅</td>
<td>❌</td>
</tr>
</tbody>
</table>
Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Brighton Dept. of Public Works

Chad Roscoe Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

6-24-2024

Junior Engineer

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th>Part 1 – Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evandale Circle</td>
</tr>
<tr>
<td><strong>Name of Action or Project:</strong></td>
</tr>
<tr>
<td>Extension to the Brighton Consolidated Refuse District</td>
</tr>
<tr>
<td><strong>Project Location (describe, and attach a location map):</strong></td>
</tr>
<tr>
<td>Evandale Circle</td>
</tr>
<tr>
<td><strong>Brief Description of Proposed Action:</strong></td>
</tr>
<tr>
<td>Extension to the Brighton Consolidated Refuse District to include houses along Evandale Circle.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 585-784-5224</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chad Roscoe</td>
<td>E-Mail: <a href="mailto:chad.roscoe@townofbrighton.org">chad.roscoe@townofbrighton.org</a></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>2300 Elmwood Avenue</td>
<td></td>
</tr>
<tr>
<td>City/PO: Rochester</td>
<td>State: NY</td>
</tr>
<tr>
<td></td>
<td>Zip Code: 14618</td>
</tr>
</tbody>
</table>

1. **Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?**
   - **If Yes,** attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.
   - **NO**  **YES**

2. **Does the proposed action require a permit, approval or funding from any other government Agency?**
   - **If Yes,** list agency(s) name and permit or approval:
   - **NO**  **YES**

3. **a. Total acreage of the site of the proposed action?**
   - 0 acres
   - **b. Total acreage to be physically disturbed?**
   - 0 acres
   - **c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?**
   - 0 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   - □ Urban  □ Rural (non-agriculture)  □ Industrial  □ Commercial  **✓** Residential (suburban)
   - □ Forest  □ Agriculture  □ Aquatic  □ Other(Specify):
   - □ Parkland

Page 1 of 3
5. Is the proposed action,
   a. A permitted use under the zoning regulations? □ √ □
   b. Consistent with the adopted comprehensive plan? □ √ □

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? □  √ □

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: □  √ □

8. a. Will the proposed action result in a substantial increase in traffic above present levels? □  √ □
   b. Are public transportation services available at or near the site of the proposed action? □  √ □
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? □  √ □

9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: □  □ □

10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: □  √ □

11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: □  √ □

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? □  √ □
   b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? □  √ □

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? □  □  √ □
   b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? □  √ □

If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: ________________________________
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- ☐ Shoreline
- ☐ Forest
- ☐ Agricultural/grasslands
- ☐ Early mid-successional
- ☐ Wetland
- ☐ Urban
- ☑ Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

- Short-eared Owl

16. Is the project site located in the 100-year flood plan?

- ☑ Yes

17. Will the proposed action create storm water discharge, either from point or non-point sources?
   If Yes,
   a. Will storm water discharges flow to adjacent properties?
   - ☑ Yes
   - ☐ No
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
   - ☑ Yes
   - ☐ No

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?
   If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
   If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
   If Yes, describe:

---

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Chad Roscoe

Date: 5/29/24

Signature: 

Title: Junior Engineer
| Part 1 / Question 7 [Critical Environmental Area] | No |
| Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No |
| Part 1 / Question 12b [Archeological Sites] | No |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal] | Yes |
| Part 1 / Question 15 [Threatened or Endangered Animal - Name] | Short-eared Owl |
| Part 1 / Question 16 [100 Year Flood Plain] | No |
| Part 1 / Question 20 [Remediation Site] | No |
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August, 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,

Councilmembers

WHEREAS, a Map, Plan and Report regarding the extension of the Brighton Consolidated Refuse District to include certain residential properties on Highland Avenue as identified in the Map, Plan and Report was prepared by Town Junior Engineer Chad Roscoe dated July 11, 2024, and a petition requesting the extension of said District was signed by residents representing in excess of one half of the assessed value of all residential taxable parcels in the proposed extension, all pursuant to the provisions of Article 12 of the New York State Town Law; and

WHEREAS, the proposed extension will provide a mechanism to pay for refuse services and garbage pickup for the homes in the extension and to have each home pay an equal share of the cost of said services along with all other properties that are part of the Brighton Consolidated Refuse District. No improvements are to be made as part of the proposed extension; now therefore it is hereby

ORDERED, that correspondence from Junior Engineer Chad Roscoe regarding the proposed extension of the Brighton Consolidated Refuse District and correspondence from the Town Assessor dated May 22, 2024 and June 24, 2024, respectively, a Negative Declaration, Short Environmental Assessment Form dated June 24, 2024 and all other supporting documents prepared pursuant to
the State Environmental Quality Review Act, and the above referenced petition be received and filed; and be it further

ORDERED, that the Town Board hereby sets a public hearing to consider the proposed extension of the Brighton Consolidated Refuse District for September 11, 2024 at 7:00 p.m. or as soon thereafter as the matter can be heard at Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, County of Monroe and State of New York to hear all persons who have an interest in said proposed District extension; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to publish a certified copy of this Order in the official newspaper of the Town and to post a certified copy of this Order on the signboard of the Town no sooner than twenty days and no later than ten days prior to said public hearing.

Dated: August 14, 2024

William W. Moehle, Supervisor   Voting   ___
Christopher K. Werner, Councilmember  Voting   ___
Robin R. Wilt, Councilmember   Voting   ___
Christine E. Corrado, Councilmember  Voting   ___
Nathaniel V. Salzman, Councilmember  Voting   ___
5/22/24

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

Re: Proposed Extension to the Brighton Consolidated Refuse District
   Receive and File Petitions
   Receive and File Map, Plan and Report
   Set Public Hearing

Honorable Supervisor and Members:

Petitions have been received to Extend the Brighton Consolidated Refuse District to include a number of homes along Highland Avenue. As necessary per Article 12, Section 190 of the Town Law of the State of New York, petitions have been signed by 82% of the resident owners which represents 80% of the assessed value of residential properties in the proposed Extension.

I recommend that you receive and file the petitions, the originals of which have been placed in the Town Clerk’s Office.

I further recommend that you receive and file the plan, map and report for the proposed Extension. Services would be offered on a “benefits derived” basis, and would begin in 2025.

I further recommend that your Honorable Body establish a public hearing date for the above.

Sincerely,

Chad Roscoe
Town of Brighton

Cc: J. Mancuso
   D. Aman
   P. Post
   J. Sprague
Map, Plan & Report
Proposed Extension to the Brighton Consolidate Refuse District
Along Highland Avenue

1. Introduction

The purpose of this Map, Plan and Report is to extend the Brighton Consolidated Refuse District to include the residential properties along Highland Avenue (hereinafter “Extension”) as shown on the attached Map. Article 12 of the Town Law of the State of New York permits the Town to form special assessment districts to provide refuse collection and disposal services.

Petitions for the establishment of the Extension have been received from the residential owners owning at least one-half of the assessed valuation of all the taxable real property of the proposed Extension owned by resident owners according to the latest completed assessment roll. In fact, such petitions contain signatures representing 80% of the assessed value of the residential properties within the proposed Extension.

2. Area of the Proposed Extension

The Extension is proposed to include all those properties shown on the attached map. A legal description of the proposed Extension is also attached.

3. Purpose of the Proposed Extension

The purpose of the proposed Extension is to provide for the equitable, public sharing of the cost of providing services to remove and to dispose of refuse and recyclables within the Extension.

4. Extension Charges

The charges of the proposed Extension will be assessed by the Town Board in proportion as nearly may be to the benefit which each parcel will drive therefrom. It is proposed that each parcel with a principal structure on it shall be considered as one unit for these purposes. The annual cost of the Extension to the typical property in the Extension is estimated to be $284.52+/- including all operation, administrative and other charges or costs.

5. Indebtedness

The proposed Extension has no plans to issue any indebtedness to finance its activities.

6. Dated: 7/11/24

2300 Elmwood Avenue Rochester, New York 14618 www.townofbrighton.org Chad.Roscoe@townofbrighton.org 585-784-5224
Schedule ‘A’
Description of Highland Avenue
Extension to the Brighton Consolidated Refuse District

All that tract or parcel of land being a part of Town Lot 45, Township 13, Range 7, 2nd Division, Town of Brighton, County of Monroe, State of New York, and being more or less bounded and described as follows:

Beginning at a point on the southwest property corner of 895 Highland Avenue, T.A.N. 136.08-4-1;

THENCE (1) South 71°01'39" East, 147.84 feet to a point of non-tangency;

THENCE (2) North 23°28'12" East, 55.56 feet to a point of non-tangency;

THENCE (3) North 70°47'37" East, 626.76 feet to a point of non-tangency;

THENCE (4) North 19°32'51" West, 187.38 feet to a point of non-tangency;

THENCE (5) North 72°21'35" West, 77.91 feet to a point of non-tangency;

THENCE (6) North 18°20'49" West, 300.76 feet to a point of non-tangency;

THENCE (7) South 70°34'45" West, 202.89 feet to a point of non-tangency;

THENCE (8) South 19°17'27" East, 83.08 feet to a point of non-tangency;

THENCE (9) South 70°05'42" West, 98.79 feet to a point of non-tangency;

THENCE (10) North 19°05'02" West, 84.40 feet to a point of non-tangency;

THENCE (11) South 70°50'31" West, 250.17 feet to a point of non-tangency;

THENCE (12) South 23°20'24" East, 168.32 feet to a point of non-tangency;

THENCE (13) South 3°28'07" East, 124.04 feet to a point of non-tangency;

THENCE (14) South 7°35'57" West, 74.93 feet to a point of non-tangency;

THENCE (15) South 22°19'01" West, 173.24 feet;

Containing 323,477.38 square feet, more or less 7.42 acres.
<table>
<thead>
<tr>
<th>TAN</th>
<th>Owner</th>
<th>Owner</th>
<th>Address</th>
<th>Signed</th>
<th>Date</th>
<th>Assessed Value</th>
<th>Signed Value</th>
<th>Signed</th>
</tr>
</thead>
<tbody>
<tr>
<td>136.08-4-1</td>
<td>Alexander Rosenberg</td>
<td>Katherine Schaefer</td>
<td>895 Highland</td>
<td>yes</td>
<td>4/22/2024</td>
<td>$356,000.00</td>
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<td>136.08-1-28</td>
<td>Daniel Asbury</td>
<td>Martina Asbury</td>
<td>896 Highland</td>
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<td>136.08-4-2</td>
<td>Roger Ng</td>
<td>Julia Ng</td>
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<td>3/15/2024</td>
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<td>900 Highland</td>
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<td>Lisa Feinstein</td>
<td>Daniel Lee Dangler</td>
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<td>5/7/2024</td>
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<td>136.08-1-24</td>
<td>David Silpe</td>
<td>Debra Zarkowsky</td>
<td>920 Highland</td>
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<tr>
<td>136.08-4-3</td>
<td>David Charles Templeton</td>
<td>Kathleen Piehler</td>
<td>933 Highland</td>
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<td>3/14/2024</td>
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<td>136.08-4-4</td>
<td>David Hou</td>
<td>Wendy Hou</td>
<td>939 Highland</td>
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<td>5/19/2024</td>
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<td>136.08-4-5</td>
<td>Paul Schacht</td>
<td>Julie Miller</td>
<td>957 Highland</td>
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<td>4/19/2024</td>
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<td>Kathleen Weichman</td>
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<td>Francis Coyne</td>
<td>Jillian Cherry</td>
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<td>5/2/2024</td>
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<td>$185,000.00</td>
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</tbody>
</table>

Total Assessed Value: $2,923,900.00
Total Assessed Value (signed): $2,331,500.00
Total Signed: 9
Percent signed: 82%
Percent of Total Assessed Value signed: 80%
June 24, 2024

Tax ID Numbers: **136.08-4-1, 2, 3, 4, 5, 6, & 7 & 136.08-1-24, 25, 26, & 28**

Identified on the proposed Extension to the existing Brighton Consolidated Refuse District (BR630), Highland Avenue Boundary Map for

All that tract or parcel of land being a part of Town Lot 45, Range 7, 2nd Division, Township 13, Town of Brighton, County of Monroe, State of New York.

Beginning at a point which is on the southwesterly property corner of 895 Highland Ave (136.08-4-1) and including the above-mentioned tax map ID’s (11 total units) and containing 7.42 acres more or less.

Prepared by Town of Brighton Department of Public Works

RE: Addition to the existing Unit Based Special District: BR630 – **Brighton Consolidated Refuse District**

I Pamela Post, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petitions as requested in a letter dated May 22, 2024 from Chad Roscoe, Town of Brighton Junior Engineer, for the extension of the existing **Brighton Consolidated Refuse District** in the Town of Brighton, to include the highland Avenue extension including the 11 parcels named above to be filed in the Town Clerk’s Office in the Town of Brighton, County of Monroe, State of New York, and that:

1. The total assessed valuation of all taxable real property owned by the resident owners within the parcels from which said addition to the existing district will be placed is $2,923,900.00.
2. The aggregate assessed valuation of the taxable real property therein owned by resident owners who signed said petition is $2,331,500.00.
3. Said petition includes the signatures of resident owners of 80% of the value of the taxable real property within the area from which the proposed extension to the existing consolidated refuse district will be added.

All as appears from the 2024 Tentative Assessment Roll, which is the latest completed roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 25th day of June 2024.

\[Signature\]

Pamela Post
Assessor
Town of Brighton

2300 Elmwood Avenue, Rochester, New York 14618  www.townofbrighton.org  pamela.post@townofbrighton.org  585-784-5216
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit "A".

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this District, together with the expenses of providing the services by the proposed District, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, from the several lots and parcels within the proposed District in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the district.

Dated: 4/22/204
Address: 895 Highland Ave
Rochester, NY 14620

ALEXANDER F. ROSENBERG
Signature

KATHERINE L. SCHAERER
Signature

STATE OF NEW YORK
COUNTY OF MONROE ) ss.:

On this 22nd day of April, 2024 before me the undersigned, personally appeared

Katherine L. Schaefer

personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that

he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

KATHY MASTERS
Notary Public - State of New York
Monroe County, License 01MA6361088
Commission Expires: July 3, 2025

STATE OF NEW YORK
COUNTY OF MONROE ) ss.:

On this 29th day of April, 2024 before me the undersigned, personally appeared

Alexander F. Rosenberg

personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that

he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

MARGARET GREEN LULL
Notary Public - State of New York
Monroe County, License 01LU6154299
Commission Expires October 23, 2026
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON:
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit "A".

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Dated: 3/8/2024

Signature: Daniel B. Asbury
Print Name: Daniel B. Asbury
Address: 886 Highland Ave, Rochester, NY 14620

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 8th day of March, 2024, before me, the undersigned, personally appeared
personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public
Margaret Green Lull
Notary Public - State of New York
Monroe County, License 01LU6154299
Commission Expires October 23, 2024

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 8th day of March, 2024, before me, the undersigned, personally appeared
personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public
Margaret Green Lull
Notary Public - State of New York
Monroe County, License 01LU6154299
Commission Expires October 23, 2024
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit "A".

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Dated: March 15, 2024

Address: 899 Highland Ave

Signature: [Signature]
Print Name: [Print Name]

STATE OF NEW YORK)
COUNTY OF MONROE ) ss:

On this 15th day of March 2024, before me the undersigned, personally appeared
Julia J. Ng, personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

MARGARET GREEN LULL
Notary Public
Monroe County, License 01LLU6154299
Commission Expires October 23, 2026

STATE OF NEW YORK)
COUNTY OF MONROE ) ss:

On this 18th day of March 2024, before me the undersigned, personally appeared
Roger R. Ng, personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

KATHY M. MASTERS
Notary Public
Monroe County, License 01MA6361088
Commission Expires: July 3, 2025
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

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Dated: May 7, 2024

Address: 910 Highland Ave, Rochester, NY

Signature

Lisa M. Feinstein
Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.

On this 7th day of May, 2024, before me the undersigned, personally appeared ________

personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

______________________________
Laurie Ann Phelps
Notary Public

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.

On this ______ day of ______, 2024, before me the undersigned, personally appeared ________

personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

______________________________
Laurie Ann Phelps
Notary Public
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

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Dated: March 14, 2024

Address: 933 Highland Avenue

Signature
Kathleen Fehler
Print Name

DANIEL E. AMAN
Notary Public - State of New York
Monroe County - 01AM6303724
Commission Expires: May 19, 2026

STATE OF NEW YORK
COUNTY OF MONROE ) ss:

On this 14 day of March, 2024, before me the undersigned, personally appeared David Templeton, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

DANIEL E. AMAN
Notary Public - State of New York
Monroe County - 01AM6303724
Commission Expires: May 19, 2026

STATE OF NEW YORK
COUNTY OF MONROE ) ss:

On this 14 day of March, 2024, before me the undersigned, personally appeared Kathleen Fehler, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit "A".

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Dated: may 19, 2024

Address: 939 Highland Ave

Wendy Hou
Signature

Wendy Hou
Print Name

ROBERT J. MARKS
Notary Public, State of New York
Lic. No. 02MA8374325
Qualified in Monroe County
Commission Expires Apr. 23, 2026

STATE OF NEW YORK
COUNTY OF MONROE ) ss:

On this 19 day of May, 2024, before me the undersigned, personally appeared Wendy Hou, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK
COUNTY OF MONROE ) ss:

On this 19 day of May, 2024, before me the undersigned, personally appeared David Hou, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

ROBERT J. MARKS
Notary Public, State of New York
Lic. No. 02MA8374325
Qualified in Monroe County
Commission Expires Apr. 23, 2026
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit "A".

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Dated: 4-19-24

Signature: [Signature]
Print Name: Paul Schacht

Address: 957 Highland Ave
Signature: [Signature]
Print Name: Julie Miller

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 19th day of April, 2024, before me the undersigned, personally appeared Paul Schacht, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

KATHY M. MASTERS
Notary Public - State of New York
Monroe County, License 01MA6351088
Commission Expires: July 3, 2024

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 19th day of April, 2024, before me the undersigned, personally appeared Julie Miller, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

KATHY M. MASTERS
Notary Public - State of New York
Monroe County, License 01MA6351088
Commission Expires: July 3, 2024
In the Matter of the Establishment
Of
The Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit “A”.

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Dated: May 21, 2024

Signature

Print Name: Kale Jasper Weichman

Address: 967 Highland Ave, Ralston NY 14620

Signature

Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 21st day of May, 2024, before me the undersigned, personally appeared personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this _______ day of ________, 20____, before me the undersigned, personally appeared personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public
State Environmental Quality Review

Notice of Determination

Negative Declaration

Project Number: ER-05-24
Date: 6-24-2024

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Brighton Department of Public Works, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Extension to the Brighton Consolidated Refuse District

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Extend the geographic area of the Brighton Consolidated Refuse District by 29 parcels totaling 14.13 acres.

Location: Properties on Highland Avenue (11 properties), Idlewood Road Avenue (1 property), Evandale Road (15 properties), Glenhill Drive (1 property), and South Winton Road (AKA Winton Road South) (1 property) all in the central part of the Town of Brighton.

Findings and Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant (Part I) and Town Staff (Parts II & III) and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton Planning Board finds that the proposed action will not have a significant impact on the environment based on the following finding:


The proposed Project is a municipal administrative function and does not physically alter any aspect of the environment.

The proposed Project will not create any significant adverse impact in the existing air quality or water quality, nor in solid waste production, nor potential for erosion, nor promote drainage problems. Air quality may be slightly improved by the greater efficiencies of running refuse
trucks coordinated at the neighborhood level rather than left to individual properties owners.


The Project will not impact the neighborhood character of the surrounding area nor will it create any adverse noise or visual impacts. Noise impacts may be slightly improved over the current level due to the greater efficiencies of running refuse trucks coordinated at the neighborhood level once a week. When refuse services are left to individual properties owners to contract individually, a situation may occur where a refuse truck is running down a given street every day, rather than once a week.

The Project will not be detrimental to the health, safety or general welfare of persons residing or working in the area of the proposed use and will not be detrimental or injurious to property and improvements in the area or to the general welfare of the Town.

3. Agriculture, Archeology, Historic, Natural, or Cultural Resources.

The Project will not adversely impact agricultural, archeological, historical, natural, or cultural resources. There is no physical disturbance proposed.


The Project will not have a significant adverse impact on plant or animal life. There is no change from the current situation with regard to any impacts. Trucks currently use local roads to access residential properties to collect refuse and will continue to do so, albeit in a more efficient manner, with the extension of the refuse district.

5. Community Plans, Use of Land, and Natural Resources.

The refuse trucks associated with this Project operate on already constructed roads and will have no adverse impacts on the natural resources found on the site.

6. Critical Environmental Area.

The Project will not have an impact on any designated Critical Environmental Area as set forth in 6 N.Y.C.R.R. Section 617.14(g).

7. Traffic.

The proposed Project will reduce traffic by more efficient management and routing of refuse collection trucks.


The Project is subject to all applicable Federal, State, and Local laws, regulations, and code requirements including all requirements of the Town of Brighton, Monroe County Department of Transportation, Monroe County Water Authority, Monroe County Department of Health, and
New York State Department of Environmental Conservation.

Pursuant to SEQRA, based on the abovementioned information, documentation, testimony, correspondence, and findings, and after examining the relevant issues, including all relevant issues raised and recommendations offered by Town Staff, the Lead Agency determines that the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration, and, therefore, SEQRA does not require further action relative to the Project.

The Town of Brighton Department of Public Works, as Lead Agency, has made the following additional determinations:

A. The Lead Agency has met the procedural and substantive requirements of SEQRA.

B. The Lead Agency has carefully considered each and every criterion for determining the potential significance of the Project upon the environment as set forth in SEQRA, and the Lead Agency finds that none of the criteria for determining significance set forth in SEQRA would be implicated as a result of the Project.

C. The Lead Agency has carefully considered (that is, has taken the required “hard look” at) the Project and the relevant environmental impacts, facts, and conclusions in connection with same.

D. The Lead Agency has made a reasoned elaboration of the rationale for arriving at its determination of environmental non-significance, and the Lead Agency’s determination is supported by substantial evidence, as set forth herein

E. To the maximum extent practicable, potential adverse environmental impacts will be largely avoided or minimized by the Applicant’s careful incorporation in its application materials of measures designed to avoid such impacts that were identified as practicable.

Date Issued: 6-24-2024

For further information:

Contact Person: Chad Roscoe, Junior Engineer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, NY 14618

Email: chad.roscoe@townofbrighton.org
Telephone: 585-784-5224
Short Environmental Assessment Form  
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency. 
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✓</td>
<td>❌</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✓</td>
<td>❌</td>
</tr>
</tbody>
</table>
Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Brighton Dept. of Public Works
Chad Roscoe

Name of Lead Agency

6-24-2024

Date

Junior Engineer

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)
**Short Environmental Assessment Form**

**Part 1 - Project Information**

**Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

---

**Part 1 – Project and Sponsor Information**

<table>
<thead>
<tr>
<th>Highland Ave</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of Action or Project:</strong> Extension to the Brighton Consolidated Refuse District</td>
</tr>
<tr>
<td><strong>Project Location (describe, and attach a location map):</strong> 895 - 975 Highland Avenue</td>
</tr>
<tr>
<td><strong>Brief Description of Proposed Action:</strong> Extension to the Brighton Consolidated Refuse District to include houses along Highland Avenue.</td>
</tr>
</tbody>
</table>

---

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 585-784-5224</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chad Roscoe</td>
<td>E-Mail: <a href="mailto:chad.roscio@townofbrighton.org">chad.roscio@townofbrighton.org</a></td>
</tr>
<tr>
<td><strong>Address:</strong> 2300 Elmwood Avenue</td>
<td></td>
</tr>
<tr>
<td><strong>City/PO:</strong> Rochester</td>
<td><strong>State:</strong> NY</td>
</tr>
<tr>
<td><strong>Zip Code:</strong> 14618</td>
<td></td>
</tr>
</tbody>
</table>

1. **Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?**
   - Yes [ ]
   - No [x] YES

2. **Does the proposed action require a permit, approval or funding from any other government Agency?**
   - Yes [ ]
   - No [x] YES

3. **a. Total acreage of the site of the proposed action?** 0 acres
   - **b. Total acreage to be physically disturbed?** 0 acres
   - **c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?** 0 acres

4. **Check all land uses that occur on, are adjoining or near the proposed action:**
   - [x] Residential (suburban)
   - [ ] Industrial
   - [ ] Commercial
   - [ ] Urban
   - [ ] Rural (non-agriculture)
   - [ ] Agricultural
   - [ ] Aquatic
   - [ ] Forest
   - [ ] Other(Specify):
   - [ ] Parkland

---

Page 1 of 3
5. Is the proposed action,  
   a. A permitted use under the zoning regulations?  
      NO □ YES □ N/A □  
   b. Consistent with the adopted comprehensive plan?  
      NO □ YES □ N/A □  

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  
   NO □ YES □  

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?  
   Name: Not named, Reason: Environmentally sensitive, Agency: Rochester, City of, Date: 3-14-86  
   If Yes, identify: _______  
   NO □ YES □  

8. a. Will the proposed action result in a substantial increase in traffic above present levels?  
      NO □ YES □  
   b. Are public transportation services available at or near the site of the proposed action?  
      NO □ YES □  
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?  
      NO □ YES □  

9. Does the proposed action meet or exceed the state energy code requirements?  
   If the proposed action will exceed requirements, describe design features and technologies:  
   N/A □  

10. Will the proposed action connect to an existing public/private water supply?  
    If No, describe method for providing potable water:  
    N/A □  

11. Will the proposed action connect to existing wastewater utilities?  
    If No, describe method for providing wastewater treatment:  
    N/A □  

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  
    NO □ YES □  
   b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  
    NO □ YES □  

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  
    NO □ YES □  
   b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  
    NO □ YES □  

If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  
_________________________________________________________________________________________
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- [ ] Shoreline
- [ ] Forest
- [ ] Agricultural/grasslands
- [ ] Early mid-successional
- [ ] Wetland
- [ ] Urban
- [x] Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?  

- [x] YES  
- [ ] NO

16. Is the project site located in the 100-year flood plan?  

- [x] YES  
- [ ] NO

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
   If Yes,  
   a. Will storm water discharges flow to adjacent properties?  
      - [x] YES  
      - [ ] NO
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
      - [x] YES  
      - [ ] NO
   If Yes, briefly describe:

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?  
   If Yes, explain the purpose and size of the impoundment:

- [x] YES  
- [ ] NO

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?  
   If Yes, describe:

- [x] YES  
- [ ] NO

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?  
   If Yes, describe:

- [x] YES  
- [ ] NO

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Chad Roscoe

Date: 5/29/24

Signature:  
Title: Junior Engineer
### Part 1 / Question 7 [Critical Environmental Area]
- **Yes**

### Part 1 / Question 7 [Critical Environmental Area - Identify]
- **Name:** Not named, **Reason:** Environmentally sensitive, **Agency:** Rochester, City of, **Date:** 3-14-86

### Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]
- **No**

### Part 1 / Question 12b [Archaeological Sites]
- **No**

### Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]
- **No**

### Part 1 / Question 15 [Threatened or Endangered Animal]
- **No**

### Part 1 / Question 16 [100 Year Flood Plain]
- **No**

### Part 1 / Question 20 [Remediation Site]
- **No**
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August, 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,
Councilmembers

WHEREAS, a Map, Plan and Report regarding the extension of the Brighton Consolidated Refuse District to include the residential property located at 1356 South Winton Road as identified in the Map, Plan and Report was prepared by Town Junior Engineer Chad Roscoe dated July 11, 2024, and a petition requesting the extension of said District was signed by residents representing in excess of one half of the assessed value of all residential taxable parcels in the proposed extension, all pursuant to the provisions of Article 12 of the New York State Town Law; and

WHEREAS, the proposed extension will provide a mechanism to pay for refuse services and garbage pickup for the homes in the extension and to have each home pay an equal share of the cost of said services along with all other properties that are part of the Brighton Consolidated Refuse District. No improvements are to be made as part of the proposed extension; now therefore it is hereby

ORDERED, that correspondence from Junior Engineer Chad Roscoe regarding the proposed extension of the Brighton Consolidated Refuse District and correspondence from the Town Assessor dated May 22, 2024 and June 24, 2024, respectively, a Negative Declaration, Short Environmental Assessment Form dated June 24, 2024 and all other supporting documents prepared pursuant to
the State Environmental Quality Review Act, and the above referenced petition be received and filed; and be it further

ORDERED, that the Town Board hereby sets a public hearing to consider the proposed extension of the Brighton Consolidated Refuse District for September 11, 2024 at 7:00 p.m. or as soon thereafter as the matter can be heard at Brighton Town Hall, 2300 Elmwood Avenue, in the Town of Brighton, County of Monroe and State of New York to hear all persons who have an interest in said proposed District extension; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to publish a certified copy of this Order in the official newspaper of the Town and to post a certified copy of this Order on the signboard of the Town no sooner than twenty days and no later than ten days prior to said public hearing.

Dated: August 14, 2024

William W. Moehle, Supervisor
Christopher K. Werner, Councilmember
Robin R. Wilt, Councilmember
Christine E. Corrado, Councilmember
Nathaniel V. Salzman, Councilmember

Voting
Voting
Voting
Voting
Voting
5/22/24

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

Re: Proposed Extension to the Brighton Consolidated Refuse District  
Receive and File Petitions  
Receive and File Map, Plan and Report  
Set Public Hearing

Honorable Supervisor and Members:

Petitions have been received to Extend the Brighton Consolidated Refuse District to include 1356 South Winton Road. As necessary per Article 12, Section 190 of the Town Law of the State of New York, petitions have been signed by 100% of the resident owners which represents 100% of the assessed value of residential properties in the proposed Extension.

I recommend that you receive and file the petitions, the originals of which have been placed in the Town Clerk’s Office.

I further recommend that you receive and file the plan, map and report for the proposed Extension. Services would be offered on a “benefits derived” basis, and would begin in 2025.

I further recommend that your Honorable Body establish a public hearing date for the above.

Sincerely,

Chad Roscoe  
Town of Brighton

Cc: J. Mancuso  
    D. Aman  
    P. Post  
    J. Sprague
Map, Plan & Report  
Proposed Extension to the Brighton Consolidate Refuse District  
At 1356 South Winton Road

1. Introduction

The purpose of this Map, Plan and Report is to extend the Brighton Consolidated Refuse District to include the residential property at 1356 South Winton Road (hereinafter “Extension”) as shown on the attached Map. Article 12 of the Town Law of the State of New York permits the Town to form special assessment districts to provide refuse collection and disposal services.

Petitions for the establishment of the Extension have been received from the residential owners owning at least one-half of the assessed valuation of all the taxable real property of the proposed Extension owned by resident owners according to the latest completed assessment roll. In fact, such petitions contain signatures representing 100% of the assessed value of the residential properties within the proposed Extension.

2. Area of the Proposed Extension

The Extension is proposed to include all those properties shown on the attached map. A legal description of the proposed Extension is also attached.

3. Purpose of the Proposed Extension

The purpose of the proposed Extension is to provide for the equitable, public sharing of the cost of providing services to remove and to dispose of refuse and recyclables within the Extension.

4. Extension Charges

The charges of the proposed Extension will be assessed by the Town Board in proportion as nearly may be to the benefit which each parcel will drive therefrom. It is proposed that each parcel with a principal structure on it shall be considered as one unit for these purposes. The annual cost of the Extension to the typical property in the Extension is estimated to be $284.52 +/- including all operation, administrative and other charges or costs.

5. Indebtedness

The proposed Extension has no plans to issue any indebtedness to finance its activities.

6. Dated: 7/11/24

2300 Elmwood Avenue Rochester, New York 14618 www.townofbrighton.org Chad.Roscoe@townofbrighton.org 585-784-5224
Schedule ‘A’
Description of
1356 Winton Road South Extension
to the Brighton Consolidated Refuse District

All that tract or parcel of land being a part of Town Lot 22, Township 13, Range 7, 2nd Division, Town of Brighton, County of Monroe, State of New York, and being more or less bounded and described as follows:

Beginning at a point on the northwest property corner of 1356 Winton Road South, T.A.N. 137.17-3-1, thence;

THENCE (1) South 20°50'35" West, 146.67 feet to a point of non-tangency;

THENCE (2) South 89°15'59" East, 305.93 feet to a point of non-tangency;

THENCE (3) North 2°28'28" East, 153.31 feet to a point of non-tangency;

THENCE (4) South 87°19'20" West, 260.62 feet; to a point; that point being the point of beginning.

Having a total area of 40,965.48 square feet or .94 acres.
<table>
<thead>
<tr>
<th>TAN</th>
<th>Owner</th>
<th>Owner</th>
<th>Address</th>
<th>Signed</th>
<th>Assessed Value</th>
<th>Signed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>137.17-3-1</td>
<td>Wong, Andy</td>
<td>Wong, Shirley</td>
<td>1356 Winton Road South</td>
<td>yes</td>
<td>$ 160,500.00</td>
<td>$ 160,500.00</td>
</tr>
</tbody>
</table>

Total Assessed Value: $ 160,500.00
Total Assessed Value (signed): $ 160,500.00
Total Signed: 1
Percent signed: 100.00%
Percent of Total Assessed Value signed: 100.00%
June 24, 2024

Tax ID Numbers: **137.17-3-1**

Identified on the proposed Extension to the existing Brighton Consolidated Refuse District (BR630), 1356 Winton Rd Boundary Map for

All that tract or parcel of land being a part of Town Lot 22, Range 7, 2\textsuperscript{nd} Division, Township 13, Town of Brighton, County of Monroe, State of New York.

Beginning at a point which is on the northwesterly property corner of 1356 S Winton Rd (137.17-3-1) and including the above-mentioned tax map ID (1 total unit) and containing .94 acres more or less.

Prepared by Town of Brighton Department of Public Works

RE: Addition to the existing Unit Based Special District: BR630 – **Brighton Consolidated Refuse District**

I Pamela Post, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petitions as requested in a letter dated May 22, 2024 from Chad Roscoe, Town of Brighton Junior Engineer, for the extension of the existing **Brighton Consolidated Refuse District** in the Town of Brighton, to include the 1356 S. Winton Rd Rd extension including the 1 parcel named above to be filed in the Town Clerk’s Office in the Town of Brighton, County of Monroe, State of New York, and that:

1. The total assessed valuation of all taxable real property owned by the resident owner within the parcel from which said addition to the existing district will be placed is $160,500.00.
2. The aggregate assessed valuation of the taxable real property therein owned by resident owners who signed said petition is $160,500.00.
3. Said petition includes the signatures of resident owners of 100\% of the value of the taxable real property within the area from which the proposed extension to the existing consolidated refuse district will be added.

All as appears from the 2024 Tentative Assessment Roll, which is the latest completed roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 25\textsuperscript{th} day of June 2024.

Pamela Post
Assessor
Town of Brighton
In the Matter of the Establishment
Of
An Extension to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish an Extension to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit “A”.

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this District, together with the expenses of providing the services by the proposed District, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive there from, from the several lots and parcels within the proposed District in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the district.

Dated: May 15th, 2024

Address: 1356 Winter Rd. S.

Signature

Andy Wong
Print Name

Signature

Shirley Wong
Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 15th day of May, 2024, before me the undersigned, personally appeared Andy Wong, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

MARGARET GREEN LULL
Notary Public - State of New York
Monroe County, License 01L6154299
Commission Expires October 23, 2026

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 16th day of May, 2024, before me the undersigned, personally appeared Shirley Wong, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

HEATHER LEIGH WALK
Notary Public, State of New York
Wayne County Reg. #01WA644669
Commission Expires 12/05/2022
State Environmental Quality Review

Notice of Determination

Negative Declaration

Project Number: ER-05-24
Date: 6-24-2024

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Brighton Department of Public Works, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Extension to the Brighton Consolidated Refuse District

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Extend the geographic area of the Brighton Consolidated Refuse District by 29 parcels totaling 14.13 acres.

Location: Properties on Highland Avenue (11 properties), Idlewood Road Avenue (1 property), Evandale Road (15 properties), Glenhill Drive (1 property), and South Winton Road (AKA Winton Road South) (1 property) all in the central part of the Town of Brighton.

Findings and Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant (Part I) and Town Staff (Parts II & III) and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town of Brighton Planning Board finds that the proposed action will not have a significant impact on the environment based on the following finding:


The proposed Project is a municipal administrative function and does not physically alter any aspect of the environment.

The proposed Project will not create any significant adverse impact in the existing air quality or water quality, nor in solid waste production, nor potential for erosion, nor promote drainage problems. Air quality may be slightly improved by the greater efficiencies of running refuse
trucks coordinated at the neighborhood level rather than left to individual properties owners.


The Project will not impact the neighborhood character of the surrounding area nor will it create any adverse noise or visual impacts. Noise impacts may be slightly improved over the current level due to the greater efficiencies of running refuse trucks coordinated at the neighborhood level once a week. When refuse services are left to individual properties owners to contract individually, a situation may occur where a refuse truck is running down a given street every day, rather than once a week.

The Project will not be detrimental to the health, safety or general welfare of persons residing or working in the area of the proposed use and will not be detrimental or injurious to property and improvements in the area or to the general welfare of the Town.

3. Agriculture, Archeology, Historic, Natural, or Cultural Resources.

The Project will not adversely impact agricultural, archeological, historical, natural, or cultural resources. There is no physical disturbance proposed.


The Project will not have a significant adverse impact on plant or animal life. There is no change from the current situation with regard to any impacts. Trucks currently use local roads to access residential properties to collect refuse and will continue to do so, albeit in a more efficient manner, with the extension of the refuse district.

5. Community Plans, Use of Land, and Natural Resources.

The refuse trucks associated with this Project operate on already constructed roads and will have no adverse impacts on the natural resources found on the site.

6. Critical Environmental Area.

The Project will not have an impact on any designated Critical Environmental Area as set forth in 6 N.Y.C.R.R. Section 617.14(g).

7. Traffic.

The proposed Project will reduce traffic by more efficient management and routing of refuse collection trucks.


The Project is subject to all applicable Federal, State, and Local laws, regulations, and code requirements including all requirements of the Town of Brighton, Monroe County Department of Transportation, Monroe County Water Authority, Monroe County Department of Health, and
New York State Department of Environmental Conservation.

Pursuant to SEQRA, based on the abovementioned information, documentation, testimony, correspondence, and findings, and after examining the relevant issues, including all relevant issues raised and recommendations offered by Town Staff, the Lead Agency determines that the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration, and, therefore, SEQRA does not require further action relative to the Project.

The Town of Brighton Department of Public Works, as Lead Agency, has made the following additional determinations:

A. The Lead Agency has met the procedural and substantive requirements of SEQRA.

B. The Lead Agency has carefully considered each and every criterion for determining the potential significance of the Project upon the environment as set forth in SEQRA, and the Lead Agency finds that none of the criteria for determining significance set forth in SEQRA would be implicated as a result of the Project.

C. The Lead Agency has carefully considered (that is, has taken the required “hard look” at) the Project and the relevant environmental impacts, facts, and conclusions in connection with same.

D. The Lead Agency has made a reasoned elaboration of the rationale for arriving at its determination of environmental non-significance, and the Lead Agency’s determination is supported by substantial evidence, as set forth herein.

E. To the maximum extent practicable, potential adverse environmental impacts will be largely avoided or minimized by the Applicant’s careful incorporation in its application materials of measures designed to avoid such impacts that were identified as practicable.

Date Issued:  6-24-2024

For further information:

Contact Person:  Chad Roscoe, Junior Engineer

Address:  Town of Brighton
          2300 Elmwood Avenue
          Rochester, NY 14618

Email:  chad.roscoe@townofbrighton.org
Telephone:  585-784-5224
Short Environmental Assessment Form  
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.  
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer.  When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✓</td>
<td>☐</td>
</tr>
</tbody>
</table>
Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Brighton Dept. of Public Works

Chad Roscoe

Name of Lead Agency

6-24-2024

Date

Junior Engineer

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)
Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th>Part 1 – Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1356 Winton Road South</td>
</tr>
<tr>
<td>Name of Action or Project:</td>
</tr>
<tr>
<td>Extension to the Brighton Consolidated</td>
</tr>
<tr>
<td>Refuse District</td>
</tr>
</tbody>
</table>

Project Location (describe, and attach a location map):
1356 Winton Road South

Brief Description of Proposed Action:
Extension to the Brighton Consolidated Refuse District to include 1356 Winton Road South.

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 585-784-5224</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chad Roscoe</td>
<td>E-Mail: chad.ro <a href="mailto:swe@townofbrighton.org">swe@townofbrighton.org</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2300 Elmwood Avenue</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City/PO:</th>
<th>State:</th>
<th>Zip Code:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rochester</td>
<td>NY</td>
<td>14618</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

3. a. Total acreage of the site of the proposed action? 0 acres
   b. Total acreage to be physically disturbed? 0 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

   □ Urban  □ Rural (non-agriculture)  □ Industrial  □ Commercial  ✔ Residential (suburban)
   □ Forest  □ Agriculture  □ Aquatic  □ Other(Specify):
   □ Parkland

Page 1 of 3
5. Is the proposed action,
   a. A permitted use under the zoning regulations? ☑
   b. Consistent with the adopted comprehensive plan? ☑

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? ☑

7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? ☑
   If Yes, identify: __________________________________________

8. a. Will the proposed action result in a substantial increase in traffic above present levels? ☑
   b. Are public transportation services available at or near the site of the proposed action? ☑
   c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? ☑

9. Does the proposed action meet or exceed the state energy code requirements? ☑
   If the proposed action will exceed requirements, describe design features and technologies:
   ________________________________

10. Will the proposed action connect to an existing public/private water supply? ☑
    If No, describe method for providing potable water: ________________________________

11. Will the proposed action connect to existing wastewater utilities? ☑
    If No, describe method for providing wastewater treatment: ________________________________

12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☑
    b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑

13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? ☑
    b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? ☑

If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:
   ____________________________________________
   ____________________________________________
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- [ ] Shoreline  
- [ ] Forest  
- [ ] Agricultural/grasslands  
- [ ] Early mid-successional  
- [ ] Wetland  
- [ ] Urban  
- [X] Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

- [ ] Short-eared Owl

16. Is the project site located in the 100-year flood plan?

- [X] YES  
- [ ] NO

17. Will the proposed action create storm water discharge, either from point or non-point sources?

If Yes,

a. Will storm water discharges flow to adjacent properties?

- [X] YES  
- [ ] NO

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

- [X] YES  
- [ ] NO

If Yes, briefly describe:

__________________________________________________________________________

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

If Yes, explain the purpose and size of the impoundment:

__________________________________________________________________________

- [X] YES  
- [ ] NO

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

If Yes, describe:

__________________________________________________________________________

- [X] YES  
- [ ] NO

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

If Yes, describe:

__________________________________________________________________________

- [X] YES  
- [ ] NO

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Chad Roscoe  
Date: 5/29/24

Signature:  
Title: Junior Engineer
**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

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<table>
<thead>
<tr>
<th>Part 1 / Question 7 [Critical Environmental Area]</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 12b [Archeological Sites]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 15 [Threatened or Endangered Animal]</td>
<td>Yes</td>
</tr>
<tr>
<td>Part 1 / Question 15 [Threatened or Endangered Animal - Name]</td>
<td>Short-eared Owl</td>
</tr>
<tr>
<td>Part 1 / Question 16 [100 Year Flood Plain]</td>
<td>No</td>
</tr>
<tr>
<td>Part 1 / Question 20 [Remediation Site]</td>
<td>No</td>
</tr>
</tbody>
</table>
At a Town Board Meeting of the Town of Brighton, Monroe County, New York, held on the 14th day of August, 2024 at Brighton Town Hall, 2300 Elmwood Avenue in the Town of Brighton, New York

PRESENT:

WILLIAM W. MOEHLE,
Supervisor

CHRISTOPHER K. WERNER
ROBIN R. WILT
CHRISTINE E. CORRADO
NATHANIEL V. SALZMAN,

Councilmembers

WHEREAS, a Map, Plan and Report regarding the extension of the Brighton Consolidated Refuse District as identified in the Map, Plan and Report was prepared by Town Junior Engineer Chad Roscoe dated July 11, 2024, and a petition requesting the formation of said District was signed by residents representing in excess of one half of the assessed value of all residential taxable parcels in the proposed extension, all pursuant to the provisions of Article 12 of the New York State Town Law; and

WHEREAS, the proposed extension will provide a mechanism to pay for refuse services and garbage pickup for certain homes on Trailwood Circle and to have each home pay an equal share of the cost of said services. Said proposed extension is to include properties located at 5, 7, 9, 11, 13 and 15 Trailwood Circle as identified in the above referenced report. No improvements are to be made as part of the proposed extension; now therefore it is hereby

ORDERED, that correspondence from Junior Engineer Chad Roscoe regarding the proposed extension of the Brighton Consolidated Refuse District and correspondence from the Town Assessor dated July 11, 2024 and June 24, 2024, respectively, a Negative Declaration, Short Environmental Assessment Form dated June 24, 2024 and all other supporting documents prepared pursuant to the State Environmental Quality Review Act, and the above referenced petition
be received and filed; and be it further

ORDERED, that the Town Board hereby sets a public hearing to consider
the formation of the proposed District extension for September 11, 2024 at
7:00 p.m. or as soon thereafter as the matter can be heard at Brighton Town
Hall, 2300 Elmwood Avenue, in the Town of Brighton, County of Monroe and
State of New York to hear all persons who have an interest in said proposed
District formation; and be it further

ORDERED, that the Town Clerk be, and hereby is directed to publish a
certified copy of this Order in the official newspaper of the Town and to
post a certified copy of this Order on the signboard of the Town no sooner
than twenty days and no later than ten days prior to said public hearing.

Dated: August 14, 2024

William W. Moehle, Supervisor       Voting       ___
Christopher K. Werner, Councilmember Voting       ___
Robin R. Wilt, Councilmember        Voting       ___
Christine E. Corrado, Councilmember Voting       ___
Nathaniel V. Salzman, Councilmember  Voting       ___
July 11, 2024

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

Re: Proposed Trailwood Circle Refuse District
    Receive and File Petitions
    Receive and File Map, Plan and Report
    Set Public Hearing

Honorable Supervisor and Members:

Petitions have been received to establish the Trailwood Circle Refuse District which petitions have been signed by resident owners of 64% of the assessed value of residential properties of the proposed District.

I recommend that you receive and file the petitions, the originals of which have been placed in the Town Clerk’s Office.

I further recommend that you receive and file the plan, map and report for the proposed Districts. Services would be offered on a “benefits derived” basis, and would begin in 2025.

I further recommend that your Honorable Body establish a public hearing date for the above.

Sincerely,

[Signature]

Chad Roscoe
Town of Brighton
1. Introduction

Article 12 of the Town Law of the State of New York permits the Town to form special assessment extensions to provide refuse collection and disposal services.

Informal petitions for the extension of the Brighton Consolidated Refuse District have been received from the owners of properties within the proposed extension, 67% of the residents signed the petitions representing 64% of the assessed value within the proposed extension. A comparison of the petitions received to the total area of the proposed extension is attached.

2. Area of the Proposed Extension

The extension is proposed to include all those properties shown on the attached map. A legal description of the proposed extension is also attached.

3. Purpose of the Proposed Extension

The purpose of the proposed Extension is to provide for the equitable, public financing of the cost of providing services to remove and to dispose of refuse and recyclables within the Extension.

4. Extension Charges

The charges of the proposed Extension will be assessed by the Town Board in proportion as nearly may be to the benefit which each parcel will drive therefrom. It is proposed that each parcel with a principal structure on it shall be considered as one unit for these purposes. The annual cost of the Extension to the typical property in the Extension is estimated to be $284.52+-/- including all operation, administrative and other charges or costs.

5. Indebtedness

The proposed Extension has no plans to issue any indebtedness to finance its activities.

6. Dated: 7/11/24
Schedule ‘A’
Description of
Trailwood Circle Refuse District

All that tract or parcel of land being a part of Town Lot 8, Township 13, Range 7, 2nd Division, Town of Brighton, County of Monroe, State of New York, and being more or less bounded and described as follows:

Beginning at a point on the southwest property corner of 5 Trailwood Circle, T.A.N. 150.15-1-11, thence;

1. thence N 87°03'53" E a distance of 259.44', to a point;
2. thence N 20°35'22" E a distance of 208.27" along the Town boundary line, thence;
3. thence N 17°35'06" E a distance of 417.78' to a point, that point being the southeasterly property corner of T.A.N. 150.15-1-6, thence;
4. thence N 19°47'43" E a distance of 87.69';
5. thence N 02°55'22" W a distance of 184.33';
6. thence S 85°23'51" W a distance of 146.50';
7. thence S 21°07'35" W a distance of 923.42';

which is the point of beginning, having an area of 4.519 acres.
<table>
<thead>
<tr>
<th>TAN</th>
<th>Owner</th>
<th>Owner</th>
<th>Rowland</th>
<th>Signed</th>
<th>Assessed Value</th>
<th>Signed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>150.15-1-11</td>
<td>Pelusio, David J Jr.</td>
<td>Pelusio, Sarah A</td>
<td>05 Trailwood Circle</td>
<td>γ</td>
<td>$243,550.00</td>
<td>$243,550.00</td>
</tr>
<tr>
<td>150.15-1-10</td>
<td>Simmons, Jennifer</td>
<td>Cranston, Daryl</td>
<td>07 Trailwood Circle</td>
<td>γ</td>
<td>$310,300.00</td>
<td>$310,300.00</td>
</tr>
<tr>
<td>150.15-1-9</td>
<td>Kung, Ching-Chi C</td>
<td>Kung, Teh-Ming</td>
<td>09 Trailwood Circle</td>
<td>γ</td>
<td>$293,000.00</td>
<td>$293,000.00</td>
</tr>
<tr>
<td>150.15-1-8</td>
<td>Kenin, Michael</td>
<td>Kenin, Anna (POA)</td>
<td>11 Trailwood Circle</td>
<td>γ</td>
<td>$296,500.00</td>
<td>$296,500.00</td>
</tr>
<tr>
<td>150.15-1-7</td>
<td>Packard L/E, Abigail K</td>
<td>Kalish, Kimberly D</td>
<td>13 Trailwood Circle</td>
<td>$</td>
<td>$285,000.00</td>
<td>$ -</td>
</tr>
<tr>
<td>150.15-1-6</td>
<td>Camson, Adam</td>
<td>Fleissig, Danielle</td>
<td>15 Trailwood Circle</td>
<td>$</td>
<td>$349,000.00</td>
<td>$ -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,777,350.00</td>
<td>$1,143,350.00</td>
</tr>
</tbody>
</table>

| Total Assessed Value: | $1,777,350.00     |
| Total Assessed Value (signed): | $1,143,350.00 |
| Total Signed: | 4 total parcels |
| Percent signed: | 67% |
| Percent of Total Assessed Value signed: | 64% |
June 24, 2024

Tax ID Numbers: **150.15-1-6, 7, 8, 9, 10, & 11**

Identified on the proposed Extension to the existing Brighton Consolidated Refuse District (BR630), Trailwood Circle Boundary Map for

All that tract or parcel of land being a part of Town Lot 8, Range 7, 2rd Division, Township 13, Town of Brighton, County of Monroe, State of New York.

Beginning at a point which is on the southwesterly property corner of 5 Trailwood Circle (150.15-1-11) and including the above-mentioned tax map ID’s (6 total units) and containing 4.52 acres more or less.

Prepared by Town of Brighton Department of Public Works

RE: Addition to the existing Unit Based Special District: BR630 – **Brighton Consolidated Refuse District**

I Pamela Post, Assessor, Town of Brighton, County of Monroe, State of New York, hereby certify that I have examined the petitions as requested in a letter dated May 30, 2024 from Chad Roscoe, Town of Brighton Junior Engineer, for the extension of the existing **Brighton Consolidated Refuse District** in the Town of Brighton, to include the Trailwood Circle extension including the 6 parcels named above to be filed in the Town Clerk’s Office in the Town of Brighton, County of Monroe, State of New York, and that:

1. The total assessed valuation of all taxable real property owned by the resident owners within the parcels from which said addition to the existing district will be placed is $1,777,350.00.
2. The aggregate assessed valuation of the taxable real property therein owned by resident owners who signed said petition is $1,143,350.00.00.
3. Said petition includes the signatures of resident owners of 64% of the value of the taxable real property within the area from which the proposed extension to the existing consolidated refuse district will be added.

All as appears from the 2024 Tentative Assessment Roll, which is the latest completed roll of the Town of Brighton, County of Monroe, State of New York.

In witness thereof I have hereunto set my hand on this 25th day of June 2024.

Pamela Post
Assessor
Town of Brighton

2300 Elmwood Avenue, Rochester, New York 14618  www.townofbrighton.org  pamela.post@townofbrighton.org  585-784-5216
In the Matter of the Establishment
Of
The Extension #15 to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the Extension #15 to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit "A".

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this District, together with the expenses of providing the services by the proposed District, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, from the several lots and parcels within the proposed District in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the district.

Dated: April 19th, 2023
Address: 5 Trailwood Circle

Signature
Sarah Peluso
Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss:

On this 19th day of April, 2023, before me the undersigned, personally appeared Sarah Peluso, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

JANE D. GSCHEY
Notary Public, State of New York
Qualified in Monroe County
Reg. No. 01GS530333
Commission Expires 9/14/2023

STATE OF NEW YORK)
COUNTY OF MONROE ) ss:

On this 19th day of April, 2023, before me the undersigned, personally appeared David Peluso Jr., personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

JANE D. GSCHEY
Notary Public, State of New York
Qualified in Monroe County
Reg. No. 01GS530333
Commission Expires 9/14/2023
In the Matter of the Establishment
Of
The Trailwood Circle Refuse District in
the Town of Brighton, County of Monroe, State of New York

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the Trailwood Circle Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit “A”.

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this District, together with the expenses of providing the services by the proposed District, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, from the several lots and parcels within the proposed District in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the district.

Dated: May 25, 2024
Address: Trailwood Ct 14618

Signature
Jennifer Cranston
Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 25 day of May, 2024 before me the undersigned, personally appeared Jennifer Cranston, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Anthony Tomasin
Notary Public
State of New York, County of Monroe
Reg #: 01T06102406
Commission Expires Dec 8, 2027

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 25 day of May, 2024 before me the undersigned, personally appeared Daryl Cranston, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Anthony Tomasin
Notary Public
State of New York, County of Monroe
Reg #: 01T06102406
Commission Expires Dec 8, 2027
In the Matter of the Establishment
Of
The Extension #15 to the Brighton Consolidated Refuse District
in the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the Extension #15 to the Brighton Consolidated Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit “A”.

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this District, together with the expenses of providing the services by the proposed District, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive there from, from the several lots and parcels within the proposed District in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the district.

Dated: April 20, 2023
Address: 9 Trailwood Circle

Signature
TEH-MING KUNG
Print Name

Signature
Ching-chi C. Kung
Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 20 day of April, 2023, before me the undersigned, personally appeared
TEH-MING KUNG personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public
LISA L. DIAZ
Notary Public - State of New York
Monroe County - 01DI6424478
Commission Expires 11/01/2023

STATE OF NEW YORK)
COUNTY OF MONROE ) ss.:

On this 20 day of April, 2023, before me the undersigned, personally appeared
CHING-CHI C. KUNG personally known and known to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public
LISA L. DIAZ
Notary Public - State of New York
Monroe County - 01DI6424478
Commission Expires 11/01/2023
In the Matter of the Establishment
Of
The Trailwood Circle Refuse District in
the Town of Brighton, County of Monroe, State of New York

PETITION

TO THE TOWN BOARD OF THE TOWN OF BRIGHTON
MONROE COUNTY, NEW YORK:

We, the undersigned, being owners of taxable real property situate in the proposed district hereinafter described in the Town of Brighton, County of Monroe, and State of New York, do hereby petition your Honorable Board to establish the Trailwood Circle Refuse District Refuse District in such Town of Brighton, County of Monroe, and State of New York, outside of any incorporated village and wholly within the said Town of Brighton, which proposed District is bounded and described as set forth in the attached Exhibit “A”.

Pursuant to Article 12 of the Town Law of the State of New York, the Undersigned further petitions that the expense of the establishment of this District, together with the expenses of providing the services by the proposed District, shall be assessed, levied and collected, in proportion as nearly as may be to the benefit which each lot or parcel will derive there from, from the several lots and parcels within the proposed District in the same manner and at the same time as other Town charges. Said collection of expenses shall be based upon a charge of one unit for each parcel containing a primary residence within the district.

Dated: Feb 8, 2023

Annette Kenein
Signature
ANNETTE KENIN
Print Name

Address: 11 Trailwood Circle
Rochester, NY 14618
Annette Kenein / POA
Signature
For Michael Kenin
Michael Kenin
Print Name

STATE OF NEW YORK)
COUNTY OF MONROE ) ss:

On this 9 day of February, 2023, before me the undersigned, personally appeared Annette Kenin, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) , and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

DANIEL E. AMAN
Notary Public - State of New York
Monroe County - 01AM6303724
Commission Expires: May 19, 20...

STATE OF NEW YORK)
COUNTY OF MONROE ) ss:

On this 9 day of February, 2023, before me the undersigned, personally appeared Michael Kenin, personally known and known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) , and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

DANIEL E. AMAN
Notary Public - State of New York
Monroe County - 01AM6303724
Commission Expires: May 19, 20...
State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number: ER-7-19       Date: June 21, 2019

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Brighton Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Trailwood Circle Refuse District

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Formation of a neighborhood refuse district to collect refuse and recyclables for Trailwood Circle.

Location: Trailwood Circle

Reasons Supporting This Determination:

After considering the action contemplated and reviewing the Environmental Assessment Form prepared by the applicant and the Criteria for determining significance in the SEQR regulations (6 N.Y.C.R.R. Section 617.11), the Town Board finds that the proposed action will not have a significant impact on the environment based on the following finding:

1. The requirements of the State Environmental Quality Review Law have been complied with.

2. Creation of the Trailwood Circle Refuse District will not create any significant adverse impacts.

3. SEQRA Part 1 noted the presence of an Archaeological site in the vicinity of the project. The project involves only the collection of refuse within the district to be established and does not involve disturbance, construction or development. The Archaeological site will not be impacted nor will they impact the district.

4. There will be no resources of value irreversibly lost.
**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing: a. public / private water supplies?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>✓</td>
<td>☐</td>
</tr>
</tbody>
</table>
Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Part 1, Q 12a & 12b regarding historic resources. There is a property, 9 Taylor's Rise in the Town of Pittsford, eligible for listing on the NYS Historic Register, that is adjacent to the proposed refuse district. This property will not be affected in any way by the district or refuse collection.

The northern part of the proposed refuse district is located in an Archaeologically Sensitive Area. Neither the establishment of the district nor the refuse collection will affect any archaeological resources.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Brighton Town Board
Name of Lead Agency
Ramsey A. Boehler
Print or Type Name of Responsible Officer in Lead Agency
Signature of Responsible Officer in Lead Agency
June 21, 2019
Date
Environmental Review Liaison Officer
Title of Responsible Officer
Signature of Preparer (if different from Responsible Officer)
For Further Information:

Contact Person: Ramsey A. Boehner, Environmental Review Liaison Officer

Address: Town of Brighton
2300 Elmwood Avenue
Rochester, N.Y. 14618

Telephone: (585) 784-5250
# Short Environmental Assessment Form

## Part 1 - Project Information

**Instructions for Completing**

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<table>
<thead>
<tr>
<th>Part 1 – Project and Sponsor Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Town of Brighton</strong></td>
</tr>
<tr>
<td><strong>Name of Action or Project:</strong></td>
</tr>
<tr>
<td>Trailwood Circle Refuse District</td>
</tr>
<tr>
<td><strong>Project Location (describe, and attach a location map):</strong></td>
</tr>
<tr>
<td>Trailwood Circle</td>
</tr>
<tr>
<td><strong>Brief Description of Proposed Action:</strong></td>
</tr>
<tr>
<td>Homeowners along Trailwood Circle would like to form a Refuse District. This would allow the Town of Brighton's waste hauler to remove the resident refuse on a specific day.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant or Sponsor:</th>
<th>Telephone: 585-784-5224</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chad Roscoe</td>
<td>E-Mail: <a href="mailto:chad.roscoe@townofbrighton.org">chad.roscoe@townofbrighton.org</a></td>
</tr>
<tr>
<td><strong>Address:</strong></td>
<td></td>
</tr>
<tr>
<td>2300 Elmwood Avenue</td>
<td></td>
</tr>
<tr>
<td><strong>City/PO:</strong></td>
<td><strong>State:</strong></td>
</tr>
<tr>
<td>Rochester</td>
<td>NY</td>
</tr>
</tbody>
</table>

1. **Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?**
   - NO
   - YES
   - [ ]

2. **Does the proposed action require a permit, approval or funding from any other government Agency?**
   - NO
   - YES
   - [ ]

3. **a. Total acreage of the site of the proposed action?**
   - [ ]
   - [ ]
   - 4.5 acres

4. **Check all land uses that occur on, are adjoining or near the proposed action:**
   - [ ] Urban
   - [ ] Rural (non-agriculture)
   - [ ] Industrial
   - [ ] Commercial
   - Residential (suburban)
   - [ ] Forest
   - [ ] Agriculture
   - [ ] Aquatic
   - [ ] Other(Specify):
   - [ ] Parkland

---

Page 1 of 3

SEAF 2019
<table>
<thead>
<tr>
<th>No.</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
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<tbody>
<tr>
<td>5.</td>
<td>Is the proposed action,</td>
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<tr>
<td></td>
<td>a. A permitted use under the zoning regulations?</td>
<td>☑</td>
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<td></td>
<td>b. Consistent with the adopted comprehensive plan?</td>
<td>☑</td>
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<td>6.</td>
<td>Is the proposed action consistent with the predominant character of</td>
<td></td>
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<td></td>
<td>the existing built or natural landscape?</td>
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<td>7.</td>
<td>Is the site of the proposed action located in, or does it adjoin, a</td>
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<td>state listed Critical Environmental Area?</td>
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<td>If Yes, identify:</td>
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<td>8.</td>
<td>a. Will the proposed action result in a substantial increase in traffic</td>
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<td>above present levels?</td>
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<td>b. Are public transportation services available at or near the site of</td>
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<td></td>
<td>the proposed action?</td>
<td>☑</td>
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<td></td>
<td>c. Are any pedestrian accommodations or bicycle routes available on</td>
<td></td>
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<td></td>
<td>or near the site of the proposed action?</td>
<td>☑</td>
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<td>9.</td>
<td>Does the proposed action meet or exceed the state energy code</td>
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<td></td>
<td>requirements?</td>
<td>☑</td>
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<td>If the proposed action will exceed requirements, describe design</td>
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<td>features and technologies:</td>
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<td>10.</td>
<td>Will the proposed action connect to an existing public/private water</td>
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<td>supply?</td>
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<td>If No, describe method for providing potable water:</td>
<td>☑</td>
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<tr>
<td></td>
<td>There is no need for water in a refuse collection district</td>
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<td>11.</td>
<td>Will the proposed action connect to existing wastewater utilities?</td>
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<td></td>
<td>If No, describe method for providing wastewater treatment:</td>
<td>☑</td>
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<tr>
<td></td>
<td>There is no need for wastewater treatment in a refuse collection</td>
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<tr>
<td></td>
<td>district.</td>
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<td>12.</td>
<td>a. Does the project site contain, or is it substantially contiguous</td>
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<td>to, a building, archaeological site, or district which is listed on</td>
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<td>the National or State Register of Historic Places, or that has been</td>
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<td>determined by the Commissioner of the NYS Office of Parks, Recreation</td>
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<td></td>
<td>and Historic Preservation to be eligible for listing on the State</td>
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<td>Register of Historic Places?</td>
<td>☑</td>
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<td>b. Is the project site, or any portion of it, located in or adjacent</td>
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<td>to an area designated as sensitive for archaeological sites on the</td>
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<td>NY State Historic Preservation Office (SHPO) archaeological site</td>
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<td>inventory?</td>
<td></td>
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<tr>
<td>13.</td>
<td>a. Does any portion of the site of the proposed action, or lands</td>
<td></td>
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<td>adjoining the proposed action, contain wetlands or other waterbodies</td>
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<td>regulated by a federal, state or local agency?</td>
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<td>b. Would the proposed action physically alter, or encroach into, any</td>
<td></td>
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<td>existing wetland or waterbody?</td>
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<td></td>
<td>If Yes, identify the wetland or waterbody and extent of alterations</td>
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<td>in square feet or acres:</td>
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</tbody>
</table>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

- Shoreline
- Forest
- Agricultural/grasslands
- Early mid-successional
- Wetland
- Urban
- Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>

16. Is the project site located in the 100-year flood plan?

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>

17. Will the proposed action create storm water discharge, either from point or non-point sources?
   If Yes,
   a. Will storm water discharges flow to adjacent properties?
   b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

   If Yes, briefly describe:

   [Blank space for description]

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

   If Yes, explain the purpose and size of the impoundment:

   [Blank space for description]

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

   If Yes, describe:

   [Blank space for description]

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

   If Yes, describe:

   [Blank space for description]

---

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Chad Roscoe

Date: 4/5/2019

Signature: [Signature]

Title: Junior Engineer
Part 1 / Question 7 [Critical Environmental Area] No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] Yes
Part 1 / Question 12b [Archeological Sites] Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] No
Part 1 / Question 15 [Threatened or Endangered Animal] No
Part 1 / Question 16 [100 Year Flood Plain] No
Part 1 / Question 20 [Remediation Site] No
MATTERS OF THE SUPERVISOR