

**Supplemental Draft Environmental
Impact Statement**

for

**New St. John's Community
(to be known as "Brickstone,
a St. John's Senior Community")
Town of Brighton
Monroe County, New York**

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Date of Receipt _____

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EXECUTIVE SUMMARY

Description of Action

The proposed action subject to the State Environmental Quality Review Act (SEQRA) is an Incentive Zoning Application for the development of a 17.5± acre site currently owned by Sully's Trail LLC and under contract for development by St. John's Senior Communities (Project Sponsor). Early last year, Sully's Trail LLC received incentive zoning approval, site plan approval and a subdivision of lands for Park Place at Brighton, a 160-unit multi-family residential development adjacent to St. John's Meadows on 33± acres zoned RHD-2. As part of the incentive zoning process for the project, the project sponsor donated approximately 16.3 acres of land to the Town of Brighton with the remaining lands to be developed with the apartments. A DEIS was prepared and an FEIS was approved as part of the SEQRA process for that project development. A joint wetland permit (NYSDEC and the Army Corps of Engineers) was also obtained.

Since that time, the property owner and Project Sponsor determined that the land would be better utilized for senior housing and related services. The new development proposed for the remaining 17.5± acres of land, known as New St. John's Community, will be comprised of the following senior living residential development features: 53 single family cottages; 9 town homes; 40 independent living apartments; and a village center. The village center will house a 6,000± s.f. area for tenant retail/commercial uses and 4,000 s.f. for common area and support service functions such as facility management and resident community space.

The preliminary site plan application, including full-scaled site plans, has been submitted to the Town of Brighton.

Needs and Benefits

The proposed action will meet the needs of the Town of Brighton as identified in the Town's 2000 Comprehensive Plan. The pertinent goals addressed by this proposed action include:

- Enhancement of the town as a residential community;
- Provision of a balance in the type and cost of housing;
- Preservation of priority areas of open space;
- Protection of sensitive environmental resources;
- Satisfaction of recreational needs of town residents,
- Maintenance and enhancement of the visual character of the community; and
- Provision of safe pedestrian linkages.

The manner in which the goals stated above are achieved are similar to those identified in the DEIS for the former "Mansions at Brighton" (also known as Park Place) project.

Approvals

The following approvals are anticipated for the proposed project:

- Incentive Zoning approval by the Town of Brighton Town Board;
- Environmental Protection Overlay District (EPOD 2 Woodlot Protection District) Development Permit by the Town of Brighton Planning Board;
- Site Plan Review by the Town of Brighton Planning Board;
- State Pollutant Discharge Elimination Permit (SPDES) Stormwater Phase II from the New York State Department of Environmental Conservation (NYSDEC);
- NYSDEC Article 24 Permit Modification for wetland adjacent area disturbance;
- Permit for sanitary sewer connection (Town of Brighton Public Works Office or Monroe County Department of Environmental Services);
- Permit for connection to municipal water (Monroe County Water Authority);
- Sanitary Sewer District Extension approval;
- Monroe County Health Department approval for sanitary sewers and watermains;
- Right-of-way work permit from Monroe County Highway Department;
- Tree Cutting/Clearing Permit pursuant to Preservation of Trees Local Law by Town of Brighton Public Works Office; and
- Stormwater Management Plan approval and Drainage Permit by Town of Brighton Public Works Office.

Impacts and Mitigation

Geology, Soils and Topography

Impacts

The project will involve earth moving and grading on the 17.5 acre western portion of the site that is designated for development. The area of disturbance is the same extent as identified in previous application for this property and as described in the Towns' Statement of Findings for the past application.

Mitigation

Erosion and sedimentation control measures meeting New York State Department of Environmental Conservation SPEDES Phase II requirements will be implemented down-gradient of all disturbed areas to minimize the transport of sediment off-site. Re-graded slopes will be reseeded as soon as possible after attainment of final grade. Silt fencing will be installed at down-gradient perimeter areas to check flow and trap sediments.

Surface Waters/Drainage

Impacts

The proposed development will cause an increase in the stormwater discharge rates and the developed impervious areas may degrade water quality.

Mitigation

To mitigate this effect, stormwater will be stored temporarily within stormwater retention ponds with a controlled outlet rate. All of the roof top areas of the proposed buildings and proposed pavement areas are anticipated to discharge to one of the proposed retention ponds. The proposed conditions drainage area map in Appendix A designates the location of the two ponds.

The stormwater management plan has been developed in accordance with the current NYSDEC stormwater management design manual to mitigate both water discharge rates and water quality. It provides for two (2) stormwater management ponds to be located adjacent to the wetland adjacent area. The stormwater ponds will include permanent wet-pool areas consisting of both shallow water 0" – 18" deep and deep water 6' – 8' deep. Planted areas will be developed around the perimeter of the wet-pool areas. Both the shallow water areas and the planted areas can include some of the same species of plantings currently found within the adjacent wetlands to serve as an extension of the wetland environment.

Terrestrial and Aquatic Ecology

Impacts

The proposed project would develop approximately 17.5 acres of land which is primarily vacant terrestrial lands that have a history of disturbance and are dominated by stands of common shrub and grass species. The projects eastern property line is generally bounded by wetland adjacent area. No direct impacts to the wetland, stream or floodplain located on the property are proposed, except for the following. Grading associated with stormwater ponds impacting 0.10 acres (4360 s.f.) of wetland adjacent area and the construction of a boardwalk and trail system that would cross a small finger of emergent marsh wetland in two locations (approximately 0.06 acres/2640 square feet) and wetland adjacent area (approximately 0.17 acres/7430 square feet) on the adjacent 16.3 acre parcel.

Mitigation

As mitigation for the proposed loss of habitat, the previous project sponsor dedicated 16.3 acres of land on the site to the community as a nature preserve. This project expands upon that measure and plans to construct a nature trail to access the preserve. The new St. John's Community reduced adjacent area disturbance area due to stormwater pond construction. In addition, approximately 1.10 acres of stormwater wetlands will be constructed on site and 2,400± square feet of amphibian pools will be constructed in the upland area of the adjacent site, which will improve the overall functions and values of the wetland complex located on the site.

Transportation

Impacts

The results of the Traffic Study show that the surrounding intersections will have a negligible increase in delay time due to the development. The only failing level of service is the left-thru movement for the vehicles exiting the proposed development. The delays will not be as severe in the field because the study analyzes unsignalized intersections assuming a random arrival of traffic from the free movement approaches, which creates the fewest acceptable gaps for vehicles at the stop sign. Previous studies have shown that unsignalized intersections within close proximity of signalized intersections creates more acceptable gaps for traffic on the minor streets, which can reduce the actual delay on the minor street by more than half of the calculated Synchro delay.

Mitigation

In general, after making revisions from the previous traffic impact study, there is minimal impact, if any, to the surrounding roadway network due to the proposed housing and retail development. Both driveways will have two exiting lanes preventing traffic flow from being blocked by left turn vehicles. It is further proposed that an additional southbound lane on Lilac Drive will be constructed at Elmwood Avenue thereby relieving the concern of left hand turns blocking vehicles at this intersection.

Land Use and Zoning

Impacts

The new development will enhance the Town of Brighton as a residential community and maintain its property values. The proposed project will significantly improve the character of the property which is currently vacant land. As part of a previous incentive zoning application, the property was subdivided, the wetland parcel was acquired by the Town of Brighton and the remaining lands rezoned to RHD-2 (Residential High Density).

Mitigation

The new development seeks to revise the incentive zoning to more accurately reflect the current proposal which is consistent with existing uses in the immediate area while maintaining the adjacent wetlands. Furthermore, the density of the new development is decreased by the change from the 160-unit family-oriented rental development to a 102-unit senior living community.

Community Services

Impacts

No adverse impacts to community services or private utilities were identified, hence no mitigation is required.

A Fiscal Impact Analysis was conducted for the project by comparing the expenditures and revenues, the fiscal impact of the proposed project can be determined. The proposed New St. John's Community project would result in a positive fiscal impact to the town of nearly \$100,000.

Mitigation

Given that no adverse impacts to Community Services were identified, no mitigation measures are required.

Cultural Resources

Impacts

The proposed new St. John's Community project will occupy the same 17.3 acre "area of disturbance" footprint as the previous Park Place at Brighton project. More specifically, the proposed project will not disturb any land area outside of that which was studied as part of the Phase 1 Archeological Study and reviewed by the OPR&HP. Given that the proposed project will not introduce any new areas of disturbance than the previous project, no cultural impacts will occur.

Mitigation

Given that no adverse impacts to Cultural Resources were identified, no mitigation measures are required.

Construction Impacts

Impacts

Construction related impacts are anticipated to be limited to a single construction phase that is anticipated to last 18 months or less. During the construction period impacts will include dust and noise generation; limited impairment to local traffic flow associated with construction vehicle traffic, utility extensions, curb cuts and general visual changes.

Mitigation

Dust will be monitored daily during construction and will be controlled with water on an as needed basis. Erosion and sediment control devices will be installed at the start of the

construction activity and inspected and repaired as needed. A truck tire washing station will be set up at a stabilized construction access if needed to remove soil from the truck tires. Elmwood Avenue in the area of the site will be power swept as needed.

Visual Impacts

Impacts

This project will not cause an undesirable change to the visual characteristics of the area. While there is no consistent architectural pattern in the area, the proposed development would not be out of character with the surrounding properties. Therefore, there will be no significant adverse visual impacts as a result of this development.

Mitigation

The positioning of the proposed buildings, formal entrance into the property, landscaping, maintained lawn and pedestrian walkways help to create a vibrant gateway to the Town of Brighton.

Alternatives

In addition to the proposed action, a number of alternatives were evaluated and considered by the applicant. These include the following:

1. No Action;
2. Alternate Developed Use;
3. Alternate Site Plan;
4. Alternative Site Plan using Original Setbacks; and
5. Alternate With/Without Retail Space

Alternatives 1, 2, 4 and 5 above were not found to provide greater benefits or to reduce adverse impacts to a greater extent than the currently proposed plan while meeting the project sponsors goals. The Alternate Site Plan alternative (#3) was found to be comparable to the proposed plan and is feasible.

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1.0 Description of the Proposed Action

The proposed action subject to the State Environmental Quality Review Act (SEQRA) is an application to modify the Incentive Zoning for the development of a 17.5± acre site currently owned by Sully's Trail LLC and under contract for development by St. John's Senior Communities (Project Sponsor). The project is located on the south side of Elmwood Avenue, west of St. John's Meadows (see Figure 1).

Early last year, Sully's Trail LLC received incentive zoning approval, site plan approval and a subdivision of lands for Park Place at Brighton (previously known as The Mansions at Brighton), a 160-unit multi-family residential development adjacent to St. John's Meadows on 33.8± acres zoned RHD-2. As part of the incentive zoning process for the project, the project sponsor donated approximately 16.3 acres of land to the Town of Brighton with the remaining lands to be developed with the apartments. A DEIS was prepared and an FEIS was approved as part of the SEQRA process for that project development. A joint wetland permit (NYSDEC and the Army Corps of Engineers) was also obtained.

Since that time, the property owner and Project Sponsor determined that the land would be better utilized for senior housing and related services. The new development proposed for the remaining 17.5± acres of land, known as New St. John's Community, will be comprised of the following senior living residential development features: 53 single family cottages; 9 town homes; 40 independent living apartments; and a village center with facility management, resident community spaces and a 6,000± s.f. area for retail/commercial uses; 4,000 s.f. common/support service space.

The Project Sponsor has submitted an application to modify the incentive zoning agreement approved for the previously submitted Park Place project in order to allow for the new St. John's Community, documentation provided in Appendix F. As a supplement to the incentive zoning modification, a comparison table of bulk zoning regulations that lists design considerations for the new St. John's Community is shown in Table 1. In addition, we have prepared a list of incentives that are required for the new project:

- Retain the RHD-2 Zoning District;
- Enhanced trail system; permission for construction of a nature trail/boardwalk system on the 16.3 acre parcel;
- Provisions in the incentive zoning language to allow for retail space and other incidental uses;
- Rear Setback reduced to 10';
- Building separation reduced to 10';
- Increase maximum building length to 500'±;
- Length of cul-de-sac increased to 1,550'±;
- Access across the 16.3± acres of public land for construction of a public walkway/nature trail and boardwalk;
- On-site signage up to 525 SF as described in the SDEIS;
- Increase in front yard paved area to 48%; and
- Allow architectural elements of apartment building to a height of 54 feet.

Outlined below is a list of amenities that the Project Sponsor will provide to the Town of Brighton for the new St. John's Community project:

- Recognition that 16.3± acres of land has been dedicated to the Town of Brighton under the previously proposed Park Place development;
- Multi-use walking trail; easement and construction of a multi-use trail with parking for 3 cars and vehicular access;
- Affordable housing units equal to 10% of the total unit count, located at Chestnut Court in St. John's Meadows;
- PILOT agreement for Town property and school taxes - \$2,000/unit or \$204,000/year for years one, two and three. PILOT increases to \$254,000 in year 4 and is subsequently adjusted yearly based on the CPI;
- Decreased development density and intensity (160 units to 102 units). Development has shifted from multi-family to senior housing, which results in a decrease in necessary services provided by the Town;
- Provision of housing for seniors – this is included as a goal of the Town Comprehensive Plan; and
- Increased access to public lands.

This document serves as a supplement to the original EIS. The existing conditions and a majority of the original conclusions in the DEIS/FEIS remain valid under the new development program. This SDEIS will serve to highlight environmental considerations that have been updated or changed with the new development proposals.

1.1 Project Purpose, Need and Benefits

Purpose

St. John's has been home for Rochester's seniors for more than a century. The New St. John's Community offers a choice for active adults to join the St. John's family. This new community will offer apartments, town homes and cottages to residents ages 55 and up. These new homes will feature enhanced finishes and larger living spaces and amenities geared to an active senior lifestyle.

The New St. John's Community will include a Village Square which will be an attractive amenity that provides an inter-generational gathering place for residents, their families, visitors and the general public. The Project Sponsor anticipates that the Village Square tenants will offer gourmet specialty products, light-casual café fare, upscale beverages, boutique kiosks, entertainment, educational and social programming, and convenient services all within a warm and inviting atmosphere that encourages lingering and interaction.

The purpose of this action is to develop senior living residential development features and on-site amenities while preserving environmentally sensitive resources (i.e., wetlands and Buckland Creek headwaters) and providing recreational amenities for the town residents (e.g., multi-use trail, boardwalk and walking trail). The development will occur

on a 17.5 acre portion of the site and will consist of 53 single family cottages, 9 town homes, 40 independent living apartments and village center with facility management, resident community spaces and a 10,000 s.f. area encompassing 6,000 s.f. for retail/commercial uses and 4,000 s.f. as common area. A site plan is provided as Figure 2.

Needs

The 55-64 population is projected to be the fastest growing segment of the adult population over the next 10 years¹. This demographic will have significant influence on the senior housing market.

A recently conducted lifestyle interest survey of current and prospective active adult community residents age 55+ showed active recreation is the leading leisure interest of older adults with respondents giving the highest rating of “very important” to walking (82%)². It seems the Baby Boomers want active-adult communities to truly be active, and with their clout they have the ability to define the future of the senior housing market.

Close, walkable neighborhoods provide a high quality of life, partly by reducing vehicle use. The growth of café culture reflects a trend in America. More people want streets full of life. It is foreseeable that in the future, other amenity-oriented retail shops or upscale convenience stores may cluster in districts anchored by a boutique use such as a coffee house. These districts (i.e. Village Square) will become the nuclei for denser, walkable residential clusters enjoyed by many housing consumers³.

The proposed action will meet the needs of the Town of Brighton as identified in the Town’s 2000 Comprehensive Plan. The pertinent goals addressed by this proposed action include:

- Enhancement of the town as a residential community;
- Provision of a balance in the type and cost of housing;
- Preservation of priority areas of open space;
- Protection of sensitive environmental resources;
- Satisfaction of recreational needs of town residents,
- Maintenance and enhancement of the visual character of the community; and
- Provision of safe pedestrian linkages.

Benefits

The manner in which the goals stated above are achieved is similar to those identified in the DEIS for the former “Mansions at Brighton” (also known as Park Place) project and are re-stated below.

¹ National Center for Health Statistics. [Health, United States, 2005 with chartbook on trends in the health of Americans](#). Hyattsville, MD: Centers for Disease Control and Prevention. 2005.

² "Active Recreation Grows Among Older Adults." [Journal of Physical Education, Recreation, & Dance](#) 78 (2007): 55. ABI. 5 Sept. 2007.

³ “The Coming Demand”, produced by Congress of the New Urbanism

1. Open Space and Recreation

- Goal - Provide for the active and passive recreational needs of current and future town residents.

The new St. John's Community will provide public access to an important wetland in the town. This access is enhanced by the proposed walking trail and boardwalk system that will link Elmwood Avenue to a multi-use trail with connections to the existing St. John's Meadows and proposed new St. John's Community.

In addition, the proposed trail system will serve as a critical link in the Highland Park/Canalway Trail being developed by the Town of Brighton, City of Rochester and the Genesee Transportation Council. The multi-use trail will link the lands maintained under a conservation easement by the Town on the St. John's Meadows parcel to Elmwood Avenue. The proposed location of the trail on the property is consistent with the Highland Park/Canalway Trail Plan prepared by McCord Landscape Architecture. The trail is located along the western and southern boundary of the proposed new St. John's property.

- Goal - Preserve, in their natural state, open space areas that have significant natural value.

Approximately 16.3 acres in the eastern portion of the site have been donated in full fee to the Town. This wetland and its 100 foot "adjacent area" (i.e., land within 100 feet of the New York State designated wetland boundary) was recommended for acquisition in the Town Comprehensive Plan. This is an important open space area in the town because of its unique wildlife (see discussion below), its location adjacent to a town conservation easement, the recommendation for a trail through it, and the fact that it is the headwaters of Buckland Creek.

- Goal - Ensure that the acquisition and development of open space areas are responsive to the fiscal implications of such actions.

As the 16.3 acre conservation area has been donated in full fee to the Town of Brighton by the property owner, there will be no direct costs incurred by the municipality. The protection of open space can have a positive fiscal impact on the county, municipalities and the school districts compared to development. This is largely because the value of open space increases over time while maintenance costs and necessary infrastructure remain low. Conversely, the value of the built environment generally decreases over time as aging infrastructure supporting it generates increasing maintenance costs. In addition, the retention of land for active and passive recreation, and habitat helps maintain the value of nearby properties, supporting the tax base.

- Goal - Protect sensitive environmental areas, including wetlands, floodplains, watercourses, woodlots, steep slopes, and wildlife habitats and migration corridors.

The project layout purposely protects a range of sensitive environmental areas on the property. The headwaters of Buckland Creek as well as the associated wetlands and flood plains are protected. In addition, the majority of the Woodlot Environmental Protection Overlay District on the original property will be preserved. The wildlife habitats associated with these sensitive resources are also protected as a result.

2. Land Use

- Goal - Enhance the town as a residential community and maintain its property values.

The proposed project will significantly improve the character of the property which is currently vacant land. The project involves various formats of upscale residences for seniors that will contribute to this goal. In fact, the Town of Brighton Comprehensive Plan 2000 identifies the proposed site as “Area 27” and recommends acquisition of the wetland section for parkland, and medium/high density residential in the other portion of the property. As noted in the Comprehensive Plan “this would provide the opportunity to design a site plan that protects the sensitive areas of the site and is compatible with the surrounding apartment uses.”

- Goal - Promote development that protects sensitive environmental areas and creates quality open space areas.

Please refer to the discussion above pertaining to the Open Space and Recreation goals.

3. Visual Character

- Goal - Maintain and enhance the visual qualities of the community that give Brighton its character, including but not limited to architectural, streetscape and landscape features.

The proposed architecture for the new St. John’s Community project includes varied styles throughout the entire development. Considering the current conditions of the site and the fact that it is located at one of the prime entrances to the town, the proposed project would result in a significant visual improvement. As it is today, the site is viewed as vacant land, located adjacent to an abandoned State Hospital facility. This is somewhat incongruous with the largely upscale, residential image that the Town of Brighton presents. The proposed project would significantly change the aesthetics of the site due to the impressive architectural

design of the buildings, varied formats of the housing and landscaping along the road frontage.

4. Natural Environment

- Goal - Protect sensitive environmental areas, particularly those within and adjacent to new development and those known to play key ecological roles.

Please refer to discussion in Open Space and Recreation Goals above.

5. Town Services

- Goal - Provide a high standard of service to town property owners and residents while containing service costs to control impacts.
- Goal - Ensure that Brighton residents experience a high quality of life.

The project sponsor has made substantial effort to ensure that the project will not impair the quality of life for existing residents. A thorough review of the potential impacts to existing services was conducted and no major concerns were identified. In fact, the project will enhance some aspects of the residents quality of life, such as by providing a major regional trail connection, providing access to the on-site wetland via the proposed enhanced trail system and providing a unique housing alternative.

6. Housing

- Goal - Provide a high quality living environment in existing residential neighborhoods and establish new residential developments as high quality neighborhoods.

Special effort is being made to ensure that the appearance of the project serves as a gateway to the Town of Brighton through the use of multiple housing formats that are integrated to the environmental setting. The townhomes and articulated apartment/multi-use building present varied architectural features that establish the project as a unique place.

In addition, the stormwater wetland complex will serve as an attractive water feature. The project will be highlighted with distinctive landscape features and plazas that enhance the architecture. Currently the site is not maintained and is not developed into an attractive gateway to the town.

- Goal - Provide housing options preferred by senior citizens.

The various formats of the units - independent apartments, townhouses and bungalows will provide housing choices for active seniors in the Town of Brighton. This will be of particular interest to empty-nesters or other aging residents who wish to downsize from single family homes or wish to have

maintenance provided by a central management while maintaining an active life style.

7. Transportation

The proposed driveways, adjacent property access and multi-use trail system included in the project meets the following transportation goals listed below from the Comprehensive Plan:

- Provide and encourage an efficient, safe and convenient transportation system, including roads, trails, waterways and public transit, to serve the needs of existing and project development within the town, and to ensure direct linkages with neighboring municipalities and other areas of the county;
- Protect for the residential character of the town when planning transportation improvements;
- Provide for travel modes that present alternatives to the automobile; and
- Provide safe pedestrian linkages among neighborhoods, commercial districts and recreation areas, and with pedestrian/bicycle routes in the city and neighboring towns.

In addition, the traffic analysis indicates that the project will maintain the existing roadway characteristics for vehicular travelers.

1.2 Location

The proposed project is located on Elmwood Avenue in the Town of Brighton, west of St. John's Meadows. The property is located on the south side of Elmwood Avenue opposite Lilac Drive and approximately 140 feet west of Johnsarbor Drive. The property is approximately 110 feet east of the Rochester City line. A site location sketch is included as Figure 1. (See "Site Layout" discussion on Page 7 for a description of the proposed site access.)

1.3 Design and Layout

The goal of the design and layout is to create a neighborhood that will be attractive to tomorrow's older adults. The new St John's Community is intended to provide amenities attractive to the residents of Brighton's surrounding neighborhoods and the larger community to foster inter-generational activity. To accomplish these design goals a variation of new urbanism design techniques have been employed. New urbanism is based on walkability, mixed land use and traditional neighborhood structure to create stronger neighborhoods that counter suburban sprawl.

The proposed New St John's Community is proposed to be developed within a 17.5 acre site situated within a Residential High Density (RHD-2) zoning district. The neighborhood is generally characterized by the multi-family, senior housing, institutional and single family residential neighborhoods along Elmwood Avenue transitioning to a commercial node at Clinton Avenue to the east. Due to this unique location, the project site it is thought of to be one of the gateways to Brighton.

The site plan for the new St John's community has been developed with sensitivity to the environmental setting and character of the existing neighborhood. The proposed on-site uses are organized to provide an intuitive progression as to the function and the residential versus public spaces on site.

All residences will be provided as a rental format. The buildings and their uses are as follows:

Village Square – Two-story mixed use building. The first floor includes approximately 10,000 s.f. of space of which 6000 s.f. is for retail tenants and 4,000 s.f. is open/community space including a winter garden.

Apartment Building – This three-story residential building is connected via an internal corridor to the village square. The rear of the Apartment building has private garages on the ground floor for residents. This building includes 40 units.

Town Houses – There are two (2) town house buildings one of 5 units and another of 4 units. These are two-story buildings with first floor master bedrooms and rear loaded garages.

Cottages (Bungalows) – There are a total of 53 Cottage units comprised of 49 duplexes and 4 single unit cottages. The cottages include rear load and front load garages. Some cottages have the ability to provide a bonus room on the second floor.

Site Layout:

Please refer to Figure 2 for the discussion regarding the site layout. The site has been designed to respond to the natural constraints of the land while meeting the goals of the Project sponsor. The development area can be considered as two unique areas separated by a finger of wetland that constricts the site allowing a narrow passage way along the west. The Apartments, Town homes and Village Square are located in the northern portion of the site to take advantage of the proximity to Elmwood Avenue, create an impressive gateway to the project and allow the public/private common spaces to take advantage of the natural areas to the south and east. The southern portion of the site is larger in developable land area and is the preferred location for the cottages. This area offers a more private location in a unique setting for the cottages.

Access to the site is provided by two private road connections to Elmwood Avenue. The main entrance is approximately 105 ft east of the west property line and the secondary entrance is aligned with Lilac drive, both of the entrance locations have been previously approved by Monroe County Department of Transportation (MCDOT) as part of the prior project.

Upon entering the west driveway there will be a formal landscape area and intersection with a drive to the east to access the Village Square and the Apartment Building. Flanking the main entrance road are two Townhome buildings that create a formal street line and reinforce the entrance to the residential portion of the project. The town home garages are loaded from the rear strengthening the formal street frontage. An access for emergency vehicles to the adjacent property is planned from the common driveway of the west Townhome building to the west property line. Once past the Townhomes, the residents or visitors can turn left to the additional parking for the apartments and garages or right toward the Cottages.

Turning right will lead you to the Cottage area. The Cottages are setback from the private drive an adequate distance to allow a vehicle to park in the driveway while not blocking the side walk. The close setbacks allow interaction between residents from their front porches with pedestrians along the sidewalk. This road is proposed to be 24 ft wide with concrete curbing and sidewalks on both sides of the road and creates a long loop of the southern portion of the site. The cottages are designed with front load garages and rear load garages to add a variation to the exterior elevations of the units. The rear load garage units are accessed by 16 ft wide alley with driveways allowing a vehicle to park in front of the garage without blocking the alley. All front loading garages are setback from the unit fronts to remove the emphasis from the garage doors. Where possible the units are situated to take advantage of views to the wetlands and/or the new stormwater management ponds.

The Village Square and Apartment building are situated in the northerly portion of the site and relate to Elmwood Avenue to the north and the wetland area to the south and east. The setbacks for this building complex are generally consistent with the existing setbacks found along Elmwood Ave between the town line and Clinton Avenue. The buildings are situated so that the taller 3-story apartment building is setback further from the Elmwood Avenue than the 2-story Village Square and all garages serving the residents are hidden from the street by the building. Building height for the 3-story apartment building is generally compliant with the requirements of the RHD-2 zoning district except for architectural elements reminiscent of chimneys. These architectural elements rise to a height of approximately 54 feet and provide a vertical feature to the sloped roof, they are shown in Figures 3 and 18. The way in which these buildings are connected and situated relative to the road provides varied and interesting views to passers-by. The architecture of the buildings is also varied along its length to add interest, reflect the high quality housing provided and represent a village streetscape, see Figures 3-6. Figures 3 and 4 provide conceptual level perspective renderings of the apartment building and village square from the west and east driveways, respectively. Figures 5 and 6 show the varied architecture, in elevation, of the Village Square building. Though the effect will be multiple building types facing Elmwood Avenue, in actuality there are only two public entrances to the Village Square. The primary entrance is near the center of the building and the secondary entrance is along the connection to the Apartment building. Therefore all the retail spaces are accessed via the internal common space and will not have multiple doorways along the frontage. Figure 7, Village Square Plan, shows the relationship between the cellular commercial tenant spaces and the open court and winter garden. The open court may also include kiosk vendors.

Village Square is the keystone to the walkability and intergenerational integration aspects of the project. It provides a walkable destination for residents and neighbors alike. The Village Square not only offers boutique retail services but interior common space that can be enjoyed by all. The highlight of the common area is the “Winter Garden”. Figure 8 provides a conceptual vision of the “Winter Garden”. The Winter Garden features a 2-story glass atrium with a southerly exposure, interior plantings and furnishings that integrate the potential community space uses with the retail services thus providing an appropriate space and reasons for the general neighborhood to integrate with the resident population. The proposed uses are more fully described in Section 3.5 of this document.

The exterior spaces are situated to complement the interior spaces of the Village Square by providing expanded areas for use during the spring, summer and fall seasons. The north plaza area is immediately to the west of the Village Square and in line with an entrance to the Apartment building. This space is seen as an exterior gathering space with informal seating for impromptu meetings or as a more structured function such as a farmer’s market area. The southerly plaza area directly relates to the Winter Garden and is envisioned to be a more formal space with exterior seating that overlooks the stormwater pond and wetlands south of the building. This pond will have a structured edge along the building and a soft natural edge along its southerly region.

Signage:

An important aspect of how this project is viewed by residents and neighbors is its proposed signage. The Project Sponsor recognizes the need for signage and desires that it serves its purpose while not becoming a detriment to the residents. This is particularly important when considering the need for tenant signage associated with Village Square while realizing this is a residential neighborhood. The Project Sponsor has developed Draft Signage Plan (Design Guidelines) for the tenant signage associated with Village Square which is included in Appendix A. This draft plan will be finalized with input from the appropriate review Board and provided to prospective tenants.

The proposed signage plan is shown graphically in Appendix A. Figures 1 and 2 indicate locations and massing. This signage plan has been modeled after St. John’s Meadows with modifications to account for Village Square. The intent is to provide signage that is consistent with the setting and allows residents and visitors to easily find their way.

In general terms, the primary signs in the plan include signs comprising project name monumentation, freestanding internal directional, building mounted Village Square Entrance and Village Square tenant, building entrances, and a pedestrian scale kiosk in the north Village Square plaza. Village Square tenant signage will be building mounted and integral to the building architecture with building mounted lighting. Appendix A, Figures S-1, S-2, S-3 and 3 plans show how the building mounted signage is integrated into the architecture.

Sign areas have been determined based on lettering size and potential areas for logos. A sign area massing plan is provided in Appendix A, Figure 1. The kiosk is envisioned to be three sided providing different information on each side. For example, a tenant

directory, community bulletin board and informational placard could each reside on a separate side. The kiosk would be architecturally consistent with the buildings.

All signage supports, ancillary structure, wing walls, lettering and lighting techniques will be reviewed by the Planning Board and Architectural Review Board. Signage areas are provided in Table 1 and Appendix A, Figure 2.

Signage associated with traffic control, parking designation, street names, street addresses, trails and environmental controls, trail interpretive signs are not included in this plan or intended to be regulated by the Incentive Zoning.

Lighting and Landscaping:

Landscaping is provided through out the disturbed area of the project in sizes consistent with the Town requirements. Landscaping is proposed using species native to or appropriate for our planting region and has been proposed to enhance the architecture, accentuate key areas or focal points and provide soft screening where appropriate. Further, the stormwater basins are proposed to be planted with wetland vegetation to not only enhance water quality but enhance the natural environment as shown in Figures 19A, B and C.

Street lighting will be integrated throughout the site to provide a level of security to all residents and visitors of the new St. John's Community. Light poles will be located to provide the maximum illumination with limited disruption to the existing neighbors and proposed residents of the development. Similar style light fixtures will be installed throughout the development. A Landscaping and Lighting Plan is included as Figures 10A and 10B indicating the proposed street lighting configuration.

Utility Services:

Stormwater will be conveyed overland and through a closed conduit system to a series of wetland retention basins. One retention basin will serve the north portion of the project and a series of two basins will serve the south portion of the project. These basins are anticipated to have hard or groomed edges when they are immediately adjacent to the residences or Village square. The stormwater basins are designed to meet the water quality and quantity requirements of the Town of Brighton and NYSDEC. Stormwater will discharge from the retention wetland basins through an outlet structure and pipe to the wetland adjacent area. These discharge points and the subsequent adjacent area disturbance has been previously permitted by NYSDEC as part of the previously approved project, see Appendix C. The stormwater drainage system is intended to be privately owned and maintained.

Sanitary sewer service will be provided on site by a connection to the 18 inch Rochester Pure Waters sewer along the west property line. On site collection will occur by a series 10 inch private sanitary sewer. This connection requires the Project Sponsor to acquire a small easement from the adjacent property owner as shown in Figure 2. This sewer route is being pursued to minimize the infrastructure associated with the project. Should the easement not be available a sanitary service connection will be made on the north side of

Elmwood Avenue east of Lilac drive as approved with the previous project. As previously proposed for the Mansions at Brighton (Park Place) project, an easement from the current landowner has been obtained in order to connect to the existing public sewer.

Water service for the project will be provided by extension from an existing 12-inch Ductile Iron public watermain on Elmwood Avenue. The proposed watermain will be a private 8-inch diameter ductile iron pipe watermain and will be located along the primary private drives. Fire service will be provided by hydrants placed at an appropriate spacing along the roadway and by fire service to the Apartment Building and Village Square. As this will be a private water system with private hydrants backflow protection will need to be provided. It is anticipated that the backflow preventor and master meter will be located in the Village Square building prior to any water service connections, as was previously approved.

Pedestrian Access:

Pedestrian access is provided throughout the project with a sidewalk along the internal roadway and adjacent to the parking areas. A multi-use trail that will be placed on easement to the Town of Brighton is proposed to provide a leg for the Town's trail system along the south and west property lines as was previously approved. Three parking spaces will be provided on site for trail users. The multi-use trail is of a size and type to provide for both pedestrians and bicycles and starts at the Elmwood Avenue sidewalk at the northwest corner of the site and ends along the south property line. This trail is anticipated to be extended to the south by others in the future.

Existing sidewalk runs along the south side of Elmwood Avenue from Mt Hope Avenue to Clinton Avenue South and beyond, thereby providing a pedestrian connection from the project to the adjoining residential uses.

To further enhance the pedestrian trail system, interconnectivity and walking opportunities, the project proposes to construct an additional trail system on the adjacent 16.3 acres. This enhanced trail system will connect the multi-use trail to sidewalks and/or trails at St John's Meadows and the new St. John's Community, thereby providing another connection to Elmwood Avenue across from Lilac Drive. The enhanced trail system is intended to be for pedestrians and will follow an alignment through the wetland and wetland adjacent areas. The areas crossing the wetland will be constructed as elevated boardwalk to minimize the effects to the wetland similar to the trail constructed through the wetlands immediately to the south. This feature has gained wide ranging support from the neighbors as a recreational opportunity. The final location of this aspect trail system will be determined during a field walk with town staff and will connect to the existing trail system. Figure 11 shows the existing and proposed trail system.

1.4 Approvals

The following approvals are anticipated for the proposed project:

- Incentive Zoning approval by the Town of Brighton Town Board;
- Environmental Protection Overlay District (EPOD 2 Woodlot Protection District and EPOD3-Watercourse and Floodplain District) Development Permit by the Town of Brighton Planning Board;
- Site Plan Review by the Town of Brighton Planning Board;
- State Pollutant Discharge Elimination Permit (SPDES) Stormwater Phase II from the New York State Department of Environmental Conservation (NYSDEC);
- NYSDEC Article 24 Permit Modification for wetland adjacent area disturbance;
- Permit for sanitary sewer connection (Town of Brighton Public Works Office or Monroe County Department of Environmental Services);
- Permit for connection to municipal water (Monroe County Water Authority);
- Water District approval;
- Sanitary Sewer District Extension approval modification (potentially);
- Monroe County Health Department approval for sanitary sewers and watermains;
- Work within right-of-way permit from Monroe County Highway Department;
- Tree Cutting/Clearing Permit pursuant to Preservation of Trees Local Law by Town of Brighton Public Works Office; and
- Stormwater Management Plan approval and Drainage Permit by Town of Brighton Public Works Office.

A comparison of the New St. John's Community proposed project to the previously approved Park Place project is presented in Table 1 "Site Comparison Table". This table also identifies the required reliefs from the District Use and Bulk Regulations.

**TABLE 1
NEW ST. JOHN'S COMMUNITY (formerly Park Place)
SITE COMPARISON TABLE**

Site Data	Town Code (RHD-2)	Mansions at Brighton (Park Place)	New St. John's Community (Brickstone)
Maximum Building Length	160'	156'±	375'±
Maximum Building Height	40'	28'±	40' 54' for arch. Elements of 3-story apt. bldg.
Building Separation	25'	35'±	10'±
Front Yard Setback (to R.O.W.)	40'	163'±	97'±
Front Yard Setback to Centerline of Elmwood Avenue		212'±	147'± Apartments 135'± Townhome
Rear Yard Setback		10' – rear setbacks, to the property line of the parcel to be conveyed to the Town, of as little as 10' be permitted (rather than the 35' permitted by the CDR) for the two northern-most, 10-unit and 12-unit buildings located	10' for units bounding Lot 1 property line
Side Yard Setback	30'	10'±	10'±
Private Road Setbacks (to centerline)			
Road		25'± 12-unit apartment	32'± Townhome 26'± Cottage
Alley		N/A	16'± Cottage

Signage

524.50 s.f. (see Figure 9)

Parking Specifications

Attached Internal	1 per unit	160 shown (160 required)	164 shown (102 required)
External Spaces	1 per unit	212 shown (160 required)	164 shown (102 required)
Clubhouse/Retail Parking Spaces	1/300 SF	28 shown (31 required)	35 shown (33 required)
Total		400 shown (351 required)	363 shown (237 required)

Coverage

Percent Overall	35%	9.17±%	12.21±%
Percent Lot 2		17.71±%	23.57±%

Fences

3'-6" height	3'-6"±	Not applicable
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of Units and Structures

<u>Park Place</u>	<u>New St. John's Community</u>
(6) 2-story, 10-unit apartments	(9) 1-story Townhome
(8) 2-story, 12-unit apartments	(53) Single Family homes
(1) club house w/ (4) apartments and a pool	(1) 3-story, 40-unit apartments
	(1) retail building [6,000 SF retail, 4,000 common area]
<hr/> 160 living units total	<hr/> 102 living units total

Parking Ratio/Unit

Including clubhouse or retail	2.48	3.56 (includes retail spaces)
Excluding clubhouse or retail	2.35	3.22 (excludes retail spaces)

TABLE 1 (cont.)

<u>Site Data</u>	<u>Town Code</u> <u>(RHD-2)</u>	<u>Mansions at Brighton</u> <u>(Park Place)</u>	<u>New St. John's Community</u> <u>(Brickstone)</u>
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Green Space Requirements

Area per dwelling unit based on the total project area of 33.8± acres:		9,175± SF	14,392± SF
Dwelling units per acre based on the total project area of 33.8± acres:		4.75	3.02
Front Yard Area Green Space (% of 33.8 acre parcel)	70%	81.6%	64%±
Front Yard Area Green Space (% of 17.5 acre parcel)	70%	73.5%±	52%±

Other

Disturbance/grading within the 100' wide adjacent area to wetland:		0.20± acres	0.10± acres for construction of stormwater management ponds 0.17± acres for construction of nature trail
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Roads

Dedicated		N/A	N/A
Private:			
Road		24' & 28' w/gutter, 30' w/curb	26' & 24' width with concrete curb
Alley		N/A	16' width with inverted crown
Maximum cul-de-sac length:		1,300 LF	1,550± LF
Impervious Area of 17.5 ac.		8.92± acres (51%)	12.22± acres (70%)

1.5 Construction/Operation/Phasing of the Project

1.5.1 Construction Schedule and Sequence

Construction is expected to consist of one phase approximately 18 months in duration. The anticipated sequence of construction commences with earthwork to allow for the installation of the watermain, fire hydrants and private utilities. A temporary enclosure will be provided for the watermain backflow preventor and meter until such time that the permanent mechanical room is constructed. Upon completion of the watermain and on-site fire protection, construction of the apartment building, Village Square and town homes will be commence. Infrastructure construction will continue and the construction of the cottages shall commence.

1.5.2 Operation

The new St. John's Community will be maintained by the new Community staff and/or contracted professional services. Services will include landscape maintenance, exterior

building maintenance, snow removal from driveways, parking areas and walks. The new St. John's community will be an independent living community so there will be no medical staff on-site. There is however, easy access to medical services in the near vicinity.

The multi-use trails along the west and south property line will be maintained by the Town of Brighton. The other walking trails will be seasonal in nature. St. John's community staff will maintain all interior common areas in the Village Square and apartment building and will, most likely, offer activities for residents and the general community.

Residents will have garages for private vehicles. The site is also located on an RTS bus line.

2.0 Environmental Setting

This section includes excerpts from the “Mansions at Brighton” Draft Environmental Impact Statement prepared by Edwards and Kelcey and dated March 2004. For the reader’s convenience, the following portions of the Existing conditions chapter have been repeated in this SDEIS and have been updated where appropriate.

2.1 Geology, Soils and Topography

The site is well suited for development. It is generally flat and slopes gently to the east towards a large wetland complex. The elevations on the site vary from 510 feet above mean sea level (msl) in the north end of the wetlands to 520 feet msl in the southwest portion of the parcel. A topographic map is provided in Figure 12. A detailed geotechnical analysis was provided in Appendix 3 of the “Mansions of Brighton” DEIS.

Bedrock or large boulders/slab rock are within six to eighteen feet of the surface according to on site investigation conducted by Foundation Design P.C.

The site consists of four soil types that are classified in the 1973 Monroe County Soil Survey. The area proposed for construction consists almost exclusively of Odessa Silt Loam. Odessa Silt Loam has a variable bearing capacity and compressibility. Odessa is also known for a seasonally high water table, subject to shrinking and swelling. A small area in the northwest portion of the parcel contains Hilton Loam.

The wetlands area consists of Lakemont Silt Loam, with two small areas of Cayuga Silt Loam on the eastern border of the site. There is also Odessa Silt Loam on the eastern portion of the site, separated from the construction area by the wetland. The existing soils will support the buildings on spread footings.

2.2 Surface Waters/Drainage

The 34 acre site contains a portion of land that has been designated by the NYSDEC as state-regulated wetlands and wetlands buffer. The 10-year runoff volume for the site is 1.818 acre-feet and the peak flow is 14.64 cubic feet per second. The analysis point for runoff volume and rate was selected at the point where Buckland Creek leaves the site on the east property line. Runoff from the 33.8±-acre site flows towards the wetland area on the east side of the property. This drainage area discharges to Buckland Creek, which flows through the eastern part of the site. The areas adjacent to Buckland Creek include the state-regulated wetlands and wetlands buffer.

Times of concentration were developed for the drainage areas based on flow over grass, through brush, woods and wetlands and in Buckland Creek. Flow velocities were estimated through the wetland areas and Buckland Creek. The existing conditions drainage area map (Appendix C, Figure DR-1) displays the assumed flow paths for

determining the time of concentration. The data for determination of curve number (Cn) and time of concentration (Tc) for each of the four drainage areas are presented in Appendix C.

The Stormwater Management Plan’s evaluation of existing peak discharge rates involves analysis for the 2.5 inch/24 hour 2-year storm, 3.7 inch/24 hour 10-year storm, 4.1 inch/24 hour 25-year storm and the 4.9 inch/24 hour 100-year storm. The model input data and results are presented in Appendix C.

A summary of the computed peak runoff rates is contained in Table 2.

Storm Year	Existing Rate (cfs)
1	3.95
2	5.88
10	14.64
25	19.19
100	26.99

2.3 Terrestrial and Aquatic Ecology

Numerous field visits were conducted to assess the characteristics of the terrestrial lands and aquatic resources of the property. In addition, a detailed review of the various mapping resources relating to the ecological and hydrologic history of the property was completed. These resources include historical aerial photographs, soils survey, USGS quadrangle maps, NYSDEC wetland maps, floodplain maps and the existing tree survey completed for the site. A discussion of each terrestrial/aquatic resource is presented in the following subsections:

2.3.1 Terrestrial Resources

The site includes approximately 17.5 acres of terrestrial resources. The site has a history of farming and other physical disturbances including clearing and excavation. The upland portion of the site could be classified as successional old field and shrub land covered with dense shrub thickets. The open meadow areas are dominated by a variety of common grasses and herbaceous species typical of vacant urban land. The shrub area consists of a dense stand of crabapple shrubs (thorn apple, *malus spp.*) that appear to be limiting the site’s succession into a diverse forest area. The average stem diameter of the crabapple shrubs is approximately 1-2 inches.

Overall, the terrestrial habitat on the site is typical of vacant urban landscapes. It provides food and shelter for urbanized wildlife species, including, deer, birds, small mammals, rodents, amphibians and insect species. The disturbance that has occurred on the site limits the quality of the habitat by making migration through the area difficult and providing a limited diversity of species for foraging.

Other functions that these terrestrial resources provide in the community include open space and stormwater filtration and absorption. Vacant lands within urbanized community can also become a popular area for vagrants and for unwanted debris. Evidence of both of these activities was observed on the site and confirmed by the security guards patrolling the adjacent State facilities.

2.3.2 Woodlots and Trees

Although the site has undergone a significant amount of disturbance through the past 50 years, over 700 trees were identified on the overall site as stated in the previous application for this property. This survey depicts individual trees by species and caliper and also depicts three separate wooded areas. These wooded areas have been identified as Woodlot "A", Woodlot "B" and Woodlot "C" as shown on Figure 13 and are also identified on the Towns Environmental Protection Overlay District Maps as woodlots. Each of the woodlots is described below. The pertinent local regulations are discussed in the following section.

Woodlot "A" is located in the southwest corner of the subject property and encompasses an area of approximately $1.37 \pm$ acres. This area contains a mix of cherry, poplar, spruce and pine trees of caliper varying from five (5) inches to sixteen (16) inches. Approximately 180 trees are located in this wooded area. This area is bordered by a regularly maintained 100-foot wide sanitary sewer corridor along its eastern side and disturbed shrub and urban meadow along its other boundaries. The area can be classified as successional northern hardwood ecosystem that commonly occurs on sites that have been cleared or otherwise disturbed. A review of the historical aerial photographs of the site indicates that this wooded area has developed over the past 20 years.

Woodlot "B" is located in the southeast corner of the subject property and encompasses an area of approximately $3.0 \pm$ acres. Woodlot "B" contains a mix of hickory, ash, oak, poplar, willow and maple trees of caliper varying from five (5) inches to thirty-six (36) inches. This area contains about 300 trees. This area can also be classified as successional northern hardwood ecosystem. This area appears to be more established than Woodlot A, due to the increased size and variety of species identified in the tree survey. The historical aerial photographs demonstrate that this area has remained relatively undisturbed over the past 40 years. However opportunistic species such as poplar, buckthorn and ash have become established in the forest probably due to the ongoing disturbance on adjacent lands.

Woodlot "C" is located approximately 500 feet south of Elmwood Avenue and 250 feet west of the boundary between the subject property and the lands of St. Johns Meadows and encompasses an area of approximately $0.3 \pm$ acre. This area contains approximately twenty (20) oak trees of fourteen (14) inch caliper. This area is bordered by a wetland along its eastern and southern boundaries and disturbed scrub/shrub area along its remaining borders. Woodlot "C" could be better described as an oak grove, and appears to be quite well established. At one time it may have been part of a larger floodplain forest, but the history of disturbances on the site, and within the wetland and stream areas, have eliminated its connection to the waterway.

In addition to these three wooded areas there are 238 individual trees scattered throughout the 33.8-acre parcel, the majority of which are outside of the clearing limits of the development area. These trees are dispersed sporadically throughout the site. The species include Elm, Linden, Box Elder, Ash and Scotch pine. The species are typical of disturbed urban lands with relatively poor soil structure, and do not provide particularly unique or pristine ecological functions in the surrounding environment.

2.3.3 Regulatory Overview of the Trees and Wooded Areas

There are no State or Federal regulations charged with protecting the trees or upland wooded areas located on the property with the exception of the trees located within the DEC wetland 100-foot wide adjacent area. Impacts proposed to the wetland adjacent area will require a permit from the DEC under Article 24 of the Environmental Conservation Law. A permit application was previously granted for the proposed wetland disturbance under the previously proposed development. The permit is still valid (see Appendix F) and will need to be transferred to the current owner and revised to reflect minor changes in the design and will be re-submitted to the DEC for authorization of the proposed work.

The Town of Brighton has two distinct regulatory programs that attempt to protect trees and wooded areas of importance to the community. Section 175 of the Town Code - Preservation of Trees, sets limitation on the types of activities that occur in and around trees located on town owned properties or town highway right of ways. In addition, this ordinance provides a certification process for landscape and tree service professionals, which operate in the town. The purpose of these local laws is to promote the planting and preservation of trees in the town, because of their importance to the physical and visual quality of the community, and to the health, safety and welfare of its residents.

Under this law, a "woodlot" is defined as an area of one or more acres of vegetation, the majority of which is classified as woody plants, whose trunks are greater than three (3) inches in diameter at a height of three (3) feet above the ground and whose full height reaches a minimum of six (6) feet. A "tree" is defined as a woody plant whose trunk is greater than five (5) inches in diameter at a height of four (4) feet above the ground and whose full height reaches a minimum of twelve (12) feet. A town owned tree is defined as a tree, which is located on town owned lands or on town highway right of way. This includes trees that are growing on the border of these town public lands, if at least 50% of their base is located on Town property.

No town-owned properties or right-of-ways are located immediately adjacent to the proposed development area. Therefore it appears that there are no town-owned trees on the property.

The second local regulatory program for trees in the Town is the Environmental Protection Overlay District (EPOD) for Woodlot Protection. This program is part of the Comprehensive Development Regulations, which governs certain uses and activities in environmentally sensitive areas in the town.

Three Woodlot Protection Districts are mapped on the property and it appears that an EPOD development permit will be required for the proposed development activities. A detailed discussion of the work proposed in or around the Woodlot Districts is provided in Section 3.3.4.

2.3.4 Wetlands

The wetlands on the property consist primarily of an emergent cattail marsh and several pockets of shrub scrub areas, which appear to be the headwaters of Buckland Creek. The wetlands were delineated in October of 1998, by Earth Dimensions Inc. of Elma, New York. The delineation was performed in accordance with the procedures outlined in the 1987 Army Corps of Engineers Wetland Delineation Manual. The NYSDEC confirmed the boundary of the wetland on November 9, 1998, as shown in Figure 14. This wetland map demonstrates that approximately 7 acres of wetland are located on the original property, which is part of an approximate 11-acre wetland complex known as wetland "BR 10". This wetland complex has been categorized by NYSDEC as a Class I wetland because of its potential flood protection functions, its adjacency to a Class B stream and a publicly owned recreation area, as well as its location within an urbanized area.

The NYSDEC issued a Wetlands Permit to Park Place Brighton LLC for the construction of stormwater management ponds and outfalls and swales within the BR-10 wetland and adjacent area. The permit is valid through December 31, 2009 and provided in Appendix F. The permit will need to be modified to account for the minor adjustment of the stormwater outfalls and to include the disturbance associated with the Enhanced Trail System. The permit modification will proceed upon acceptance of the trail location by the Town of Brighton through the SEQR and Site Plan process. The modified permit will then be transferred to the Town as the property owner.

The wetland area has been the subject of various physical disturbances over the years, including channelization efforts. This evidence is shown on various topographic maps and aerial photography. At one time, the wetland area was likely forested, but land clearing for agricultural activities and urbanization of the surrounding landscape has contributed to the degradation of the system over the past 40 years. However, the wetland provides a variety of functions in the community.

The wetland provides a variety of wildlife habitat for birds, mammals, amphibians, reptiles and insect species. It creates a pocket of natural aquatic habitat within an urbanized environment for species to feed, nest and breed.

Mammals inhabiting and using the wetland could include muskrat, voles, fox, deer and other rodents and small mammals. These mammal species are adapted to the urban landscapes and the particular ecological niches of the area. The mammals generally utilize the wetland for forage.

Waterfowl are plentiful in many wetlands because of food availability and the diversity of habitats for nesting and resting. However, the lack of open water within this wetland limits the amount of waterfowl utilizing the area. Other birds prevalent in wetlands are songbirds, swallows and other common northeastern avian species. Birds often nest or

perch in adjacent uplands and fly into the marsh to feed. Given the surrounding urbanization, the wetland is an important feeding, nesting and breeding habitat for local birds, and some migratory species. Waterfowl use in this wetland is limited due to the lack of open water areas. This also limits the number of fish species that are capable of inhabiting the area.

The wetland is also important habitat for amphibian species. Toads and frogs known to occur in Monroe County include: the Gray Tree frog, the Eastern American Toad, the Northern Leopard Frog, the Wood Frog, the Green Frog, the Bullfrog, and the Western Chorus Frog⁴. The wetlands and the wetland buffer areas on the site would be the primary habitat for frog and toad species. Frogs and toads require temporary pools for breeding. The wetlands on the property have limited open water pools because of the dense cattail growth throughout.

It does not appear that the area supports an unusually large, diverse or unique collection of frogs and toads. This is confirmed by the NYSDEC in their review of an amphibian call survey conducted in 1999 by Sara Rubin, Eric Smith and Dona Davidson. This amphibian call survey identified the following species in the vicinity of the wetland:

Spring Peeper	<i>Pseudacris c. crucifer</i>
Gray Tree Frog	<i>Hyla versicolor</i>
American Toad	<i>Bufo a. americanus</i>
Green Frog	<i>Rana clamitans melanota</i>
Wood Frog	<i>Rana sylvatica</i>
Western Chorus Frog	<i>Pseudacris triseriata</i>

The NYSDEC did not find that the site had any unique population of amphibians due to the limited diversity of microhabitat and plant diversity on the site.

One particular frog species mentioned by the Town of Brighton during preparation of the DEIS is the Western Chorus Frog. This species is typical of wet brushy fields and temporary ponds in the Great Lakes Region. Like most frog species, increasing evidence indicates that its populations may be declining due to habitat loss. Although the NYSDEC survey indicates that the species may be located within Wetland BR-10, it did not demonstrate that the species was present in any abundance. This is confirmed by the NYSDEC in their review of the wetland and its characteristics.

The wetlands provide an abundant selection macro-invertebrates and decomposers. These include the insects, bacteria and fungus that thrive in wetlands. Many of these species spend some part of their life cycle submerged in bottom soils and organic debris of the wetland and serve as food for fish, amphibians, and birds. Other species are dependent upon the plants within the ecosystem. These generally unrecognized species are an integral part of the wetland ecology providing a huge link in the food chain, as well as providing nutrient recycling and pollutant decomposition.

⁴ Source: New York State Amphibian and Reptile Atlas Project.

The history of physical disturbance to both the wetland and upland areas has significantly reduced the wildlife habitat functions that they once provided. In addition, the cumulative indirect effects of urbanization on the surrounding lands, creates a variety of obstacles for a productive wildlife ecosystem.

The other functions that the wetland provides include: flood and stormwater control, recreational/educational opportunities for naturalists, open space and aesthetic values for the community as well as the potential for scientific research. In addition, the dense stand of cattails within the system promotes sediment deposition and pollution decomposition, which is highly valuable in urbanized areas. This wetland has a history of processing runoff waters from the state owned properties and other surrounding lands, which have undergone a variety of disturbances and pollutant loading. A full functional analysis of the wetlands and the proposed project's impacts on those functions is provided in Section 3.3.

Wetland Adjacent Area: The wetland adjacent area also has been disturbed by previous grading and clearing over the years. It is dominated by a dense stand of small young crab apple trees, as well as common fescue and crab grasses. The crab apple trees have an average stem diameter of 1-2 inches and an average height of 5 -10 feet. Several large trees are also scattered within the buffer area as indicated in the tree survey conducted for the site (Section 2.3.2).

Typically, a wetland adjacent area provides habitat for a variety of urban-adapted species such as deer, small mammals, amphibians and birds, among others. However, due to the history of disturbances on the site and the relative monoculture of the vegetation throughout this buffer, the habitat is somewhat limited in its ability to support a wide diversity of species. Other functions that the buffer provides are erosion control for floodwaters and water quality filtration, in addition to the community values of open space and aesthetics.

2.3.5 Streams

A small sediment laden stream channel, approximately 4 feet wide and 18 inches deep, exists within the eastern portion of the wetland. This stream channel is approximately 900 feet in length, until it becomes braided through the cattail marsh at its headwaters located on the property. The stream bank is vegetated by a thick stand of basket willow shrub and cattail.

This small stream channel appears to be the beginnings of Buckland Creek and its 100-year flood plain. The Town of Brighton has mapped an Environmental Protection Overlay District over the designated floodplain area. However, the map of Buckland Creek, found in the Town of Brighton's Comprehensive Plan 2000, indicates that Buckland Creek begins east of South Clinton Avenue, approximately ½ mile south of the project site.

Buckland Creek has a NYS Stream classification of "B" due to the important recreational functions it provides to the community. The creek is not capable of supporting a cold water fishery, or trout habitats. However, it does have the potential to support warm

water fish such as minnows and other similar species. These determinations were confirmed by Mr. Scott Jones, a biologist for the NYSDEC, Region 8, Bureau of Habitat.

As Buckland Creek leaves the site it enters a series of man made ponds located on an adjacent development known as “ St John’s Meadows”, and then flows into a municipal culvert for approximately 2000 feet until it daylights near South Clinton Avenue. The creek flows to Allen Creek which is referenced by NYS as a "Class B" stream with the potential for cold water fisheries, "Class B(t)", near its confluence with Irondequoit Creek. Irondequoit Creek is also classified as B and B(t) stream by NYS.

The stream channel is an important part of the overall wetland complex on the site. It does not appear to be suitable for supporting a large fish population due to its low flow characteristics and high turbidity. It does provide habitat and resources for a variety of other urban wildlife mentioned above. However, it is apparent that urbanization of the area has significantly altered all of the aquatic resources on the site.

2.3.6 Regulatory Overview of Aquatic Resources

The on-site wetland is regulated by the New York State Department of Environmental Conservation (DEC) under Article 24 of the New York State Environmental Conservation Law (ECL). Although the wetland does not meet the 12.4-acre threshold prescribed in Article 24; a community initiative was successful in demonstrating the unique value of the wetland ecosystem, which resulted in New York State maintaining their jurisdiction over the wetland and the 100-foot wide adjacent area. The wetland has been determined to be a Class I wetland. The project proposes impacts to the wetland and its 100-foot adjacent area to construct a community boardwalk and the stormwater management areas. An Article 24 wetland permit will be required from the DEC.

Buckland Creek has been designated as a Class B stream and is therefore regulated by Article 15 of the Environmental Conservation Law. The DEC has determined that the wetland area is the headwaters of Buckland Creek, and that the creek proper does not begin until it daylights from the municipal infrastructure north of the site. However DEC stream and wetland maps show the tributary on site. In addition, the DEC stated that they do not have jurisdiction over the small drainage ditch located at the southwest corner of the property.

The Town of Brighton has designated an Environmental Protection Overlay District 3 (Watercourse and Floodplain Protection District), over the northern portion of the wetland area on the site. This area includes the headwaters of Buckland Creek and a portion of 100-year flood plain. The boundaries of a watercourse EPOD are delineated at a distance of 100 feet from each stream bank, or the landward boundary of a special flood hazard.

The following activities require an EPOD Development permit if occurring within a Watercourse and Floodplain Protection District:

- Construction, expansion or renovation of any new buildings or existing building or structures located within the District.
- Construction or placement of any on-site sewage disposal system within the District.
- Filling, cutting or excavation within the District.
- Removal of natural vegetation within the District.
- Discharge of Stormwater or the construction of a stormwater runoff system within the District.
- Outside storage of material or equipment within the District.
- Activities that would alter the natural flow pattern of the Buckland Creek.
- Construction of public or private roads, trails and bridge within the District.
- The construction of boat launching sites and fishing access parking areas within the District.

Although a Watercourse Protection District (WPD) is located on the property, the project sponsor is not proposing work within the WPD or any work that would directly alter the natural flow patterns of the WPD. In addition, the WPD will be clearly marked in the field prior to the onset of construction, to insure that the area is adequately protected. In light of this it does not appear that an EPOD Development permit for Water Protection District is required.

The U.S. Army Corps of Engineers (ACOE) has jurisdiction over all waterways on the property, in accordance with Section 404 of the Clean Water Act. Section 404 regulates the discharge of dredged or fill material into waters of the United States. The ACOE does not regulate an upland buffer around waters of the United States; only direct impacts from filling or certain excavation activities. Although the construction of the boardwalk would occur within the wetland area, the ACOE does not consider raised boardwalks to be a discharge of fill material or an activity regulated by Section 404 of the Clean Water Act. Therefore, it appears that an ACOE permit will not be required. The project sponsor is coordinating with the Buffalo District of the ACOE to confirm this no jurisdiction determination.

Other local regulations charged with reviewing the impacts of the project on aquatic resources include the Monroe County Stormwater Advisory Committee. This committee will review the proposed stormwater management plan and make any recommendations it feels are necessary to adequately protect the watershed. The stormwater management plan will be submitted to all the appropriate state and local officials for review and approval.

2.3.7 Endangered Species

As reported in (and directly excerpted from) the Mansions at Brighton DEIS, “a preliminary review of the project site indicated that the presence of any threatened or endangered species, or habitat which supports unique species, would be very unlikely because of the history of site disturbances. However, the Endangered Species Units of U.S. Fish and Wildlife Service and the NYSDEC were contacted to confirm this preliminary determination.

In a letter from the U.S. Fish and Wildlife Service dated July 23, 2003, they stated that no federally listed or proposed endangered or threatened species is known to exist in the project impact area. A letter from the NYS Department of Environmental Conservation's Natural Heritage Program dated July 17, 2003 indicated that the vascular plant species *Lithospermum carolinense var croceum*, commonly known as the Golden Puccoon, may occur on or in the vicinity of the project site. The letter further stated that the species is listed as a state endangered species. The State appears to have only one record documenting that the species was known to occur historically within the Town of Brighton, with no recent field information. Additionally, the report stated that the species is historically known to occur in New York State, but has not been seen in the past 15 years. No other species of concern was identified in the letter.

Although no description of the general habitat for the plant was provided by the NYSDEC, we did contact the NYS Museum Botanical Archive staff to obtain information about the species. The species is included in the Boraginaceae plant family and is classified in the state archives as a native perennial with an erect structure that stands 6 to 24 inches high with a yellow 5-parted flower, blooming from May through July. The plant thrives in sandy soils throughout much of the eastern and central United States, and although it is known to occur in coastal areas, in inland environments it is found within dry, sandy, oak barrens or prairie sites, as well as in sunlit woods. It appears that the key habitat feature for this species' success is the sandy, nutrient depleted soil it thrives in.

The soil type mapped on the project is the Odessa series soils which is classified as a silt loam overlaying a deep clay substratum. During our field investigations, 40 different soil sampling points were taken that confirm the mapped soil type. With these soils it is unlikely that the species would have occurred on the site. However, we did conduct a detailed onsite search for the species on July 28, 2003. No evidence of the plant itself, or of any conditions that could support such a species was found. Given these findings it does not appear that the Golden Puccoon exists on the property.

No other species of concern were identified by the agencies or by natural resource specialists during our review of the site. Furthermore, the NYSDEC researched the project site in 1999, as part of a request to amend the Final Freshwater Wetland Map for Monroe County. The DEC's findings statement indicates that no State or Federally endangered or threatened anuran (frog) or salamander species were identified on the property".

2.4 Transportation

2.4.1 Description of Roadway Network

Access to the project will be from Elmwood Avenue. The study area of seven intersections along Elmwood Avenue was identified in the scoping process with the Town of Brighton. The intersections to be analyzed are Elmwood Avenue and South Clinton Avenue, Elmwood Avenue and Lilac Drive/Mansion Boulevard, Elmwood

Avenue and South Goodman Street, Elmwood Avenue and David Avenue/Johnsarbor Drive, Elmwood Avenue and Azalea Road/Rochester Psychiatric Center Drive, and Elmwood Avenue and South Avenue, and Elmwood Avenue and West Site Access Road (proposed). Appendix B of the original DEIS shows the locations of these roads.

Elmwood Avenue: Elmwood Avenue is an east-west minor arterial. At the site, Elmwood Avenue has four eleven foot travel lanes. There is an eastbound left turn lane at South Goodman Street and eastbound and westbound left turn lanes at South Clinton Avenue. The intersection of Elmwood Avenue and Clinton Drive is controlled by a signal. The intersections of Elmwood Avenue and Azalea Road/Rochester Psychiatric Center Drive and Elmwood Avenue and South Avenue are also signalized. All other approaches to Elmwood Avenue are stop controlled. The speed limit at the site is 35 miles per hour.

South Clinton Avenue: South Clinton Avenue is a north-south urban minor arterial. In the study area South Clinton Avenue has a four lane cross section. South Clinton Avenue has northbound and southbound left turn lanes at Elmwood Avenue.

South Avenue: South Avenue is a north-south collector. At the intersection with Elmwood Avenue, South Avenue has single lane approaches but is wide enough at the intersection with Elmwood Avenue to allow bypass of vehicles waiting to turn.

David Avenue, Johnsarbor Drive, Lilac Drive, and South Goodman Street: Each of these streets is a 2 lane local roadway. Each has a single lane, stop controlled approach to Elmwood Avenue except Johnsarbor Drive which has a shared left turn and through lane and a right turn lane.

Azalea Drive, Rochester Psychiatric Center Drive (RPC Drive): These streets are two lane local roadways that intersect opposite sides of Elmwood Avenue at a common point. The intersection of Azalea Drive/RPC Drive and Elmwood Avenue is controlled by a traffic signal.

2.4.2 Traffic Operations

To assess current traffic conditions in the study area, traffic data was obtained from the Town of Brighton and the Monroe County Department of Transportation. Manual turning movement counts were performed at study area intersections on Saturday, November 23, 2002. Additional counts at the intersection of Elmwood Avenue and David Avenue/Johnsarbor Drive were performed on Friday, August 1, 2003. Traffic counts revealed the morning peak hour was from 7:30 to 8:30 AM and the afternoon peak hour was from 5:00 to 6:00 PM.

The following Level of Service Descriptions are taken from the HCM2000, Highway Capacity Manual, Published by the Transportation Research Board.

Level of Service (LOS) for a Two Way Stopped Control Intersections (TWSC) intersection is determined by the computed or measured control delay and is defined for each minor movement. LOS is not defined for the intersection as a whole. LOS for an

All Way Stop Control Intersections (AWSC) intersection is defined for each approach and for the overall intersection. LOS Criteria for TWSC and AWSC intersections are defined below:

TABLE 3 – LEVELS OF SERVICE DESCRIPTIONS

<u>Level of Service</u>	<u>Average Delay (sec/vehicle)</u>
A	0-10
B	10-15
C	15-25
D	25-35
E	35-50
F	50+

The average control delay per vehicle for signalized intersections is estimated for each lane group and approach and aggregated for the intersection as a whole. The LOS criteria for signalized intersections are shown below:

<u>Level of Service</u>	<u>Average Delay (sec/vehicle)</u>
A	0-10
B	10-20
C	20-35
D	35-55
E	55-80
F	80+

Capacity analysis was performed at the critical intersections in the study area during the peak periods, and is shown in Table 3. The analysis shows that the intersection of Elmwood Avenue and South Avenue operates at level of service E during the afternoon peak period and the David Avenue approach to Elmwood Avenue operates at level of service F in the morning peak period. Other intersections and peak periods operate at level of service D or better. Details of the traffic study are included as Appendix D.

TABLE 4 - EXISTING 2002 LEVEL OF SERVICE SUMMARY			
<u>Intersection</u>	<u>Morning Peak</u>	<u>Afternoon Peak</u>	<u>Saturday Peak</u>
Elmwood/South	C	E	n/a
Elmwood/Azalea/RPC	A	B	n/a
Elmwood/Goodman	D	C	B
Elmwood/Lilac	D	C	B
Elmwood/Clinton	C	C	B
Elmwood/David/Johnsarbor	F	D	C

2.5 Land Use and Zoning

The property is currently vacant. The Town of Brighton Comprehensive Plan 2000 designates the proposed site as “Area 27” and recommends acquisition of the wetland section for parkland, and medium/high density residential in the other portion of the property. The plan states:

“This site has state wetlands, a Woodlot EPOD and is on the town border with Rochester... The wetland area, including a 100 ft. buffer around its perimeter (approximately 10-15 acres), is recommended for acquisition. In addition to protecting an important wetland, acquisition would provide an opportunity for providing part of a greenway between the Town Park on Westfall Rd. and Highland Park in the City of Rochester. The remainder of the site is recommended for Medium/High Density Residential use. This would provide the opportunity to design a site plan that protects the sensitive areas of the site and is compatible with the surrounding apartment uses. Any development should protect the wetland area and provide for a north-south public trail as recommended in the Open Space & Recreational Plan.”

The existing zoning classification for the proposed site is residential high density “RHD-2”, which is consistent with 2000 Comprehensive Plan.

The proposed development seeks to meet the goals and recommendations of the Town’s Comprehensive Plan. The proposed plan will provide a medium/high density residential use while also preserving the natural resources that are important to the community.

2.6 Community Services

2.6.1 Sanitary Sewer

An 18 inch diameter Monroe County-owned sewer line exists along the west property line of the site. In addition, an 8 inch diameter Town-owned sewer line exists along Lilac Drive, within the Elmwood Manor Apartment Complex, approximately 170 feet north of Elmwood Avenue. The invert of a sanitary sewer manhole along the east side of the Lilac Drive right of way is believed to be at elevation 504±. The Town has constructed improvements downstream in the sewer line. See Figure 20 in Appendix A.

2.6.2 Water Service

A 12 inch diameter Monroe County Water Authority (MCWA) owned water main exists along the south side of Elmwood Avenue along the development’s frontage. See Figure 20 in Appendix A.

2.6.3 Private Utilities

A 4 inch Rochester Gas and Electric (RG&E) owned gas main exists along the north side of Elmwood Avenue within the right of way. Overhead electric, telephone and cable television lines exist along the south side of Elmwood Avenue. See Figure 20 in Appendix A.

2.6.4 Police

The project area is served by the Brighton Police Department. The Monroe County Sheriff provides additional police service. The Brighton Police Department is located in the Brighton Town Hall Complex located at 2300 Elmwood Avenue. The Town Police Department consists of 41 sworn officers and 11 civilians.

2.6.5 Fire

The Brighton Fire District provides the fire protection in the study area. The Fire District is a professional, publicly funded fire department. The nearest fire station is located at Twelve Corners, less than 2 miles to the east.

2.6.6 Ambulance

Brighton Volunteer Ambulance Corp., located at Westfall Road and Winton Road, provides emergency medical services, transports, training in CPR and acts as a resource for information and materials for those who are sick or injured.

In 2007, St. John's Meadows experienced 71 total calls from residents at the Cottages and Chestnut Court, which equates to 0.32 call/year/unit.

2.6.7 Educational Services

The project area is served by the Brighton Central School District. The School District is funded by property taxes, along with Monroe County sales tax revenue and State aid.

2.6.8 Health Care Services

Health Care services are provided by area hospitals and medical office buildings. Nursing support is also provided by St. John's to its residents.

2.6.9 Recreational

The Brighton Town Park, the town of Brighton Buckland Park and Monroe County Highland Park are within a mile of the proposed site. The Brighton Town Park and Buckland Park offer sporting, scenic, and children's recreational opportunities. Highland Park offers landscaped gardens and a renowned lilac collection, the Lamberton Conservatory and cultural activities. The proposed project would increase the park and

trail system of the Town, as well as the recreational opportunities available to its residents.

2.7 Cultural Resources

2.7.1 Visual

The existing immediate community character is well suited for the proposed project. It includes a mixture of apartment complexes, single-family residences, institutional, offices and light commercial along Elmwood Avenue. With the mix of residential architectural styles found in the neighborhood, there is no predominate style established. The architectural style of buildings in the adjacent existing apartment complexes (including Elmwood Manor, St. John's Meadows and Clintwood Apartments) and the surrounding residential communities vary greatly.

The residential styles include single story ranch, two and three story Tudor, loosely interpreted modern colonial and homes that have been re-sided with trim that cannot be categorized. The adjacent apartment complexes range from three story brick institutional looking buildings to contemporary colonial two story brick and clapboard sided buildings. All brick or all clapboard sided two-story contemporary colonial buildings are also present.

To the west of the proposed project site sits a lone single-family residence situated on a knoll. The residence is in need of maintenance and repair but constitutes a Carpenter style Victorian home, surrounded by large established trees and large lawn space. The home is directly west of the Rochester State Psychiatric Hospital and appears to have been there for years. Although the building is relatively small, it represents an estate now surrounded by development.

2.7.2 Historical and Archeological

As stated in the November 23, 2004 Findings Statement for the former Park Place at Brighton project, the New York State Office of Parks, Recreation and Historic Preservation indicated that there "are no properties listed in the State of National Register of Historic Places within or adjacent to the project site." The 17.3 acres area of disturbance has been repeatedly farmed or disturbed in the past, which significantly reduces the potential for archeological or cultural resources to be present on the site. A Phase 1 Archeological Survey was completed and submitted to the NYS Office of Parks, Recreation and Historic Preservation (OPRHP).

It was concluded in the Findings Statement that there are no identified impacts regarding cultural resources within the 17.5 acre area of disturbance for the Park Place at Brighton project.

3.0 Environmental Impacts and Mitigation

3.1 Geology, Topography and Soils

Impacts

The project will involve earth moving and grading on the 17.5 acre western portion of the site that is designated for development. Figures 15A & 15B depict the proposed grading plans. The area of disturbance is generally the same as identified in previous application for this property and as described in the Towns' Statement of findings for the past application.

Stockpiled topsoil will be reclaimed and redistributed in landscape areas to a minimum depth of 6-inches. Approximately 10,000 CY of excess topsoil will be removed from the site by hauling to a receiving site using "over the road" truck transport. No impacts are anticipated from this other than typical construction traffic. Depending on weather and soil conditions, a truck wheel wash area will be maintained on-site in order to minimize sediment build-up on Elmwood Avenue. Topsoil will be exported from designated stockpile locations on the site and overseen by the Owner's Representative. It is not anticipated that excess topsoil will be sold from the site, however, should this be required, the necessary approval from the Zoning Board would be obtained. The building pads and roadways within the development area will be raised on average 2–4 feet above the existing grade. Therefore, no export of subgrade soils is anticipated. A conceptual earthwork analysis reveals that approximately 20,000 cubic yards of material will be required to raise the site to finished grade. Soils excavated from the stormwater retention ponds totaling approximately 10,000 CY will be redistributed, where possible, in the areas of the site requiring fill. Imported material will be hauled on-site via "over the road" truck transport in order to establish mass grading. The import operation will occur in the early stages of construction to establish grades and to be consistent with construction phasing. No impacts are anticipated from this other than typical construction traffic. Depending on weather and soil conditions, a truck wheel wash area will be maintained on-site in order to minimize sediment build-up on Elmwood Avenue from this work. Final design of the site may reduce the estimated volume of imported fill once the elevations of the proposed infrastructure and final surface elevations have been determined.

Mitigation

Erosion and sedimentation control measures meeting New York State Department of Environmental Conservation SPEDES Phase II requirements will be implemented down-gradient of all disturbed areas to minimize the transport of sediment off-site. Import and/or export of material will be accomplished through a stabilized construction entrance. Re-graded slopes will be reseeded as soon as possible after attainment of final grade. Silt fencing will be installed at down-gradient perimeter areas to check flow and trap sediments. Maintenance of erosion control measures will be the responsibility of the

contractor and will be a condition to final design specifications and Stormwater Pollution Prevention Plan (SWPP). Inspections will be constructed on a weekly basis. The site will be accessed via a dedicated construction access point that will utilize a wheel wash station as necessary.

3.2 Surface Waters / Drainage

Impacts

The proposed development will cause an increase in the stormwater discharge rates. To mitigate this effect, stormwater will be stored temporarily within stormwater retention ponds with a controlled outlet rate. All of the roof top areas of the proposed buildings and proposed pavement areas are anticipated to discharge to one of the proposed retention ponds. The proposed conditions drainage area map in Appendix C designates the location of the two ponds. In addition, details of the ponds showing pond contouring, outlet structure information and other pertinent information, as well as calculations for the temporary storage volumes in each pond are located in Appendix C. The discharge points for all stormwater management ponds shall be located outside of the wetland adjacent area during final design.

Mitigation

A stormwater management plan has been developed in accordance with the current NYSDEC stormwater management design manual. It provides for two (2) stormwater management ponds to be located adjacent to the wetland adjacent area. The stormwater ponds will include permanent wet-pool areas consisting of both shallow water 0” – 18” deep and deep water 6’ – 8’ deep. Planted areas will be developed around the perimeter of the wet-pool areas. Both the shallow water areas and the planted areas can include some of the same species of plantings currently found within the adjacent wetlands to serve as an extension of the wetland environment.

The project will comply with Irondequoit Creek Watershed Collaborative (ICWC) policies and practices.

Under final design, the outlets of both stormwater management ponds will discharge prior to the wetland adjacent area to avoid thermally heated stormwater runoff directly to Buckland Creek in accordance with the existing Article 24 permit.

Summaries of peak discharge rates are shown below in Table 5. In addition, a summary table showing compliance with the Town of Brighton Development regulations is provided in Table 6.

TABLE 5 – SUMMARY OF PEAK DISCHARGE RATES		
Storm	Existing Rate	Proposed
Year	(cfs)	(cfs)
1	3.95	0.72
2	5.88	1.21
10	14.64	5.85
25	19.19	11.04
100	26.99	23.70

TABLE 6 – COMPLIANCE WITH THE TOWN OF BRIGHTON DEVELOPMENT REGULATIONS			
Existing Conditions		Proposed Conditions	
Storm	Discharge Rate	Storm	Discharge Rate
Year	(cfs)	Year	(cfs)
2	5.88	10	5.85
10	14.64	25	11.04

The two ponds proposed for the St. John’s New Community are designed to capture and treat 100% of the water quality volume within the permanent pool of the pond. In addition, the Town of Brighton’s Comprehensive Development Regulations for stormwater management require that the stormwater control design for a 10 year, 24 hour design storm be equal to the difference between the 10 year developed condition and the 2 year undeveloped condition. This requirement will provide for additional water quality benefits by reducing outlet velocities and increase the particle settling time within the ponds prior to discharging to the adjacent wetlands.

The new stormwater discharge point for all ponds shall be located outside of the 100’ adjacent wetland buffer and will ultimately be in the same general location as previously proposed for the Park Place project. The discharge point as shown on the submitted utility plans for the northernmost pond will be revised accordingly under final design. As described above, water treatment meeting NYSDEC and Town of Brighton development regulations is completed within the proposed stormwater ponds prior to discharge.

The runoff discharged from the ponds will also provide an important role in sustaining the wetlands by maintaining a water supply to this environment.

3.3 Terrestrial and Aquatic Ecology

The proposed project would develop approximately 17.5 acres of land which is primarily vacant terrestrial lands that have a history of disturbance and are dominated by stands of common shrub and grass species. The projects eastern property line is generally bounded by wetland adjacent area. No direct impacts to the wetland, stream or floodplain located on the property. Wetland and wetland adjacent area disturbance is proposed for the construction of a boardwalk and trail system that would cross a small finger of emergent marsh wetland (approximately 0.06 acres/2640 square feet) and wetland adjacent area

(approximately 0.17 acres/7430 square feet) and for construction of stormwater pond in wetland adjacent area (approximately 0.10 acres, 5400 SF) as shown on Figure 13.

As mitigation for the proposed loss of habitat, the previous project sponsor dedicated 16.3 acres of land on the site to the community as a nature preserve. Other than for construction of the enhanced trail system, this project reduces the disturbance of the wetland adjacent area. Trails are typically viewed as appropriate uses in wetland and wetland adjacent areas as they allow enjoyment of unique areas while restricting access. In addition, approximately 1.10 acres of stormwater wetlands and 2,400± square feet of amphibian pools will be constructed on the site, which will improve the overall functions and values of the wetland complex located on the site.

The potential impacts of the project on the natural environment and the methods proposed to mitigate these impacts are discussed below.

3.3.1 Vegetative Cover Types and Wildlife Habitat

Impacts

Approximately 17.5 acres of existing terrestrial habitat would be affected by the proposed project. This area would be converted to buildings, lawn and landscaped areas, stormwater wetlands, parking areas and roads. Figure 13 depicts loss of habitat areas for the woodlot disturbance, trail construction and stormwater pond construction in the wetland adjacent areas. The impacts associated with the development would involve the loss of trees, shrubs and open meadow, as well as the displacement of the wildlife using these areas.

The wildlife species currently inhabiting this area would have to adapt to the landscaped conditions or migrate to other areas. These species include species adapted to human environments such as deer, rodents, amphibians, birds, and a variety of insects, among other species. Due to the history of disturbances on the site and the limited diversity of vegetation throughout, the terrestrial habitat is somewhat limited in its ability to support a wide diversity of species.

Mitigation

The project sponsor has developed a landscaping plan in recognition that a number of the larger trees that exist on the site will be impacted and has provided new plantings as shown in Figure 9A, 9B and 9C. In addition, the alignment of the multi use trail through Woodlots A and B can be adjusted within the existing easement so as to minimize the impact to existing trees. The amount of proposed green space within the 17.5-acre development area is approximately 9 acres, which includes the proposed stormwater management areas. This green space will replace some of the terrestrial habitat lost. Species can migrate to these areas and the remaining undisturbed lands on the site and on the surrounding properties.

Additionally, landscape plantings as shown in Figures 9A and 9B shall be incorporated that may provide a habitat conducive to butterfly foraging and breeding patterns. These plantings also act as a safe haven for butterflies from their natural predators.

The proposed stormwater wetland basins will provide a diversity of aquatic habitat within these terrestrial areas. The basins will have ponds and be planted with a variety of vegetative communities as shown in Figure 9C, which will benefit wildlife. As they become established, the stormwater wetlands will develop the same functions and values as natural wetlands providing a variety of breeding and feeding habitat for insects and amphibians, which will result in other wildlife using the wetland ponds for foraging. Pond edges are planned to be kept as natural landscapes to discourage overuse by waterfowl.

In addition, on the eastern side of the property, to the east of the existing wetland, two vernal amphibian breeding pools are proposed to be excavated into the upland area as shown on Figure 15B. The pools would be located in the near vicinity of the wetland but outside of the 100 ft. adjacent area of the wetland. The pools will be approximately 1,200 sq. ft. each and be designed to pool approximately 18" of water in the springtime to provide potential amphibian breeding habitat. Vernal pools such as these proposed are important to amphibian breeding because they are located outside of the riparian wetland where fish predation of amphibian eggs can occur. These amphibian pools, in combination with the wetland elements of the proposed stormwater ponds, will serve to mitigate the minimal area of wetland adjacent area loss due to the boardwalk and nature trail development.

3.3.2 Wetland Disturbance

Impacts

Under the previously approved project, an Article 24 permit was obtained allowing for 0.20 acres of disturbance to the wetland adjacent area in order to allow for the installation of stormwater management facilities (see Appendix C). The new project will disturb 0.10± acres of wetland adjacent area for stormwater management facilities. In addition, 0.17± acres of disturbance to the wetland adjacent area for construction of the nature trail and 0.06± acres of disturbance to the wetland for the installation of the elevated boardwalk as shown on Figure 13.

Part of the terrestrial habitat discussed above includes areas within the 100-foot wetland adjacent area. The current project design anticipates an impact to approximately 0.27± acres of the wetland adjacent area on the 16.3 acre adjacent site, to construct the stormwater wetland systems and the nature trail. The majority of the wetland adjacent area, approximately five acres, will remain undisturbed and continue to buffer the existing wetland area thereby mitigating any impacts to the wetlands from this development.

Several alternative layouts were considered similar to Figure 16, however, due to the desire to minimize the disturbance to the wetland buffer, the development density was decreased. Stormwater wetland systems generally require a larger footprint than standard

detention basins in order to properly treat stormwater runoff. The desire to create an environmentally sensitive and ecologically productive stormwater system made complete avoidance of the impacts impractical.

Mitigation

Although the project will directly impact this adjacent area the net result of the project is the creation of approximately 1.1 acres of stormwater wetlands, a nature preserve, amphibian breeding pools and a community nature trail. These features mitigate the proposed 0.27± acres of wetland adjacent area disturbance by increasing community awareness about the wetland complex, and enhancing some of the wetland functions discussed above.

The proposed stormwater wetland basins will provide a diversity of aquatic habitat within the adjacent area and on other portions of the project site. These habitats include ponds and a variety of aquatic vegetative communities that are currently not available, which can act as breeding and feeding habitat for amphibians, as well as other wildlife using the area for foraging. As these areas become established, they will develop the same functions and values as natural wetlands. The proposed boardwalk and trail system will create a microhabitat for additional diversity, in addition to providing a defined access corridor for the public into the wetland complex, which is currently unrestricted.

Other benefits provided by the stormwater wetland systems include:

- Increase recreational opportunities and enhance people's ability to directly view aquatic resources, as well as provide a demonstration project for future development projects.
- Additional nutrient production and cycling functions, which are not realized in uplands areas.
- Additional aquatic habitat, including open water areas and wetland habitat that can provide habitat for fish, amphibians, waterfowl and many other species.
- The potential for additional groundwater recharge functions similar to those of a natural wetland system.

The project owner executed an agreement with the Town of Brighton for a wetland monitoring program under the previously proposed Park Place development. This Project Sponsor agrees to implement the wetland monitoring program for the new St. John's Community development.

Given the mitigation measures provided by the project sponsor, which include the creation of 1.1 acres of stormwater wetlands/ponds, the project sponsor has mitigated the 0.27± acres of impact to the wetland adjacent area and 0.06± acres of wetland.

A comparison of the wetland impacts and proposed mitigation measures for the former Park Place project and the proposed project is provided in the following table:

TABLE 7 Comparison of Wetland Impacts “Park Place vs. Brickstone”	
Mansions at Brighton (Park Place) Wetland Impacts	New St. John’s Community (Brickstone) Wetland Impacts
<ul style="list-style-type: none"> • 0.2± acres of disturbance to wetland adjacent area for installation of stormwater management facilities, construction of boardwalk and trail system. 	<ul style="list-style-type: none"> • 0.10 acres of disturbance to wetland adjacent area for installation of stormwater management facilities. • 0.17± acres of disturbance to wetland adjacent area for construction of nature trail. • 0.06± acres of disturbance to the wetland area for installation of elevated boardwalk.
Proposed Mitigation Measures	Proposed Mitigation Measures
<ul style="list-style-type: none"> • Creation of 1.7 acres of stormwater wetlands. • Dedication of 16.4 acres of land to the Town of Brighton • Construction of forebays to allow for settlement prior to discharge from the detention system. • Creation of amphibian breeding habitat by constructing vernal pools. • Conduct wetland monitoring. 	<ul style="list-style-type: none"> • Creation of 1.1 acres of stormwater wetlands. • Creation of a nature preserve by prior dedication of land. • Construction of forebays to allow for settlement prior to discharge from the detention system. • Creation of amphibian breeding habitat by constructing vernal pools. • Conduct wetland monitoring.

3.3.3 Trail Construction Impacts

Impacts

The project sponsor proposes to establish an enhanced trail system (nature walk) on the 16.3 acre adjacent site and construct a community trail (see Figure 11). The trail would connect to the proposed multi-use trail and the existing trail at St. John’s Meadows that meander through an established woodlands located south of the project site. The recreational benefits provided by these types of trails are extremely beneficial in urban communities and even more beneficial in active senior communities. Not only would the residents of the proposed development have an opportunity to experience the natural areas on the site, but the entire community would have use of the trail system. This mitigation measure provides a significant benefit to the entire community.

The boardwalk section of the trail will cross the wetland in two locations. The northernmost wetland crossing is proposed to cross the wetland at a narrow section (200 ft. wide) located approximately 300 ft. south of Elmwood Avenue. The proposed southern boardwalk crossing of the wetland will be approximately 180’ ft. in length and be located directly north of the southern property boundary. The disturbance to 0.06 acre

of wetland and 0.17 acre of wetland adjacent area associated with this trail system is included in the total disturbance as described in Section 3.3.2 Wetland Disturbances. In addition to these areas, there are 0.13± acres of upland area that are being disturbed for construction of the trail.

The proposed boardwalk will be similar to the boardwalk constructed by the Town immediately south of this project, the proposed wetland boardwalk will be constructed of durable materials including pressure treated lumber, recycled, non-slip resinous decking and galvanized hardware. The boardwalk will typically be 8 ft. wide and will include a handrail. The bottom of the deck support will be approximately two feet above the native wetland grade. The boardwalk and nature trail is intended for pedestrian traffic. Each boardwalk section, north and south, will include an observation deck area that widens out to 12 feet that may include a bench to allow walkers to sit and observe the wetland.

Mitigation

The construction of the trail and boardwalk is viewed as an acceptable use with no adverse impact to the wetland. Therefore, no mitigation measures are required.

3.3.4 Impacts to Woodlots and Trees

Impacts

There are a total of 738 ± trees on the subject property of which 447 are outside of the clearing limits of the development area and will be preserved. The impacts to the Woodlots EPOD and individual trees are described below and as shown on Figure 13.

Woodlot A: Woodlot A is located in the southwest corner of property and encompasses 1.37 acres of the site. The proposed development plans would result in the loss of the majority of this woodlot, approximately 170 trees, to construct several buildings and their attendant features. It is anticipated that approximately 5% of the trees within this woodlot, would remain undisturbed along the property boundary, which will provide screening of the new development, wooded habitat, shading and other functions that are important to the community. A detailed preliminary landscaping plan has been developed (Figures 9A, B and C) and will require site plan approval.

Woodlot A does not currently provide a significant visual buffer or screen for the community, because it is located along the rear of the property and adjacent to a state-owned facility. The loss of these areas would not significantly impact the screening values. In addition, state-owned lands to the south and east of Woodlot A are forested and will continue to screen the development to the south and east of the property. The preservation of the trees along the property boundary, along with other landscaping measures, will screen the new construction.

Woodlot B: Woodlot B is the largest wooded area on the property, with approximately 300 trees. This woodlot is located outside of the clearing limits of the development area and lies wholly within the 16.3-acre nature preserve. There is no disturbance proposed to Wooded Area "B".

Woodlot C: Woodlot C is located in the northeast corner of the property and includes a large section of the delineated wetland area. The tree survey conducted for the site indicates that only a few trees are located within this area, with the exception of a small stand of oaks (approximately 0.30 acres, 20 individual trees), located along the project grading limit line. The wetland area within this woodlot supports a dense stand of Basket Willow, which appears to meet the woody plant definition of the local ordinance.

The proposed development would result in clearing of approximately five percent of Woodlot C, approximately 6 trees. The remaining lands within Woodlot C will remain undisturbed. The loss of these trees will not have any direct impacts on the wetland or the functions that they provide. Because the majority of this woodlot would remain undisturbed, the impacts proposed will not affect the screening and open space benefits that these trees provide in the community or the benefits they provide to the wetland area for shading, habitat, or soil stability.

Summary: The proposed development will result in the loss of individual trees scattered throughout the site, approximately 170 of the trees contained in Woodlot A, and 6 trees contained in Woodlot C. The enhanced trail system will be located adjacent to and through wood lots. It is intended that the trail will be field located so as not to require the removal of trees.

The trees identified within the woodlots are typical of other wooded area in the community and on surrounding lands. They do not appear to provide a significant wildlife habitat or to be significant in size, numbers, or location of individual woody species. Where possible, existing trees and shrubs will be maintained throughout the site to preserve the benefits that they provide to the community and the general environment.

The proposed loss of trees would not result in any instability of the soil, because the trees are located on relatively flat land and will be replaced by structures or landscaping measures. Temporary sediment barriers will be installed and maintained during construction to eliminate any potential erosion or sediment problems, and the site will be permanently stabilized at the earliest possible time to ensure the stability of the soils on site.

The disturbance of the woodlots would also not affect existing drainage systems, the velocity of the surface water runoff or any natural characteristics of a watercourse located on or adjacent to the property. The stormwater management plan developed for the site addresses the stormwater flows and erosion controls for the site, assuring that there will be no difference between pre and post construction stormwater conditions outside of the development area.

Mitigation

To mitigate for the loss of wooded areas on the site, the project sponsor proposes to properly establish ground cover and plant approximately 250 trees ranging from 2.5” to 3” caliper in size.

3.3.5 Endangered Species

Impacts

With the long history of grading and clearing activities on the site, in addition to the urbanization of the surrounding areas, the presence of any sensitive plant or animal species would not be likely to occur. Given all of the above, it appears that the proposed project would not impact any protected State or Federal endangered or threatened species or their habitat.

Mitigation

Given that no adverse impacts to Endangered Species have been identified, no mitigation measures are required.

3.4 Transportation

Impacts

Traffic Counts were conducted at the Elmwood Ave. & Lilac Drive intersection and the Elmwood Ave. & John Arbor Drive/David Ave. intersection on Wednesday, November 14, 2007 during the morning and evening peak hours of 8am-7pm and 4:30pm-5:30pm respectively (provided in the Mansions at Brighton Traffic Impact Study). The updated counts were used for the analysis and are shown in the “2007 No-Build (Counted Traffic)” sheet.

The site plan was revised, resulting in a decrease in housing units and adding a retail component. The current site plan calls for 53 detached elderly units and 49 units attached elderly units, a decrease from the 160 apartments from the original site plan. It also includes a small 6,000 square foot retail area that was not included in the previous study. The initial project proposed full ingress and egress at the west driveway and egress only at the east driveway. The new St. John’s Community proposes full ingress and egress at both driveways. However, the new St. John’s Community proposes to construct a second lane on the southbound approach of Lilac Drive at Elmwood avenue, allowing an open right turn lane. Both driveways at the new St. John’s Community will have two exiting lanes and one ingress lane. This driveway configuration is supported by MCDOT as indicated in the County letter dated April 14, 2008, included in Appendix F.

The table below shows the trip generation comparison between the original site plan and the current site plan.

TABLE 8 - Trip Generation Comparison Table

New Site Plan		24 Hr	AM Pk Hour		PM Pk Hour	
Land Use	Size	Vol.	Enter	Exit	Enter	Exit
Shopping Center (ITE Rates)	6 L.G.L.A	258	4	2	11	12
Elderly Housing Detached	53 UNITS	316	6	10	19	12
Elderly Housing Attached	49 UNITS	171	2	2	3	2
Total New Trips		745	12	14	33	26
Old Site Plan		24 Hr	AM Pk Hour		PM Pk Hour	
Land Use	Size	Vol.	Enter	Exit	Enter	Exit
Apartments	160 UNITS	-	13	70	70	35
Total New Trips		-	13	70	70	35

The trips generated by the development were distributed based on the current traffic distribution on Elmwood Avenue as well as the site layout. The retail areas are adjacent to the western driveway, therefore it is anticipated that all retail traffic will enter and exit out of that driveway and all the housing traffic will use the intersection with Lilac Drive Intersection. The distributed trips generated are shown in Appendix D.

The site access intersections were modeled in Synchro 7 for the morning and evening peak hours. It can be assumed that the surrounding roadway network will have equal or better levels of service than the original traffic impact study, due to the overall decrease in trips generated by the new site plan. The following table summarizes the results from modeling the network:

TABLE 9 – TRAFFIC ANALYSES RESULTS

Intersection	Approach and Movement		No-Build (2008)		Build (2008)		No-Build (2008)		Build (2008)		Build (Lilac RT-Lane) (2008)	
			AM				PM					
			Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
Lilac Drive @ Elmwood Ave. (Unsignalized)	EB	L-T	0.7	A	0.5	A	2.2	A	2.0	A	2.0	A
		T-R	N/A		0.0	A	N/A		0.0	A	0.0	A
	WB	L-T	N/A		0.1	A	N/A		0.3	A	0.3	A
		T-R	0.0	A	0.0	A	0.0	A	0.0	A	0.0	A
	NB	L-T	N/A		32.6	D	N/A		83.1	F	83.1	F
		R			9.8	A			13.5	B	13.5	B
	SB	L-T	26.3	D	33.4	D	26.3	D	34.0	D	60.6	F
		R	N/A									10.8
Future Access @ Elmwood Ave. (Unsignalized)	EB	L-T			-	-			-	-		
		T-R			-	-			-	-		
	WB	L-T	N/A		0.2	A	N/A		0.7	A	N/A	
		T-R			-	-			-	-		
	NB	L-T			23.4	C			49.2	E		
		R			9.9	A			14.0	B		

Intersection	Approach and Movement		No-Build (2008)		Build (2008)		No-Build (2008)		Build (2008)		Build (Lilac RT-Lane) (2008)	
			AM				PM					
			Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
Johnsbor/David @ Elmwood Ave. (Unsignalized)	EB	L-T	0.1	A	0.1	A	0.1	A	0.1	A	N/A	
		T-R	-	-	-	-	-	-	-	-		
	WB	L-T	0.8	A	0.8	A	0.8	A	0.8	A		
		T-R	-	-	-	-	-	-	-	-		
	NB	L-T	42.0	E	42.9	E	93.2	F	99.0	F		
		R	10.2	B	10.2	B	14.8	B	14.9	B		
	SB	L-T-R	30.3	D	30.8	D	52.1	F	54.5	F		

The results show that the surrounding intersections will have a negligible increase in delay time due to the development. The only failing level of service is the left-thru movement for the vehicles exiting the proposed development. The delays will not be as severe in the field because Synchro analyzes unsignalized intersections assuming a random arrival of traffic from the free movement approaches, which creates the fewest acceptable gaps for vehicles at the stop sign. Previous studies have shown that unsignalized intersections within close proximity of signalized intersections creates more acceptable gaps for traffic on the minor streets, which can reduce the actual delay on the minor street by more than half of the calculated Synchro delay.

In general, after making revisions from the previous traffic impact study, there is minimal impact, if any, to the surrounding roadway network due to the proposed housing and retail development.

Mitigation

Given that no adverse impacts to the Transportation Network have been identified, no mitigation measures are proposed. However, both driveways will have two exiting lanes and an additional southbound lane will be created on Lilac Drive at Elmwood Avenue.

3.5 Land Use and Zoning

Impacts

The new development will enhance the Town of Brighton as a residential community and maintain its property values. The proposed project will significantly improve the character of the property which is currently vacant land. As part of a previous incentive zoning application, the property was subdivided, the wetland parcel was acquired by the Town of Brighton and the remaining lands rezoned to RHD-2 (Residential High Density).

The proposed Village Square retail component is 6,000 s.f. and is but a small percentage of the total proposed built environment. Village Square is intended to serve the residents of the new community and neighbors in the immediate area.

A key feature of the Village Square is the community space. This flexible space will be used for social, educational, wellness and entertainment purposes. This programming is designed to bring together residents, their families, friends and the adjoining neighbors.

Ideas for programming (functions) in the community space include:

- Family parties
- Movies
- Arts and Crafts
- Card Games
- Wine Tasting
- Prepare and cook food/demo classes
- Tai Chi, Yoga and other fitness classes
- Kiosk vendors (less than 300 SF each)
- Book signings, reviews, clubs, bridge or chess lessons
- Educational classes
- Lectures, travelogues
- Meetings
- Dancing
- Art and photography exhibits
- Musical entertainment

The project sponsor is considering matching the tenant offerings in the 6000 SF and kiosks at Village Square with the needs and desires of the prospective residents. Ideas for tenants being considered include:

- Meal Assembly (e.g. Super Suppers or Make and take)
- Coffee Bar/Tea Shop
- Light casual café fare
- Ice Cream/Desserts
- Boutique shops
- Beauty shop/Spa
- Barber
- Chocolate/Candy Shop
- Wine Shop/Liquor Store
- Bookstore
- Street Vendors in summer
- Seasonal Farmers Market
- Business Center: ATM, copier, pack & ship services
-
- Concierge resident services: tickets, pharmacy, gift cards, dry cleaning, travel arrangements

A standard governing the lease tenants, permitted uses and conditional uses has been developed and is included as Appendix B and is offered as a development guide or code. This proposed standard is based on the Town's Comprehensive Development Regulations for a Neighborhood Commercial District with modifications specific to Village Square.

Future retail use along Elmwood should not be impacted by Village Square. Village Square is unique as it targets the immediate community, is pedestrian oriented and is but a small percentage of a larger development.

Provisions for the continuation of the Highland Trail are provided in the same manner as the previously approved project. However, the proposed site plan augments walking

opportunities by providing additional on site walking trails to areas of interest within the 16.3 acre adjacent parcel.

There are no anticipated cumulative impacts resulting from the proposed project. This project is both unique to and an extension of the St. John's community.

Furthermore, the Elmwood Avenue corridor is fairly well developed with uses that preclude projects that are similar to or compliment this type of project.

Mitigation

The new development seeks to revise the previously approved incentive zoning to more accurately reflect the current proposal which is less dense than the previously approved project and is also consistent with existing uses in the immediate area while maintaining the adjacent wetlands. The intensity of use for the new development is decreased by the change from the 160-unit single family-oriented development to a 102-unit senior living community, while providing a positive fiscal impact through a PILOT agreement

3.6 Community Services

3.6.1 Sanitary Sewer

Impacts

Sanitary sewers will tap into the existing 18" trunk sewer along the westerly property line. The anticipated flows equate to 18,300 gallons per day which is a significant decrease from the amount of flow (27,200 gpd) anticipated from the previous development. Should access to the 18" sewer not be available, an easement to the existing Town sewer on Elmwood Avenue is in place.

Mitigation

Given that no adverse impacts have been identified and the project will be assessed the appropriate district fees, no further mitigation measures are proposed.

3.6.2 Water Service

Impacts

Water service will be provided by the existing water main on Elmwood Avenue. The anticipated water usage assuming 100 per cent occupancy is projected at 18,300 gallons per day for domestic use which is a significant decrease from the amount of usage (27,200 gpd) anticipated from the previously approved development.

Mitigation

Given that no adverse impacts have been identified and the project will be assessed the appropriate district fees, no further mitigation measures are proposed.

3.6.3 Private Utilities

Impacts

The adjacent gas main, electric supply, telephone service and cable television service will be sufficient to meet the demands of the proposed development. The previously proposed Park Place development represented a higher density of development and a more intense use of private utilities. The new St. John's Senior Community represents a lower intensity of development compared to Park Place, therefore no additional impacts to private utilities are anticipated by the new development.

Mitigation

Given that no adverse impacts have been identified and the project will be assessed the appropriate usage fees, no further mitigation measures are proposed.

3.6.4 Police

Impacts

Police protection is provided by the Town of Brighton Police Department with back-up protection available from the Monroe County Sheriff road patrol and the NYS Police.

The proposed project includes 102 units, targeting "empty nester" seniors between 55 – 64 years in age. Approximately 204 persons will reside at the new St. John's Community. There were 35,588 persons residing in Brighton in 2000. In 2006, the Brighton Police department answered 34,020 calls. Using that population as a surrogate for the 2006 population, the Police Dept. can be expected to answer 0.96 calls per resident per year. If the residents of the new St. John's Community were to use police services at the same rate as the town as a whole, the project would generate 196 additional police calls. This represents an increase of 0.6 percent over the present level of police calls. The previously proposed Park Place at Brighton project was anticipated to generate 292 additional police calls. This rationale projects a decrease of nearly 100 calls from the previously approved project.

Mitigation

Given that no adverse impacts were identified and contributions to the Town fund will be made via a PILOT agreement, no further mitigation measures are proposed.

3.6.5 Fire Protection

Impacts

Fire protection will be provided by the Brighton Fire Department. The closest Brighton fire Station is located at Twelve Corners approximately 2 miles the east.

In 2006, the Brighton Fire Department responded to 2,410 calls for service. This represents 0.07 calls per resident. With 204 anticipated residents at the new St. John's Community, the proposed project is anticipated to generate 14 calls for fire department services, which is an increase of 0.8 percent over existing fire calls.

Mitigation

Given that no adverse impacts were identified and contributions to the Town fund will be made via a PILOT agreement, no further mitigation measures are proposed.

3.6.6 Ambulance

Impacts

The proposed 102-unit Brickstone project will introduce up to 204 additional senior citizens to the site. While it is not known with certainty what the demand placed on the Brighton Volunteer Ambulance Corp. (BVAC) will be, it is anticipated that approximately 33 calls per year may be placed to the BVAC. This estimate is based on the pro-rated number of calls made collectively by residents of the Cottages and Chestnut Court residential units at St. John's Meadows, both similar uses.

In 2007, a total of 71 calls were placed to the BVAC from residents in the Cottages and Chestnut Court. This equates to 0.32 calls per unit per year. Applying this factor to the 102 proposed Brickstone units, it is anticipated 33 calls would be placed to BVAC. The number of calls placed to the BVAC may even be less than this because the residents at Brickstone will be younger (or more active) than the residents at the Cottages and Chestnut Court and, therefore, less prone to falling. Secondly, St. John's will offer a "Lifeline Assistance" service to the residents of Brickstone, which is a service that provides triage, security and assistance for those that may need help. This service, combined with the younger age of residents at the Brickstone may collectively reduce the number of calls to the BVAC.

Mitigation

Given that no adverse impacts were identified and contributions to the Town fund will be made via a PILOT agreement, no further mitigation measures are proposed.

3.6.7 Educational Services

Impacts

As the new St. John's Community is to be a senior community. There will be no school age children residing in the community. Therefore the development will not have an adverse impact to the Brighton School District as there are no residents of school age. The retail portion of the project will be fully taxable, with an estimated \$23,500 in tax revenue going to the Brighton School District.

There are continuing educational opportunities available to seniors through the Town of Brighton programs and through Monroe Community College located nearby.

Mitigation

Given that no adverse impacts were identified, no mitigation measures are proposed.

3.6.8 Health Care Services

Impacts

As an independent living community there will be no health care facilities located on-site. There are however health care facilities located in close proximity to the site including Strong Memorial and Highland Hospitals. The proposed project is not anticipated to have any adverse impacts on area Health Care Services.

Mitigation

Given that no adverse impacts were identified, no mitigation measures are proposed.

3.6.9 Recreational Services

Impacts

The project will include the development of walking trails that will cross the wetland preserve area via a boardwalk and link with existing trails on the St. John's Meadows property to the east. These trails will also link into a more extensive trail network and serve as a vital link for trails that eventually will connect the Town of Brighton Park located on Westfall Road to the south of the site with Highland Park located on Highland Avenue to the north of the site (see Figure 11). Further, recreational functions may be provided at Village Square.

The project will comply with the Town's requirements for the Parkland Trust Fund. Based on the proposed density this will require a fee of \$48,450.

Mitigation

Given that no adverse impacts were identified, no mitigation measures are proposed.

3.6.10 Town Tax Rate/Budget and Fiscal Impacts

Impacts

To project the fiscal impact of the project on the municipal operating costs for the Town of Brighton, the Per Capita Multiplier Method (residential) and the Proportional Valuation Method (non-residential) as described in The New Practitioner's Guide to Fiscal Impact Analysis by Burchell, Listokin and Dolphin were used. These methods are average costing approaches suitable for use in stable growth suburbs for projecting the

impact of population change and non-residential expansion on local municipal costs. Also utilized in this assessment is a Property Classification Summary for the Town of Brighton which identifies all parcels in the Town by use and taxable value.

The methodology requires the input of the following information:

- Municipal population: Brighton 2000 population (US Census) – 35,588;
- Municipal budget: Brighton 2008 proposed budget - \$20,317,530;
- Total 2007 property valuation: \$2,090,444,421 (from Town Assessor);
- Proportion of nonresidential property value to total project value: 0.32; and
- Projected retail portion/property value: \$100/SF for 10,000 SF development = \$1,000,000.

Using the above information, the calculated annual municipal expenditure per capita is \$571. As provided by the School District, the expenditure per student is \$15,510. The proposed project is targeted for seniors 55-64. There will be no school aged children living at New St. John's Community.

The following project-related parameters were also incorporated in the methodology:

- 102 residential units housing 204 senior residents;
- 10,000 SF of retail/common area valued at \$100/SF; and
- Town Commercial Tax Rate: \$15.05 per \$1,000 of value.

Induced Municipal Expenditures:

Residential Portion:	\$116,500
Retail Portion:	<u>\$3,900</u>
Total Induced Municipal Expenditure:	\$120,400

Anticipated Revenue:

Retail Portion (100% Taxable):	\$15,050
Residential Portion (PILOT):	<u>\$204,000</u>
Total Revenue:	\$219,050

By comparing the expenditures and revenues, the fiscal impact of the proposed project can be determined. The proposed New St. John's Community project would result in a positive fiscal impact to the town of almost \$100,000. The worksheet used in conducting the detailed fiscal impact analysis is provided in Appendix E.

The PILOT agreement calls for an additional \$50,000 in Year 4 (\$254,000), which will grow pursuant to the Consumer Price Index (CPI) in Year 5 and beyond.

All special district fees (i.e. fire, sewer) will be paid as the project is developed. The New St. John's Community is a tax exempt project. This tax exempt status is reviewed on an annual basis. The tax exempt status is based on the project sponsors' religious, charitable, not-for-profit status and the subsequent contributions to the community based on this status.

The proposed project, with an anticipated positive fiscal impact of almost \$100,000 annually to the Town of Brighton, is substantially favorable to that of the former Park Place project. Park Place was proposed to be a conventionally zoned residential project with no PILOT program. Therefore, the anticipated municipal expenditures and revenues would have been as follows:

Anticipated Park Place Expenditures (in 2008 dollars):

$$160 \text{ units} \times 1.72 \frac{\text{residents}}{\text{unit}} \times \$571/\text{municipal expenditure per capita} = \$157,140$$

*as reported in the March 2004 DEIS

Anticipated Park Place Revenue (in 2008 dollars):

$$\$12,500,000 \text{ (anticipated assessed value)} \times \frac{\$6.07}{\$1,000 \text{ av}} \text{ (Town tax rate)} = \$75,875$$

Net Fiscal Impact to the Town of Brighton

Anticipated Revenue:	\$75,875
Anticipated Expenditures:	<u>\$157,140</u>
Fiscal Impact	-\$81,265

In summary, the new St. John's Community project will have a positive fiscal impact of \$98,650 in Year 1 compared to the former Park Place's negative \$81,265 or a beneficial total variance of \$179,915 per year.

Mitigation

Given that no adverse impacts were identified, no mitigation measures are proposed.

3.7 Cultural Resources

Impacts

The proposed new St. John's Community will occupy the same 17.3 acre "area of disturbance" footprint as the previous Park Place at Brighton project. More specifically, the proposed New St. John's Community project will not disturb any land area outside of that which was studied as part of the Phase 1 Archeological Study and reviewed by the OPR&HP. Given that the proposed project will not introduce any new areas of disturbance than the previous project, no cultural impacts will occur.

Mitigation

Given that no adverse impacts were identified, no mitigation measures are proposed.

3.8 Construction Impacts

Impacts

Construction related impacts are anticipated to be limited to a single construction phase that is anticipated to last 18 months or less. During the construction period impacts will include dust and noise generation; limited impairment to local traffic flow associated with construction vehicle traffic, utility extensions and curb cuts and general visual changes.

Mitigation

Dust will be monitored daily during construction and will be controlled with water on an as needed basis. Erosion and sediment control devices will be installed at the start of the construction activity and inspected and repaired as needed. A truck tire washing station will be set up at a stabilized construction access if needed to remove soil from the truck tires. Elmwood Avenue in the area of the site will be power swept as needed.

Noise impacts will be limited to daytime hours and the working hours permitted by the Town of Brighton. Ambient noise levels during construction will be higher than existing noise levels. However, construction equipment will meet industry standards for noise control. No blasting is anticipated during construction.

Traffic impacts during construction will be monitored and any work on the roadway will be controlled by methodology of the NYS Manual of Uniform Traffic Control Devices and Monroe County Department of Transportation regulations.

3.9 Visual Impacts

Impacts

The site development will introduce and establish a new land use for the property and will change the existing natural landscape in favor of a landscaped residential development. The public vantage point is from Elmwood Avenue. The view from Elmwood Avenue will include landscaped parking and buildings as well as the two (2) access drives. This site is located directly east of the municipal boundary between the Town of Brighton and the City of Rochester along Elmwood Avenue. As such, the development is at one of the gateways to the Town of Brighton. The Town will require suitable street treatments in terms of lighting and signage befitting a gateway to both the town and this residential community.

Building and parking lighting will be of similar quality and type that is present at the existing St. John's Meadows community located directly to the east of the subject site. Building materials will consist of a variety of finishes. The buildings will be village like and residential in nature and consistent with the community.

Elevation renderings of the proposed development as depicted from Elmwood Avenue looking east and west are shown in Figures 3-6.

A formal entrance and attendant plantings progress across an open landscaped buffer of 2.5” to 3” caliper shade trees, evergreen trees and manicured lawn in the area defined by the building setbacks from Elmwood Avenue. The site design promotes safe interaction of vehicular and pedestrian traffic, complimented by the village style architecture. Site lighting will encompass “dark-sky” compliant fixtures sufficient to maintain a safe environment conducive to pedestrian and vehicular access.

Mitigation

This project will not cause an undesirable change to the visual characteristics of the area. While there is no consistent architectural pattern in the area, the proposed development would not be out of character with the surrounding properties. Therefore, there will be no significant adverse visual impacts as a result of this development. The positioning of the proposed buildings, formal entrance into the property, naturalist landscaping, maintained lawn and pedestrian walkways help to create a vibrant gateway to the Town of Brighton.

4.0 Unavoidable Environmental Impacts

The proposed development will commit approximately 17.5 acres of existing undeveloped land to residential development for the foreseeable future. This conversion of the land resource will result in the loss of natural vegetation and habitat. It is important to note however that approximately one half of the land area of the property has been donated to the town as permanent open space and will be preserved in its natural state. The preserved land includes the state designated wetland BR-10 and the majority of the 100 ft. upland adjacent area of wetland BR-10.

The proposed development will result in an increase in the rate of stormwater runoff due to the increase in impervious surfaces. This increase in the rate of runoff will be mitigated through the development of stormwater management ponds. The ponds will function as both stormwater quality treatment through the provision of settling time and aquatic vegetation for nutrient uptake and stormwater quantity mitigation through the provision of storage capacity and release rate attenuation. Further, this project will result in an increase in impervious area as compared to the Park Place project. As described above, the increase in total run-off for the site has been mitigated by the development of the stormwater management ponds which meet or exceed 2008 NYSDEC Phase II SPDES requirements for water quantity and quality.

5.0 Alternatives

5.1 No Action Alternate

No development of the property would leave that land to continue in natural vegetative succession but would not return any revenue to the property owner. The area surrounding the property is already developed, and as stated earlier, the landowner has donated approximately one half of the land area of the property to the Town as permanent open space. This option does not meet the goals of the project sponsor.

5.2 Alternate Developed Use

The previous Park Place development proposed multi-family residential development for the property. Using “Big House” design concepts, all buildings were 2-story at 10 to 12 units per building. However the proposed density of this proposal was higher. The current proposal for the new St. John’s Community has approximately 73% of the living units as the Park Place development. The project sponsor is now proposing a senior living community. This development plan does not reflect the needs for connectivity, variation of format or programming of the project sponsor or future intended residents.

5.3 Alternate Site Plan

Based on discussions with the Planning Board, an alternate site design was created in order to try and maintain a similar building setback as proposed under the Park Place site design. The sketch, as shown in Figure 17, depicts a 165’ setback from the centerline of Elmwood Avenue to the main building mass while maintaining the functionality and programming of the senior living community. As depicted in the figure, there are architectural features (vertical elements and second story balconies) on the building that would encroach within the 165’± setback to enhance the aesthetics. However, the main building mass is wholly outside of the 165’± setback.

The architectural perspective rendering, as shown in Figure 18, depicts the relationship between Elmwood Avenue and the front yard modifications, including a stormwater management pond which acts as both an engineering and visual amenity. This layout also produces an increase of 9% to the front yard green space over the proposed site plan.

As the design and layout of the proposed retail space was considered, it was determined that the original 10,000 square feet of space anticipated for this use actually breaks down to approximately 6,000 square feet dedicated to retail space and 4,000 square feet to common area. The amount of parking required for this use can be reduced. Further, analysis of the required parking for the apartments indicates that the parking for this function may also be reduced.

This plan may meet the goals of the project sponsor.

5.4 *Alternate With/Without Retail Space*

This plan also includes the retail and common area space as shown in the original senior living site plan. This feature is vital to the concept of providing a vibrant development and creating lifestyle choices for active seniors. By incorporating an on-site feature that allows for increased interaction between the occupants of the senior community and the general public, a sense of community and belonging is created.

The concept of new urbanism calls for natural, safe and walkable mixed-use environments. The retail portion of the project must be situated along the development frontage to take advantage of potential off-site pedestrian and vehicular traffic in order to remain a viable component of the development, thereby creating the Village Square concept of mixed-use amenities. Ease-of-use, combined with a pedestrian-friendly environment along Elmwood Avenue, will allow for successful boutique and convenience shops and create a true community space that residents of the facility and neighbors in the Town of Brighton will enjoy.

A concern has been raised regarding re-use of the Village Square space should the retail use be unsuccessful. The retail space and common area has been designed such that it could be converted to additional apartments at a later date. The use of this area as apartments will have a lesser parking requirement. However, enclosed parking spaces would not be available for these “new” apartments.

5.5 *Alternate meeting original setbacks from Park Place*

Figure 19 depicts a concept plan showing a new development program meeting the exact setbacks as approved for the Park Place project. In order to maintain the project sponsor’s programming intent regarding a mix of town homes, apartments and retail space, the plan results in a decrease of Apartments, Townhomes and Village Square area. As an example, a total of only 27 apartments can be constructed and space is available for only 21 garages. In addition, the apartment buildings are separated which defeats the connectivity required for the Village Square retail component.

Architecturally, Apartment Buildings 2 and 3 will be three-story while Building 1 is two story. When viewed from Elmwood Avenue, the vista would seem unorganized with varied views of the townhomes and apartment structures.

The increased setback for the Village Square also is contrary to the concept of new urbanism which is vital to the success of the development. The Village Square is designed as an inter-generational gathering space while attracting neighborhood pedestrian traffic to promote that goal. While the increased setback was beneficial to the Park Place development, it is contradictory when creating close, walkable neighborhoods that are pedestrian-friendly as proposed by the project sponsor. Creating a gathering space closer to Elmwood Avenue will also serve as a starting point for the public’s use and enjoyment of the nature trail.

This alternative does not meet the project sponsors intent or goal for this development.

6.0 Irreversible and Irretrievable Commitment of Resources

The development of the new St. John's Community will commit for the foreseeable future the land resource of the site and the labor, energy and materials needed to construct and maintain the development. In addition, the 16.3 acres, including the wetland area, deeded to the town will remain as permanent open space.