

**EVERYONE IN THE COMMUNITY IS AFFECTED BY:**

- ***TRAFFIC SAFETY & CONGESTION ON MONROE AVENUE***
  
- ***INTEGRITY OF OUR ZONING LIMITS***

1. **Fact:** Supervisor Moehle is giving fellow politician Anthony Daniele a “special deal” under a loophole called incentive zoning to allow him to greatly overbuild his Whole Foods strip plaza, and allow him to bypass up to 22 permits and approvals that would otherwise be required under traditional zoning.
  
2. **Fact:** The proposed Whole Foods store is 2.5 times larger than what is permitted by right under traditional zoning limits. (Grocery stores are limited to 20,000 square feet on this site because they generate lots of traffic per square foot.)
  
3. **Fact:** This section of Monroe Avenue is one of the most accident prone and congested corridors in the County, and this oversized project will have extreme negative impacts on traffic safety and congestion. As per the NYSDOT:
  - *“We conclude that the Project, with the introduction of a traffic signal on Route 31 as proposed, will likely have a significant impact on traffic. Increased delays, long queue lengths, and the potential for short periods of gridlock may occur on and approaching Monroe Avenue.”* NYSDOT letter May 19, 2017.
  
  - *“When intersections such as Monroe Avenue and Clover Street, and Monroe Avenue and site driveway nears or exceeds its capacity, actual delays and queue lengths can be much greater than calculated.”* NYSDOT letter April 4, 2016.
  
4. **Fact:** Two acres of the Project will encroach into the residential neighborhood, and the oversized nature of the Project will ultimately require access on Clover Street and/or Allens Creek Road.
  
5. **Fact:** A qualified CPA firm has determined that Developer Daniele will receive approximately \$16.2 million in added gross revenues because of this special deal – all at the expense of our great community.
  
6. **Fact:** 78% of Brighton voters polled object to super-sizing this Project through the incentive zoning “special deal” loophole that Supervisor Moehle is insisting on for political colleague Anthony Daniele. (There is no right to Incentive Zoning, it is completely a choice by Supervisor Moehle.)
  
7. **Fact:** Assembly Majority Leader Morelle has publicly gone on record (letter dated November 30, 2017) expressing serious concerns over traffic safety and congestion due to the “super-sizing” of this Project under the deal Bill Moehle is giving his political colleague. Supervisor Moehle never responded.

8. **Fact:** Similarly, Senator Robach (Chair of the Senate Transportation Committee) recently asked NYSDOT to look into critical traffic issues regarding this Project, and copied the Town (letter dated January 15, 2018). Mr. Moehle never responded, and instead accelerated the process, and tried to hold a meeting (on January 24, 2018) to accept the Developer's last traffic study without the public knowing.
9. **Fact:**
  - This Developer has paved over our public trail, and Supervisor Moehle did nothing.
  - This Developer clear cut trees and built a parking lot in the residential district, in clear violation of our zoning laws, and Supervisor Moehle did nothing (until the community threatened to sue).
  - This Developer used our public trail for vehicular traffic, in clear violation of the public's rights in the trail and in clear violation of our zoning laws, and Supervisor Moehle did nothing (until the community threatened to sue).
  - This Developer gated and padlocked our public trail to keep the public out, and Supervisor Moehle did nothing (until the community threatened to sue).
  - Incredibly, this Developer now claims the public never used this trail, or that there is no trail (see February 14, 2017 submission); and Supervisor Moehle is now trying to support that position (so he can convey it to the Developer without further public oversight that would otherwise be required). This trail forms the buffer between the commercial and residential district.

We are not opposed to development of this parcel. We are not opposed to a Whole Foods store, but the standard zoning limits that apply to the rest of us should apply to this Developer and this strip mall. Our zoning protections should not be for sale. Our traffic safety should come before Mr. Daniele's profits. Our elected officials should be responsive to the community.

From all corners of this Town, neighborhood groups and citizens have joined together to let our local officials know that Brighton deserves better – no special deals under Incentive Zoning for this Project. Enforce our regular zoning size and density limits for this Project.

Join us. Add your e-mail address to the other concerned Brighton citizens already on our list so we can periodically keep you apprised of new developments, new options during the next elections, and how we as a community can make sure we have transparent, responsive politicians who listen to the community and enforce our zoning limits – regardless of who the Developer is.

We love our Town, and we all deserve better than this.

### **Footnotes**

- **Fact 1:** See May 15, 2015 “Incentive Zoning” application submission by Developer and August 19, 2015 submission by the Neighborhood Association (on file with the Town).
- **Fact 2:** Brighton Town Code Section 203-84A(5).
- **Fact 3:** NYSDOT letters dates May 19, 2017 and April 4, 2016 (on file with the Town).
- **Fact 4:** See May 15, 2015 Incentive Zoning Application submission to Developer and April 4, 2016 NYSDOT letter opining that access points are necessary, and record generally on file with the Town.
- **Fact 5:** See March 27, 2017 letter from CPA firm of Brisbane Consulting Group LLC (on file with Town).
- **Fact 6:** See June 2017 poll by independent polling firm of Research America, Inc. (on file with the Town).
- **Fact 7:** See November 30, 2017 letter from Assembly Majority Leader Morelle (on file with the Town).
- **Fact 8:** See January 15, 2018 letter from Senator Robach (on file with the Town).
- **Fact 9:** Available by site visit, as well as see letter from Neighborhood Association dated September 30, 2015; see letter from Neighborhood Association dated January 24, 2018; Developer’s February 14, 2018 re-submission (all on file with Town).