



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD

MINUTES

MAY 18, 2016

Work Session Began: 6:30 p.m.

Meeting Began: 7:00 p.m.

Place: Community Conference Room, Greece Town Hall

Present

Alvin I. Fisher, Jr., Chairman

Devan Helfer

William E. Selke

Michael H. Sofia

Christopher A. Schiano, Esq., Deputy Town Attorney

John Gauthier, P.E., Associate Engineer

Scott R. Copey, Planner

Michelle M. Betters, Planning Board Secretary

Absent

Rick Antelli

Christine R. Burke

Jamie L. Slocum

Additions, Deletions and Continuances to the Agenda

Announcements

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PUBLIC HEARINGS

Old Business

None

New Business

None

SITE PLANS

Old Business

1. Applicant: Anthony J. Caraglio
Location: 1150 North Greece Road
Mon. Co. Tax No.: 073.02-1-80
Request: Site plan approval for a proposed mixed commercial use building (one story; 5,800± square feet) with related parking, utilities, grading, and landscaping, on approximately 1.01 acres
Zoning District: BR (Restricted Business)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Anthony J. Caraglio, Owner, Caraglio's Pizza; and Tim Skrypnik, Intern Architect, Fenity Associates, presented the application.

Mr. Caraglio: The last time that we were here, we had some issues with regard to the road and the Monroe County Department of Transportation ("MCDOT"), which have been resolved. The issue was with the "Stop" bar; it had to do with trip generation, the stacking distance for cars heading west on Bram Hall Drive. I had discussion with staff and the MCDOT, and we ended up moving the "Stop" bar, from 80 feet east of the North Greece Road-Bram Hall Drive intersection to 125 feet. To take care of the traffic flow on the site, we have shrunk the building from 6,000 square feet to 5,800 square feet. We did some modeling, and everything works out; the MCDOT was satisfied. We provided trip generation data, which is about 175 cars daily, based on possible tenants; they also were satisfied with that. We have provided a color rendering of the front of the building. The rear is shown with trees that will be planted, and a rendering of the view with the trees matured. We have spoken with Mr. Vasile, the owner of the adjacent property to the east, about the planting of more trees. With regard to the screening of the heating, ventilation and air conditioning ("HVAC") units, I have some pictures that will show what the screening will look like; it will match the color of the siding. It's a three-sided enclosure that will surround the units.

Mr. Copey: We have confirmation that the MCDOT has responded to the change, and they are in agreement.

Mr. Gauthier: No comments at this time.

Mr. Selke: Just a suggestion, if you were to add some lighting to the front, it would benefit visibility. And just to remind you, if a tree dies, you must replace it.

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Mr. Caraglio: Yes, I am aware, and I will sign off on that. Suggestions heard; thank you. We have landscaping in the parking lot and near the entrance.

Mr. Fisher: I had concerns about the appearance of the rear of the building. I have some photos of some other sites. I have found that what you have provided is equivalent or better than what is out there. The difference in color seems to break it up and the color of the doors, I'm really pleased with the outcome. The landscaping in the rear helps to make the appearance nice.

Mr. Copey: It's safe to say that the screening will be adapted to fit different units?

Mr. Caraglio: Yes, the hood unit will be more in the front near the parapet; the rest will be screened.

Motion by Mr. Selke, seconded by Ms. Helfer:

WHEREAS, Anthony J. Caraglio (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a site plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 1150 North Greece Road (the "Premises"); and

WHEREAS, having considered carefully all relevant documentary, testimonial and other evidence submitted, the Planning Board makes the following findings:

1. Upon review of the application, the Planning Board determined that the application is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes an Unlisted action under SEQRA.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all parties in interest were afforded an opportunity to be heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
4. The Planning Board has carefully considered an Environmental Assessment Form ("EAF") and supplementary information prepared by the Applicant and the Applicant's representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the "Environmental Analysis").
5. The Planning Board has carefully considered additional information and comments that resulted from telephone conversations or meetings with or written correspondence from the Applicant and the Applicant's representatives.
6. The Planning Board has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town's own staff.
7. The Planning Board has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from nearby property owners, and all other comments submitted to the Planning Board as of this date.

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8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Planning Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
10. The Planning Board has met the procedural and substantive requirements of SEQRA.
11. The Planning Board has carefully considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
12. The Planning Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
13. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
14. The Planning Board has made a careful, independent review of the Proposal and the Planning Board's determination is rational and supported by substantial evidence, as set forth herein.
15. To the maximum extent practicable, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the Applicant's voluntary incorporation of features and measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

VOTE:	Antelli	Absent	Burke	Absent
	Helfer	Yes	Slocum	Absent
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Mr. Selke then made the following motion, seconded by Ms. Helfer, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. A dated signature of the owner/developer shall be added to the plan.

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3. No building permits shall be issued unless and until highway permits are issued. A note that indicates this requirement shall be added to the plan.
4. The August 28, 2008, Federal Emergency Management Agency flood zone and map source for the Premises shall be added to the site plan. In addition, the flood zone boundaries (if any) and boundary designations shall be added to the plan.
5. The landscaping on the Premises shall be maintained by the current owner of the Premises, and by any future owner. The owner of the Premises shall replace any dead plants with the same species or a similar species. The replacement plant shall be no smaller than the previous plant when it originally was installed. A note that indicates these requirements shall be added to the plan.
6. Prior to the issuance of a Final Certificate of Occupancy for the Premises, The Applicant shall provide certification verifying proper installation of landscape areas on the site in accordance with the landscape plan approved by the Planning Board, and in accordance with the Town's Landscape Guidelines for Development. Such certification shall be on the certification form provided in such guidelines and shall be completed by a New York State Licensed Landscape Architect or Certified Nursery Professional. A note that indicates these requirements shall be added to the plan.
7. All heating, ventilation, and air conditioning ("HVAC") equipment shall be screened from public view. If the HVAC equipment is or will be roof-mounted, the screening for such HVAC equipment shall be visually compatible with the proposed building(s), and shall be shown on the architectural elevations of the building(s). If the HVAC equipment is or will be ground-mounted, its location shall be shown on the site plan. Evidence that such HVAC equipment is or will be screened shall be submitted for review and approval by the Planning Board as part of the site plan.
8. The exterior appearance (that is, materials, colors, and architectural style) of the proposed building shall be generally consistent on all sides of the proposed building. As offered and agreed by the Applicant, such materials and colors shall be exterior insulation and finishing system ("EIFS") and horizontal siding (in the tan and brown color families) and cultured stone, with white trim, as presented to the Planning Board this evening. Elevations of the exterior appearance shall identify these colors and materials, shall show all sides of the proposed building, and shall be filed with the site plan.
9. Details or catalogue cuts of the proposed light fixtures and standards shall be added to the plan.
10. Light spill shall be contained on the Premises. Outdoor light sources shall be aimed or shielded so that they are not visible when viewed from off the Premises, and so that light spill is cast only downward onto the Premises. Exempt from this requirement are low-wattage or low-voltage lights that are located near the principal entrance to a building, and low-wattage or low-voltage lights, not higher than 42 inches above grade, that define a walkway or other access to a building. A note that indicates this requirement shall be added to the plan.
11. Snow storage areas shall be identified on the plan.
12. No building permits shall be issued unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
13. The locations of the designated fire lanes shall be shown on the Site Plan.

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14. The locations of all exterior doors shall be shown on the plan. All exterior doors shall be connected by a sidewalk to an acceptable fire safety zone.
15. Permanently mounted "No Parking – Fire Lane" signs shall be posted along the fire lanes at intervals of 50 feet or less. A note that indicates this requirement shall be added to the plan.
16. No building permits shall be issued unless and until the Applicant executes an agreement for maintenance of the proposed storm water management facilities. Such agreement shall be subject to approval by the Planning Board's Attorney and the Commissioner of Public Works.
17. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
18. No building permits shall be issued unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk.
19. Upon completion of construction of the storm water management pond, the Applicant shall provide certification that such pond was constructed as designed and approved. Such certification shall be provided in the form of an as-built topographic survey with pertinent utility structures shown, prepared by a New York State Licensed Land Surveyor. No final approval signatures shall be placed on the site plan unless and until the Applicant has submitted to the Town a financial guarantee (such as a letter of credit, certified check, or other acceptable instrument), in an amount approved by the Town's Commissioner of Public Works and the Town Attorney, that is sufficient to properly construct the proposed pond, and to provide the aforementioned certification. No release of such financial guarantee shall be made unless and until the improvements and certification are completed to the satisfaction of the Town's Commissioner of Public Works and the Town Attorney.
20. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
21. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
22. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
23. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

VOTE:	Antelli	Absent	Burke	Absent
	Helfer	Yes	Slocum	Absent
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED

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New Business

1. Applicant: Morgan Ridgecrest, LLC
Location: 1946-1960 West Ridge Road
Mon. Co. Tax No.: 074.15-11-27, 074.16-02-22
Request: Site plan approval for a proposed restaurant (one story; 3,000± square feet) with drive-up service window, and demolition/reconstruction of 6,250± square feet of existing building space, with related parking, utilities, grading, and landscaping, on approximately 9.2 acres
Zoning District: BR (Restricted Business)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Michael Montalto, Costich Engineering, presented the application.

Mr. Montalto: We are looking primarily to renovation of Ridgecrest Plaza. There are about nine acres of land which comprise the plaza and the Ashley Furniture portion the site, to the north. We are looking to develop a 3000-square-foot outparcel Qdoba Mexican Restaurant. We will demolish the northeast corner of the exiting plaza building and reconstruct that. The plaza needs a bit of an overhaul. It's an older plaza and the owner has been actively looking for tenants. There is some vacant space. There is an odd topography to the site, the parking lot is fairly steep, and the building floors step down as you go northward from West Ridge Road. Prospective tenants wanted to see more outparcels. They want to be seen from West Ridge Road. The removal of the portion of the building and reconstruction of it, pushing it further eastward accomplishes that. That drove why this portion of the plaza building is being redone; the interior was hard to work with. From a site plan point of view, besides the new outbuilding, we are putting in new site lighting; we're taking out the exiting poles. We also are reconfiguring and improving the access to Fetzner Road. We are restriping the parking lot so that it has a much larger pedestrian area near West Ridge Road, and we are adding landscaping along Fetzner Road. We are looking to have a terrace area for the new portion of building, for potential outdoor seating. We have made application to the Planning Board for subdivision of the site into individual lots. We also have submitted an application to the Board of Zoning Appeals, and we will appear before them on June 7. We are asking for area variance to allow the lot coverage to be 20.8% where the code requires 15%; right now, we are at 20.3%, including the Ashley Furniture site. We also have received a hearing date for special use permit from Town Board. I have some renderings of the Qdoba restaurant; you'll notice the blue. There have been some questions regarding the art screens. They are unique to each site, they are done by an artist, they are not removable, and they will not turn into signs. The building is made up of glazed brick, with some metal screening; we can obtain some samples for you to see. Qdoba did not want to make it look identical to the main plaza building; they wanted it to stand out as you drive down the road. If we matched Qdoba's exterior to the main plaza building, the concern was that the restaurant would be missed. The plaza owner intends to update the entire façade of the plaza. On the west side of the building, those adjacent properties were rezoned and they are being looked at in terms of redevelopment and tying it to the rear of the plaza. Parking requirements for the plaza have been met.

Mr. Copey: We have not received comments from the Monroe County Department of Planning and Development yet. The variances are on the Board of Zoning Appeals agenda for June, and the subdivision will be on the Planning Board's agenda for the next meeting.

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Comments from Town staff relate to a grease trap location and fire sprinkler requirements. We would like to get direction from the Board with regard to the architecture. The blue is different. We have done some research on other Qdoba sites, and a number of them were similar to what the Board may have been expecting to see. Qdoba has changed their branding and is going for a new image. What we found online is more akin to what the plaza looks like now, which looks great. However, Qdoba has changed their branding and is going with a new image.

Mr. Gauthier: The only comment that Engineering and Public Works have is about the existing storm water management pond. It has been a problem, and we like to take this opportunity to clean it up. The pond is discharging into an area of our storm sewer system that is somewhat stressed; it's also aesthetically a bit of an issue with some of the neighbors. I appreciate the agreement in principle to take a look at it.

Mr. Sofia: I like it. It's not just a facelift. The parking, the traffic pattern, modernizing some pieces—that is new. The color is not the norm for us, but a little contrast will not kill us. I think that it will be an asset to a busy intersection. It looks good.

Mr. Selke: The new addition to the main plaza building will complement the existing plaza?

Mr. Montalto: There is a bit more glass. It will be tied together.

Mr. Selke: The parking lot is in pretty bad shape. Will it be resealed?

Mr. Montalto: In order to build the addition and install the utilities, there is a fair amount that has to be reconstructed. We have made the drive aisles clearer and it is being laid out correctly; now is the right time to correct it.

Mr. Selke: Are you adding landscaping?

Mr. Montalto: We will be adding trees to the parking lot islands and along Fetzner Road.

Mr. Selke: There is a bunch of dumpsters at the rear of the plaza.

Mr. Montalto: Part of the rezoning and obtaining the other property to the west will result in there being a central refuse area for the plaza, although Qdoba will have their own dumpster.

Mr. Fisher: I think that it looks so much different from the adjacent plaza, that maybe the Qdoba would like to stick out like a sore thumb. Our intent is to try and make it so that it is part of the plaza. I just don't see the exterior of Qdoba as consistent with the plaza.

Mr. Montalto: Please help me by giving me some direction to take back to Qdoba. The photo of a Qdoba restaurant that is being circulated is from two years ago. They have changed what they are doing.

Mr. Fisher: The Qdoba building's appearance is a different concept that's totally different from the rest of the plaza; what Qdobas looked like two years ago is what's consistent with this plaza. There should be some relationship to this plaza.

Mr. Montalto: I need something specific.

Mr. Fisher: This approach to the architecture is very different from what's in the plaza. The appearance of the Qdoba building should have some relationship to the appearance of the plaza.

Mr. Sofia: What if you incorporated some of these colors into the plaza?

Mr. Montalto: Part of what I'm hearing is that you don't want the art panel. Do you want spandrel glass, and what would you like to see? The art is kind of an image branding, kind of a southern look.

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Mr. Schiano: That's what the Board of Zoning Appeals will look at—Is it a branding?

Mr. Montalto: It's to break up the monotony of the walls; that's different.

Mr. Selke: Is there a building that looks like this?

Mr. Montalto: There is one in Irondequoit now. The exterior of every new Qdoba building has something different.

Mr. Fisher: This approach is so different that it's hard to see this as being consistent with anything in the plaza.

Mr. Copey: I think that it looks stripped down; it looks like a box. Part of the plainness is that there's no cornice, no relief on the face of the building. The heating, ventilation and air conditioning ("HVAC") screening looks industrial and provides no screening, and all four sides are visible. The building material is concrete block, and that is an industrial appearance. This is all a matter of taste, and different is not automatically bad, but the building just looks like it has a stripped-down, minimalistic architectural approach, and the Board has some discretion in the architectural design of the building.

Mr. Montalto: I need more to take back to Qdoba.

Mr. Fisher: Well, no split-faced block. The exterior ought to be consistent with that of the plaza; at the least, it should have some similarity.

Mr. Montalto: We have a clear message; we will get back with the architect. We will let them know that you prefer the appearance of the older buildings because it is compatible with the appearance of the plaza.

Mr. Fisher: The parking in the plaza is great. I think that it came out so that it will work really well; it was not inviting before.

Mr. Copey: I really like the pedestrian connection. I would like to encourage a walkway from West Ridge Road and Fetzner Road.

Ms. Helfer: I agree with the comments.

Motion by Ms. Helfer, seconded by Mr. Sofia, to continue the application to the June 8, 2016, meeting, as requested by the applicant.

VOTE:	Antelli	Absent	Burke	Absent
	Helfer	Yes	Slocum	Absent
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
APPLICATION CONTINUED
TO JUNE 8, 2016, MEETING**

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2. Applicant: WoodSpring Suites Rochester NY Northwest, LLC
Location: 145 Bellwood Drive (in Canal Ponds Business Park)
Mon. Co. Tax No.: 089.04-1-8.1 (part), 089.04-1-8.3 (part)
Request: Site plan approval for a proposed hotel, (four stories; 48,000± square feet; 124± rooms) with related parking, utilities, grading, and landscaping, on approximately 3.5 acres
Zoning District: BG (General Business)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Brian Burri, Bergmann Associates; and Jack Knowles, WoodSpring Hotels, presented the application.

Mr. Burri: As you know, the parcel is located in the northeast quadrant of the Canal Ponds Business Park ("Canal Ponds"). When we first master planned this part of Canal Ponds, we had envisioned a hotel here, so it's nice to see it come to life. The Town Board has granted a special use permit for a hotel. Our access will be off Bellwood Drive directly across from its intersection with Longleaf Boulevard. This access also will serve future development; it will under an access easement. This is a four-story, extended stay hotel. Parking will be on all four sides. The dumpster is located in the southeast corner. Utilities are on-site. For storm water management, we are proposing a bio-retention area that ultimately will discharge into the existing storm water pond on the west side of Bellwood Drive. This was planned for this entire development; its size is appropriate but it does not meet the Town's new detention regulations. To meet the outflow reduction requirements, we can do something to the outlet; we will work with the Town's engineering staff on that. We met with the Fire Marshal today to discuss a temporary, secondary, emergency access until the rest of the site is developed and a more permanent second access can be constructed.

Mr. Gauthier: Can you verify that the pond was constructed as designed?

Mr. Burri: We have located the water's edge, we have the slopes, and there is a little island.

Mr. Gauthier: Is it below the inlet level?

Mr. Burri: You can see the island.

Mr. Gauthier: Does the designed volume match what has been field verified?

Mr. Burri: A true as-built was not done. We are comfortable with that.

Mr. Gauthier: Help me be comfortable with that.

Mr. Burri: The landscaping meets the special requirements for Canal Ponds. The exterior of the building will be a HardiePlank treatment, with cultured stone. The heating and air conditioning will be in the windows so you can't see them.

Mr. Copey: The Monroe County Department of Planning and Development and the Monroe County Development Review Committee did not have many comments. The Fire Marshal has recommended a secondary emergency access; as of today, we have come to an agreement to be located to the south of the storm water management facility. The secondary access will include a depressed curb at Bellwood Drive, with a crash gate and signage, and will be able to support large response vehicles. The applicant has agreed to provide a cross access easement, not only on the hotel site but also on the property owner's

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holdings to the north where a new secondary access would be provided when that part of the site is developed; the temporary secondary access on the hotel site would not be removed until the permanent access is installed on the land to the north of the hotel site.

Mr. Sofia: Do they have to remove it?

Mr. Copey: The Fire Marshal would love more access. We would not want to lose the crash gate.

Mr. Gauthier: I have reviewed the letter in response; it appears that all the Engineering and Public Works comments have been addressed.

Mr. Fisher: I love the architecture. It has nice variation of color and facets. It seems inviting.

Mr. Knowles: It's really nice to hear that. Thank you. We have gone through a long time of total redesign to the whole package.

Motion by Mr. Selke, seconded by Ms. Helfer:

WHEREAS, WoodSpring Suites Rochester NY Northwest, LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a site plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 145 Bellwood Drive (in Canal Ponds Business Park) (the "Premises"); and

WHEREAS, having considered carefully all relevant documentary, testimonial and other evidence submitted, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the development of Canal Ponds was classified as a Type I action.
2. In accordance with SEQRA, the Town Board (the "Town Board") of the Town was designated as, and continues to be, the lead agency for the environmental review of the development of Canal Ponds.
3. The Town Board fully considered the alternatives, impacts, and mitigation measures that were identified in the Final Generic Environmental Impact Statement (the "FGEIS") that was prepared for Canal Ponds when the overall developers of the site, Pioneer Development Company, LLC, and Torrey Pines Realty Company, Inc., requested that portions of the Canal Ponds site be rezoned from an IG (General Industrial) Zoning District to BP (Professional Office), BR (Restricted Business), and BG (General Business) Zoning Districts (the "1991 Canal Ponds Rezoning").
4. On May 7, 1991, in accordance with SEQRA, the Town Board issued a Findings Statement (the "1991 SEQRA Findings Statement"), and then passed a resolution to approve the 1991 Canal Ponds Rezoning (the "1991 Canal Ponds Rezoning Approval"). In the 1991 SEQRA Findings Statement, the Town Board concluded that, in summary, the development of Canal Ponds would not have a significant adverse impact on the environment. The findings of the 1991 SEQRA Findings Statement are incorporated herein by reference as if fully set forth, as findings of the Planning Board in its decision on the Proposal.
5. The Planning Board has carefully considered environmental information that was prepared by the Applicant's representatives or the Town's staff, which included but

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was not limited to: a written description of the Proposal; conceptual site plans; aerial photographs; Part 1 of an Environmental Assessment Form (the "EAF"); and supplemental information about the Proposal (collectively, the "Environmental Analysis").

6. The Planning Board also has included in the Environmental Analysis and has carefully considered additional information that was submitted by the Applicant's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant's representatives.
7. The Planning Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Department of Planning and Development; the Monroe County Department of Transportation; the New York State Department of Transportation; the Town Board; and the Town's own staff.
8. The Planning Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Planning Board as of May 18, 2016.
9. The Proposal is consistent with the FGEIS, the 1991 SEQRA Findings Statement, and the 1991 Canal Ponds Rezoning Approval.
10. The Planning Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
11. The Planning Board has met the procedural and substantive requirements of SEQRA.
12. The Planning Board has carefully considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
13. The Planning Board carefully considered the relevant environmental impacts, facts, and conclusions disclosed in the FGEIS and in all supplemental maps, descriptions, analyses, reports, and reviews.
14. The 1991 SEQRA Findings Statement weighed and balanced relevant environmental impacts with social, economic, and other considerations.
15. The Planning Board has made a careful, independent review of the Proposal and the Planning Board's determination is rational and supported by substantial evidence, as set forth herein.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, and after examining the Planning Board's own initial concerns and all issues and comments submitted by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment and that, therefore, SEQRA and the 1991 Findings Statement require no further action relative to the Proposal by the Planning Board.

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VOTE:	Antelli	Absent	Burke	Absent
	Helfer	Yes	Slocum	Absent
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Mr. Selke then made the following motion, seconded by Ms. Helfer, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. No building permits shall be issued unless and until highway permits are issued. A note that indicates this requirement shall be added to the plan.
3. Any Town of Greece approval or permit for the Premises does not relieve the Applicant, developer, or owner of the Premises from obtaining all other town, county, state, or federal government approvals or permits that are required for the Premises. A note that indicates this requirement shall be added to the plan.
4. The August 28, 2008, Federal Emergency Management Agency flood zone and map source for the Premises shall be added to the site plan. In addition, the flood zone boundaries (if any) and boundary designations shall be added to the plan.
5. The landscaping on the Premises shall be maintained by the current owner of the Premises, and by any future owner. The owner of the Premises shall replace any dead plants with the same species or a similar species. The replacement plant shall be no smaller than the previous plant when it originally was installed. A note that indicates these requirements shall be added to the plan.
6. Prior to the issuance of a Final Certificate of Occupancy for the Premises, The Applicant shall provide certification verifying proper installation of landscape areas on the site in accordance with the landscape plan approved by the Planning Board, and in accordance with the Town's Landscape Guidelines for Development. Such certification shall be on the certification form provided in such guidelines and shall be completed by a New York State Licensed Landscape Architect or Certified Nursery Professional. A note that indicates these requirements shall be added to the plan.
7. All heating, ventilation, and air conditioning ("HVAC") equipment shall be screened from public view. If the HVAC equipment is or will be roof-mounted, the screening for such HVAC equipment shall be visually compatible with the proposed building(s), and shall be shown on the architectural elevations of the building(s). If the HVAC equipment is or will be ground-mounted, its location shall be shown on the site plan. Evidence that such HVAC equipment is or will be screened shall be submitted for review and approval by the Planning Board as part of the site plan.
8. The exterior appearance (that is, materials, colors, and architectural style) of the proposed building shall be the same on all sides of the proposed building. As offered and agreed by the Applicant, such materials and colors shall be horizontal siding and

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cultured stone (in the brown and tan color families), with dark bronze trim and asphalt roof (in the weathered wood color family). Elevations of the exterior appearance shall identify these colors and materials, shall show all sides of the proposed building, and shall be filed with the site plan.

9. Light spill shall be contained on the Premises. Outdoor light sources shall be aimed or shielded so that they are not visible when viewed from off the Premises, and so that light spill is cast only downward onto the Premises. Exempt from this requirement are low-wattage or low-voltage lights that are located near the principal entrance to a building, and low-wattage or low-voltage lights, not higher than 42 inches above grade, that define a walkway or other access to a building. A note that indicates this requirement shall be added to the plan.
10. Snow storage areas shall be identified on the plan.
11. As offered and agreed by the Applicant, until such time as a permanent secondary access can be provided to Bellwood Drive, a temporary secondary access shall be provided immediately south of the proposed storm water facility. Such temporary secondary access shall be complete with a curb depression, crash gate, and appropriate signage, and shall be capable of carrying large emergency response vehicles. Such temporary secondary access shall not be removed unless and until a permanent secondary access is approved, constructed, and operating pursuant to Town procedures and standards. Once the permanent access is installed, the Applicant may, if they choose to, retain the temporary gated access for emergency purposes only. Final details and specifications shall be subject to approval by the Fire Marshal.
12. As offered and agreed by the Applicant, a cross access easement shall be provided over the subject property and the Applicant's contiguous properties to the north, which are bounded by Bellwood Drive and New York State Route 390. Such easement shall provide for a permanent secondary access for the Hotel approved herein, to be constructed as part of future development on the Applicant's contiguous properties to the north. Such easement shall acknowledge and reference the requirements in Condition #11 of this approval, and shall include a provision which prevents modification or termination of the easement without prior approval from the Town of Greece Planning Board. Such easement shall be filed in the Office of the Monroe County Clerk, prior to the issuance of building permits.
13. No building permits shall be issued unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
14. The locations of the designated fire lanes shall be shown on the Site Plan.
15. The locations of all exterior doors shall be shown on the plan. All exterior doors shall be connected by a sidewalk to an acceptable fire safety zone.
16. Water mains and hydrants shall be installed and be in proper operating conditions prior to the commencement of any aboveground construction.
17. Suitable access roads and temporary street signs shall be installed and maintained so as to provide continuous access to fire department and other emergency vehicles prior to the commencement of any aboveground construction.
18. Permanently mounted "No Parking - Fire Lane" signs shall be posted along the fire lanes at intervals of 50 feet or less. A note that indicates this requirement shall be added to the plan.

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19. No building permits shall be issued unless and until the Applicant executes an agreement for maintenance of the proposed storm water management pond. Such agreement shall be subject to approval by the Planning Board's Attorney and the Commissioner of Public Works.
20. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
21. No building permits shall be issued unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk.
22. No pre-construction meeting shall be scheduled unless and until a Notice of Intent (NOI) has been filed with the New York State Department of Environmental Conservation (the "NYSDEC").

Throughout the life of the storm water permit (from the filing of the Notice of Intent to the Notice of Termination), the developer shall comply fully with all aspects of the NYSDEC General Permit No. GP-0-15-002, particularly Part IV, which describes:

- periodic inspections of the construction site by a qualified professional; and
- maintenance of a site log; and
- stabilization requirements; and
- maintenance of sediment traps and ponds during construction.

The periodic inspection reports shall be provided to the Town's engineering staff within 24 hours of inspections.

23. Upon completion of construction of the storm water management pond, the Applicant shall provide certification that such pond was constructed as designed and approved. Such certification shall be provided in the form of an as-built topographic survey with pertinent utility structures shown, prepared by a New York State Licensed Land Surveyor. No final approval signatures shall be placed on the site plan unless and until the Applicant has submitted to the Town a financial guarantee (such as a letter of credit, certified check, or other acceptable instrument), in an amount approved by the Town's Commissioner of Public Works and the Town Attorney, that is sufficient to properly construct the proposed pond, and to provide the aforementioned certification. No release of such financial guarantee shall be made unless and until the improvements and certification are completed to the satisfaction of the Town's Commissioner of Public Works and the Town Attorney.
24. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
25. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
26. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, successors, and assigns.
27. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

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VOTE:	Antelli	Absent	Burke	Absent
	Helper	Yes	Slocum	Absent
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED

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SPECIAL PLANNING TOPICS

Old Business

None

New Business

1. Applicant: Apple Latta, LLC
Location: 2453-2455 Latta Road
Mon. Co. Tax No.: 045.19-2-3.11/045.19-2-3.21
Request: Review of Phase 1 site work and soil management pursuant to condition #43 of the August 19, 2015 site plan approval for Orchard View senior housing community
Zoning District: RMS (Multiple-Family Residential – Senior Citizen) and R1-44 (Single-Family Residential)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Michael Montalto, Costich Engineers, presented the application.

Mr. Gauthier: As a condition of the Planning Board's site plan approval, sometime after completion of soil relocation in Phase 1 and before Phase 2 could begin, the Board would review the work that was performed and determine whether there was anything that should be done differently in Phase 2 of the soil relocation.

Mr. Montalto: Our review of the process has been that from the soil transfer standpoint associated with the arsenic that it went smoothly for Phase 1 and there is nothing we would really do differently in Phase 2. We had dialog with your office regarding general housekeeping, the Storm Water Pollution Prevention Plan ("SWPPP") reports as they relate to mass earth work; we have agreed to make a couple of changes. When the monitor shows up on-site, they meet with the DDS Constructors to discuss what parts of the site has been active. Because of the size of the site, we need to review what's actually being done. Instead of recommendations about what should be done in an area that has not been active for, say, 14 days, we now will require it to be stabilized. There will be an inventory or active map that will be marked up, there will be dates kept regarding which areas have been worked on or not, and which areas must be stabilized. There were a number of housekeeping issues regarding the way the site was kept. I believe that they have made good on any deficiencies from a SWPPP standpoint. The implications for Phase 2 are that it will increase the exposure of disturbed area, and it will be more important to work hand-in-hand with contractors, Town staff, and inspectors to identify any corrective measures that should be made.

Mr. Gauthier: Sounds like we're there.

Mr. Fisher: It was my impression that were going to do Phase 1, then you were going to start building some units, then sometime after construction began, if things when well and you started filling the units, you were going to start the Phase 2 so that it would not be left open for an extended period of time. Has that changed?

Mr. Montalto: The financing for the entire project is 100% in place. Mr. Ingrassia and Mr. Morgan were able to secure all the financing, so there is no delay in build-out. They have a

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contract with DDS Constructors for earthwork, to move that forward to completion, so roadway, utilities and everything else is installed, similar to a residential subdivision; then they start constructing buildings, and all the infrastructure is there.

Mr. Sofia: I recall that as a possibility too; it would be less expensive to continue than stop and start.

Mr. Gauthier: We have had quite an exchange of e-mails during this period. It is my understanding that the Monroe County Department of Public Health ("MCDPH") recommended getting the earthwork over with, so that there is not mass earthwork occurring during the summertime when people are more likely to be outdoors and at greater risk of exposure. From an economic standpoint, if we demobilized the heavy equipment (and there is a quite an inventory of large equipment), demobilizing and then remobilizing that equipment is more expensive than just continuing. In addition, the air quality monitoring by LaBella Associates shows that there have not been any exceedances of the allowable limits. I think that those three things encouraged everybody involved to want to keep going. The big challenge ahead of them is the storm water permit, with which we have had some success; we will continue to monitor the inspections.

Mr. Montalto: We are taking the arsenic soil that is being removed, and are putting it into the berm, and that soil is being encapsulated. The intent was to see how well that process went, see whether there were issues associated with the way it was being done, and if so, make changes before we went into Phase 2. I think that, based on the reporting, we didn't feel that there was anything that needed to be changed.

Mr. Copey: There were two different issues going on: there's the soil relocation; and the State Pollutant Discharge Elimination System ("SPDES") compliance. They happen to benefit each other because compliance with SPDES will help keep the dust down. They have done an amazing job. Every week we get a monitoring report from LaBella Associates and I have an e-mail list of neighbors that have requested the information, and I send the reports to them immediately. LaBella Associates has responded to questions that some neighbors had asked, and the reports have been good. I'm pleased that they have been able to handle this as well as they have.

Mr. Fisher: Kudos to LaBella Associates; they have done the things that we asked for. I think that the first part has gone really well from that standpoint. I think that the weather has helped us. We have had just enough rain, but we are approaching the time when we aren't going to have that, so we really have to pay attention. When you get winds that blow or gust at 25 to 30 miles per hour, the dust will kick up. The reason that I asked the question is that I believe that the neighbors will have a perception that there was going to be some period before Phase 2 of the site clearing and soil movement began. I think that we need to have an explanation prepared for the neighbors as to why this has happened this way—it's the MCDPH, we want to get the earthwork done before the hot winds of summer come—something that everyone agrees to when neighbors see the bulldozers coming in. We need to be able to give to the neighbors assurances that we have done what was supposed to be done up to this point, and have determined that the work can continue. Staff should prepare a memo that captures these points. How long do you think it will take for Phase 2 to be completed to the point of where we currently are with Phase 1?

Mr. Montalto: If they continue at the same pace as in Phase 1, then by the end of July or early August.

Mr. Fisher: LaBella Associates was going to review the information and send to us some recommendations.

Mr. Gauthier: They reviewed the operation and they sent us reports. They concluded that everything went like clockwork.

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Mr. Copey: We asked them whether anything should be changed, and they said no.

Mr. Fisher: From my perspective, they have a lot of credibility and they are on the site.

Mr. Montalto: From our standpoint there is a lot logic for the site contractor to continue, and it makes good sense to us to keep them on-site, rather than come back in a year, when you might have a different foreman, a different crew. Forget the financial benefits to continuing now, it's going smoothly, they are ahead of schedule, there were no problems found. The sooner that is done, the better.

Mr. Fisher: Those are elements that should be pointed out—the contractor already is on-site, they ahead of schedule, they know how to do the work. We have good reasons why we are going to proceed immediately, when in the past we might have thought that there would be a delay.

Motion by Mr. Selke, seconded by Mr. Sofia, to allow Phase 2 of the site clearing and soil relocation for the Orchard View Apartments to proceed with no modifications to procedures, for the following reasons:

1. Reports from the monitoring of air quality have shown no exceedances of allowable limits in Phase 1.
2. The current contractor on-site is familiar with the procedures needed to minimize dust, and was successful at minimizing dust during Phase 1 of the earthwork.
3. The Monroe County Department of Public Health has recommended that the soil relocation be concluded as soon as possible, ahead of the drier weather of summer, in order to minimize neighbors' exposure to dust.
4. In the Planning Board's opinion, it is in the best interest of the neighbors that the soil relocation be completed as soon as possible.

VOTE:	Antelli	Absent	Burke	Absent
	Helfer	Yes	Slocum	Absent
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
PHASE 2 PERMITTED TO PROCEED
WITHOUT MODIFICATIONS IN PROCEDURES**

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2. Applicant: Acquest South Park, LLC
Location: 1600 Lexington Avenue
Mon. Co. Tax No.: 089.40-001-2.108
Request: Waiver of site plan approval requirements, pursuant to Section 211-60 C (2) (b) Town of Greece code
Zoning District: IG (General Industrial)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Scott Copey, Town of Greece, presented the application:

Mr. Copey: In 2011 or 2012, this Board approved a flexible plan for occupying this building. The approval said, in general, what changes the Town expected to see on the site over time. The applicant has followed that approval all along, and we have records of those changes. The applicant has been operating under the mistaken impression that the scope of the approval was broader than it actually was, and they now want to add a parking lot that is outside the area that the Board approved. The applicant has a tenant that needs this area and the request is that we expedite this process. The Planning Board can waive the requirements of the site plan review and permit the project to proceed under administrative review.

Mr. Fisher: Whatever would be the simplest way to proceed with an adequate review would be acceptable.

Mr. Gauthier: The storm water facility will be reviewed as part of the waiver.

Motion by Mr. Selke, seconded by Ms. Helfer:

VOTE:	Antelli	Absent	Burke	Absent
	Helfer	Yes	Slocum	Absent
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
WAIVER GRANTED**

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ADJOURNMENT: 9:11 p.m.

APPROVAL OF PLANNING BOARD MEETING MINUTES

The Planning Board of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Date: _____

Alvin I. Fisher, Jr., Chairman