



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD**

### **MINUTES**

**JUNE 8, 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

Jamie L. Slocum

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

#### **Additions, Deletions and Continuances to the Agenda**

#### **Announcements**

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**PUBLIC HEARINGS**

**Old Business**

None

**New Business**

1. Applicant: Morgan Ridgecrest, LLC  
Location: 1946 West Ridge Road  
Mon. Co. Tax No.: 074.15-11-27, 074.16-2-22  
Request: Approval of a minor subdivision of two lots to create four lots on approximately 9.21 acres  
Zoning District: BR (Restricted Business)

**For a synopsis of the discussion relative to this request, see the minutes of this meeting relative to the request for site plan approval for this property.**

**Motion by Ms. Slocum, seconded by Ms. Helfer, to continue the application to the June 22, 2016, meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Absent</b>	<b>Burke</b>	<b>Absent</b>
	<b>Helfer</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
APPLICATION CONTINUED  
TO JUNE 22, 2016, MEETING**

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**SITE PLANS**

**Old 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; and Angelo Ingrassia, Owner, Morgan Ridgecrest, LLC, presented the application.

Mr. Montalto: To clarify the division of the four lots, it will be the Ashley Furniture property and the Ridgecrest property. We are carving out parcels to facilitate the development of the Qdoba Mexican Eats restaurant building and the reconstruction of the north end of Ridgecrest Plaza; the properties still will be under common ownership. This is being done primarily for financing purposes. There were comments received and a letter from the Town's engineering staff to make sure that the new restaurant will be able to be serviced by public sanitary sewer. The creation of separate lots means that the property has to be served by public sanitary sewer. We are in agreement to having the existing private sanitary sewer inspected and to determine what is necessary to bring it up to Town standards for dedication and be in compliance with New York State health laws relative to the sewer capacity. The entire plaza will work under a reciprocal access easement for parking, utilities, etc. In discussion with Town staff, the property line that is recorded in the deed appears to be different than what is recorded on the tax map. We have looked back through the abstract of title and the line has been like that long before this owner has owned this property. When the map is recorded we have to make sure that the current configuration will be reflected.

Mr. Copey: When the Board gets to a resolution on the subdivision, it must be mentioned that it will be three lots instead of four. We received comments from the Monroe County Department of Planning and Development and the Monroe County Development Review Committee, but nothing major; no comments from our building department. The Fire Marshal noted that the subdivision should comply with New York State Building Code in terms of building separation and fire walls.

Mr. Gauthier: No comments.

Mr. Selke: We want to make sure that the plaza is in compliance with any code compliance issues.

Mr. Montalto: When we were here before with the concept plan review, from an overall standpoint of the site in terms of improvements, I believe that the general consensus of the Board was that it supported the project. We hit a roadblock, so to speak, with the architectural elevations and how the new building would fit with the desires of the Planning Board relative to trying to make its appearance fit in with the plaza. After the last meeting we went back to Qdoba and told them that the proposed look of the building was not well received by the

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Planning Board. They have come back and put Mr. Ingrassia on notice that this is a deal breaker. The color scheme that they have proposed is the direction in which they are going as a company, and if that can't be accomplished they are not moving forward with the project. Mr. Ingrassia went back to Qdoba anyway, and they have agreed to change the split-face block to an exterior insulation and finishing system ("EIFS") to match what is in the plaza. We have stepped back and went to the architect and asked what could be done with plaza. We did not want to change the entire plaza but to match the two was not a desired objective. They have tried to minimize the contrast between the two structures. Qdoba will be independent from the plaza and would have its own independent identity. There has been some lightening of the new colors of the plaza. We're not sure whether you like it, but it might be less contrast between the plaza and Qdoba.

Mr. Fisher: It seems like the tail is wagging the dog.

Mr. Montalto: In this case we have been told by Qdoba that without the color scheme the project is not moving forward.

Mr. Fisher: Even though they have other, existing stores in the Rochester area that would match the plaza?

Mr. Montalto: I think that's what might be part of why they are taking that position. Mr. Ingrassia has been working with Qdoba for almost a year, and wanted to have them be an in-line tenant. In the meantime, there's a location in Penfield, two in Brighton and one in Henrietta, so they could be saying that, as far as they are concerned, they have no deal with him if the building is not approved.

Mr. Selke: Are the other sites the same scenario, conditions, colors, or are they all different?

Mr. Montalto: Their new prototype is that shell and what I've seen is, depending on location, instead of the blue glaze it has been a green glaze.

Mr. Fisher: They have used the earth tone brick in at least two other locations.

Mr. Montalto: The one in Penfield was an adaptive reuse of an existing building.

Mr. Ingrassia: At City Gate, that was limited to one type of concept, so they had no voice in that project. From your earlier comment, you are somewhat correct: it is a tired shopping center. In trying to modernize and renovate it and make it look like it should; we needed help to get that accomplished. I was able to get Qdoba to come in and that gave us the financial means to redevelop this plaza in totality. Right now it's stark, there's no grass, and with the introduction of grass and new patio areas, it's a tremendous upgrade. By getting this tenant, you are accurate, that is kind of how that worked. We pushed them as hard as we could. As it relates to the overall center, I'm okay with the colors as long as it looks good. Qdoba is pretty adamant about what they are looking for. They want to look like their own facility and if you look at the project overall, it's not unlike the fact that if this project wasn't connected, it would be a completely separate parcel and what would be the difference?

Mr. Sofia: I like it, I think that bringing out some colors from the plaza was a suggestion to get some synergy. We have to take into consideration the investment and the attention that he is giving to this plaza. He's done a nice job; it's a heck of an intersection.

Mr. Ingrassia: We also will be taking care of cleaning up the old Citgo gas station.

Mr. Selke: You have done a great job of explaining this from a business point of view. We don't know what paintings will be going on the walls. From what I understand, it will be some freelance art. Is that true or do you have designed paintings?

Mr. Ingrassia: It's kind of what you see on a Starbucks.

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Mr. Montalto: It's different for each location. It is Southwest art. They focus on boxing, so there are some sports panels that they've done. We can provide what will be proposed.

Mr. Selke: That is a good compromise, but the other thing is that if the tenant doesn't stay, the Town has a building sitting there that's very unusual, and who will pick it up? We have to consider that. It would be nice to see before it's put up.

Mr. Sofia: As long as we can see that's its nothing more extreme than what we are looking at, our staff can do that.

Mr. Ingrassia: I have no problem with that.

Ms. Helfer: I agree with Mr. Sofia.

Mr. Fisher: Think you have done a great job with the plaza. I hate to see you try and change that to accommodate the look of this building. An objection that I have is with the split-face block; it makes it look like a cheap industrial building. Switching to the EIFS eliminates that issue. You have done such a nice job with the original design, and I would hate to see it change because of this. I'd rather consider this building separately and do the best we can with this building and make it the kind of building you'd like to see.

Mr. Selke: Do you have a blue and gray color sample that we can see?

Mr. Montalto: We can get you samples.

Mr. Fisher: The most subdued blue you showed us earlier seems to fit with the overall scheme.

Mr. Ingrassia: Either one is fine with me.

Mr. Sofia: I would be fine with leaving the existing plaza as is; it would seem to match better.

Mr. Selke: Are you going to put a sign on the blue part, or higher?

Mr. Montalto: We obtained variances for the signs shown.

Mr. Selke: Are they lighted?

Mr. Montalto: Two are box letters; the others are on the wall.

Mr. Selke: What is the landscaping around the building that would enhance the building?

Mr. Montalto: We show it on the plan; it's quite extensive. There are planted islands, and there are street trees and shrubbery along the perimeter.

Mr. Fisher: Specifically for this building?

Mr. Ingrassia: We are surrounding the building. We can put some more along Fetzner Road.

Mr. Selke: I think that that would be a big help.

Mr. Sofia: There's a lot of low plantings.

Mr. Ingrassia: I spent a lot of time with the introduction of colors in the landscaping, the patios and limiting some of the parking.

Mr. Fisher: I'm more concerned with just the building. On the east side, is it possible to provide planters?

Mr. Montalto: There is not enough room. We would have to change the configuration.

Mr. Fisher: Along the parking area, if you could move it three feet.

Mr. Montalto: We can take the ground plantings from the west to the east. We can work on that.

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Mr. Gauthier: We requested a clean-up and you said something would be worked out.

Mr. Montalto: I prefer to do something to that storm water management system rather than the storm receptor; it's easily maintained and more visible. We are working on that.

Mr. Gauthier: Okay. I will look out for it.

Mr. Montalto: We have received comments from Monroe County; one was a request for a traffic impact study. We have been working with the Monroe County Department of Transportation ("MCDOT") regarding a trip generation difference between the plaza today and what is proposed, and the MCDOT thought that that would be sufficient to address their concerns. We have prepared it but have not submitted it yet.

Mr. Copey: The only other thing I'll point out is the screening for the rooftop units. They will be visible on all four sides.

Mr. Selke: Were there any variances for parking?

Mr. Montalto: None are needed.

Mr. Fisher: You have provided a good pedestrian connection, but I would like to see that access from West Ridge Road and Fetzner Road.

Mr. Sofia: You don't want to encourage them running across the road.

Mr. Helfer: I would want them to go to West Ridge Road.

Mr. Fisher: Where is the safest place to cross? It's almost by line of sight, maybe closer to West Ridge Road.

Mr. Montalto: We could stripe a crosswalk and have pedestrians head to the sidewalk.

Ms. Helfer: There are so many entrances. I feel that it is dangerous and should be kept at the corner.

Mr. Fisher: If you could, would you show to us pictures of the type of paintings before they are in place?

Mr. Copey: Are there pictures of this building?

Mr. Montalto: Yes. I can bring to you photos and samples. I will speak to Qdoba about what is proposed for the art work.

Mr. Fisher: They might have variations of the blue.

Mr. Copey: We should have something on the screening for the rooftop units. You have pictures of the blue and gray building?

Mr. Montalto: I'm not sure that they have any of the blue and gray building.

Mr. Copey: So, this might be the first?

Mr. Montalto: Doubtful. I will check.

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**Motion by Ms. Slocum, seconded by Ms. Helfer, to continue the application to the June 22, 2016, meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Absent</b>	<b>Burke</b>	<b>Absent</b>
	<b>Helfer</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
APPLICATION CONTINUE  
TO JUNE 22, 2016, MEETING**

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**New Business**

1. Applicant: Bell Atlantic Mobile of Rochester, L.P. (d.b.a. Verizon Wireless)  
Location: 2419 Latta Road  
Mon. Co. Tax No.: 045.20-1-1.11  
Request: Site plan approval for a proposed cellular service telecommunications facility, consisting of a freestanding antenna tower (128 feet-high, including lightning rod) and related antenna(s), accessory antenna structures, and access driveway, on approximately 0.23 acres  
Zoning District: R1-44 (Single-Family Residential)

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

Thomas C. Greiner Jr., Esq., Nixon Peabody LLP; and Mike Ritchie, Costich Engineering, presented the application.

Mr. Greiner: Over the decades, things have changed regarding cell towers. We used to propose antenna towers that were taller when the networks were new and we dealt with only one frequency and only with voice. The towers were miles apart back then. One of the first in Greece is on Island Cottage Road, and that was 280 feet tall; that site covered many miles. Over the years, Verizon started populating the area with more cells, first for coverage and then those cells were split over and over again due to the usage change from voice to almost an explosion of data use. Data is the primary impetus for cell splitting and having more cells. These sites are now a mile to a mile-and-a-half apart, and we have to have the sites come down in height. The application materials explain the need for the site. It's divided into two reasons: one is coverage; the other is capacity. The existing sites around here are being strained. Verizon is trying to cover this area, and in covering this area they create interference, noise, and they strain their own ability to actually deal with capacity issues in the footprints immediately surrounding those sites. At the same time, you have these sites trying to throw signals in this area and then you find them exhausting their capacity in their smaller areas. Verizon's engineers have been trying to solve this problem. It's because of the modern profile of the system. The goal of the Paddy Hill Creek site is to create a dominant server for this area of the town, as well as solving the coverage issue and the capacity issue so that public safety and private homes can have reliable service. The site is in the search ring, which is centered on the area that we are in. There are a couple of large parcels and the rest is residential. We questioned where to put this facility. The Fernwood Farms site was the right site to solve the issues for Verizon. There were wetlands to be avoided, trees that had to be protected, and also a road had to be put in, but we did not want to clear-cut the trees. We have a 124-foot-tall monopole that will house the 15 antennas; a 4-foot-tall lighting rod is on top. There is an equipment platform with outdoor cabinets, which is the trend in the industry. This limits the disturbance on-site. There is a diesel generator with a tank underneath, electric, and telephone, with no other utilities. This site will be unmanned. It will require a visit a couple of times a month. After the facility is constructed, there is very little activity at the site. No noise, traffic, or lights. The company has the drill down well to get the site up and running with minimal disruption. Because this antenna tower is 124 feet tall, it does not have to be lighted, and it will not be lighted.

Mr. Copey: The Monroe County Department of Planning and Development and the Monroe County Development Review Committee reviewed the project and noted the federal Wetlands and a waterway. We have minimal comments from staff. This project also is before the Board

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of Zoning Appeals. We will have an item that is relative to this is to consent to the Board of Zoning Appeals becoming the lead agency for the coordinated environmental review of this project. To understand the project from a site plan perspective, the access driveway curves to the west. The site is on higher ground; to the east there is wetland. The remaining land is zoned residential. Our question is about positioning the site to the west versus to the east. Based on the wetland boundary that is shown on the plan, there would appear to be enough room for the site, such that it would not interfere with the orderly pattern of development in the future. We were wondering whether the site could be relocated that way.

Mr. Gauthier: The creek looks like it might not be reflective of recent work. It may be closer and may be worth exploring an optimal site.

Mr. Greiner: There was a wetland delineation report done. If I'm not mistaken, from the center of the tower we are plus or minus 300 feet from the creek and less than that from the delineated wetland. I think that the extension of Red Apple Lane could be between our site and the areas of concern.

Mr. Ritchie: Regarding locating the tower to the west instead of the east, the wetlands do encroach on that area and are closer to the residential property. When we placed it where we did, we did take into consideration the possible northward extension of the stub road of Red Apple Lane. You would not be close to the tower but it would allow development to the north. The location of the creek was not shot by field survey because of the relative distance from it. It was obtained from aerial imagery, which is generally accurate to within five feet.

Mr. Greiner: There was a question regarding the barbed wire. It's typical to propose it, but what is acceptable to the Town?

Mary Kay Fulkerson, 438 Red Apple Lane: My biggest concern is the amount of trees that will be taken out. With that amount of clearing, could the site be closer to Latta Road? Last night at the Board of Zoning Appeals meeting, I asked how trees would be removed and it was said about 30; it looks like more than that to me. I don't see where that number included the removal for the road. I also asking that maybe it could be moved toward Latta Road. The pictures show the tower with the trees still there, if you could show what it would look like with the trees removed?

Mr. Fisher: Could the facility be moved to the north?

Mr. Greiner: Part of the location is driven by what the property owner will lease to us, but that does not mean that's the end of the story; we can go back to the property owner and discuss this. Our radio frequency engineer wanted the antenna tower as far south as possible in the cell because we need to separate its signal from the Island Cottage Road site. The farther north we went, the worse it was for that. We can look to see what we can do based on topography, based on the frequency engineer and the landlord.

Mr. Fisher: One of the concerns is what the buffer is. In this case, even a slight movement would give you some additional buffer. Moving it to the north could make a significant difference.

Mr. Selke: Is it consistently dense there or is there an open space that it would fit better?

Mr. Greiner: You will notice in the plans, we have a tree protection and removal plan but not a landscaping plan. That's not to say we wouldn't propose one but we'll talk about that further.

Mr. Fisher: There are trees on the site with orange markers on them. Are they intended to be taken down?

Mr. Ritchie: I can't speak to that. It may have been from Verizon to get an estimate on how many trees to be removed. There were a number of large trees that we wanted to keep and

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maintain. The number of trees to be removed is 28; lower brush would not be considered trees. We can prepare photo simulations as well for the next meeting. There will continue to be a buffer.

William McNelis, 20 Applewood Drive: I know this will be approved at some point, but I would like you to consider some thoughts. The distance is about 124 feet from my property, so could it be moved somewhat to the north? The height of the antenna tower is equal to about a 10-story building. I drove around town and the tallest building that I found was the Marriott hotel, which is seven stories. I'd prefer that it be a concealed tower or stealth tower that is covered or disguised. The orange markers are from a surveyor that was out there last year. About five or six years ago, the landowner clear cut from the west property line to the east and took down some very large trees. I'm not sure whether it's the 165 feet; maybe it's more because there are some clearings.

Mr. Selke: Is the proposed access road paved? What kind of fence would enclose the facility? Are there any motors generating noises?

Mr. Greiner: The road will be gravel. The fence will be chain-link. There is a standby generator. Regarding opportunities for a stealth tower, it would not work here. If there was tall building in the area, the antenna would be on it, instead of on a tower.

Mr. Fisher: You have a lot vegetation in that area, so if we could take advantage of that and move the facility away from residents a bit, that would help.

**Motion by Mr. Selke, seconded by Ms. Slocum, to continue the application to the June 22, 2016, meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Absent</b>	<b>Burke</b>	<b>Absent</b>
	<b>Helfer</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
APPLICATION CONTINUED  
TO JUNE 22, 2016, MEETING**

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**SPECIAL PLANNING TOPICS**

**Old Business**

None

**New Business**

1. Response to the Board of Zoning Appeals notice of intent to become the lead agency for the coordinated environmental review of the request submitted by Bell Atlantic Mobile of Rochester, L.P. (d.b.a. Verizon Wireless) for a special use permit for a proposed cellular service telecommunications facility, consisting of a freestanding antenna tower (128 feet-high, including lightning rod) and related antenna(s), accessory antenna structures, and access driveway; an area variance for the use of barbed wire on a fence (196± linear feet); and Planning Board site plan approval for same, on property located at 2419 Latta Road.

**Motion by Mr. Selke, seconded by Ms. Helfer, to consent to the Board of Zoning Appeals being the lead agency for the coordinated environmental review of the request submitted by Bell Atlantic Mobile of Rochester, L.P. (d.b.a. Verizon Wireless) on property located at 2419 Latta Road.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Absent</b>	<b>Burke</b>	<b>Absent</b>
	<b>Helfer</b>	<b>Yes</b>	<b>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
RESPONSE APPROVED**

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**ADJOURNMENT:** 8:45 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