



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD

MINUTES

JULY 6, 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

Christine R. Burke

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

Additions, Deletions and Continuances to the Agenda

Announcements

PLANNING BOARD MINUTES
July 6, 2016

PUBLIC HEARINGS

Old 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 Mr. Selke, seconded by Ms. Helfer:

WHEREAS, Morgan Ridgecrest, LLC, Monroe County, N.Y. (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a minor subdivision, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 1946 West Ridge 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.

PLANNING BOARD MINUTES
July 6, 2016

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.
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, the project as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were identified in the environmental review process.

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	Yes	Burke	Yes
	Helfer	Yes	Slocum	Yes
	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

PLANNING BOARD MINUTES
July 6, 2016

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. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
3. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
4. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
5. 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	Yes
	Helfer	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED WITH CONDITIONS

PLANNING BOARD MINUTES
July 6, 2016

New Business

None

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, presented the application.

Mr. Montalto: We were here two meetings ago. From the subdivision standpoint, nothing has changed relative to the map that is dividing the land for financial purposes: One correction: it is for three lots. The lot at 1960 West Ridge Road, which has Ashley Furniture on it, is not included in the subdivision; the subdivision would be just the Ridgecrest Plaza portion. I will start with the actual changes that we have made to the site plan with regard to comments that we received. To summarize, the main points were to add some landscaping to the east side of the building to buffer that side, and the potential for pedestrian access from a public sidewalk. We were able to move the parking field five feet and we picked up five feet of green space and added landscaping near the outparcel of Qdoba and added the corresponding five-foot island to the rest of the parking lot to keep it aligned. We are going to make a connection at Fetzner Road and West Ridge Road at the two access points and potential a third one where it would be a shortcut through from the signalized intersection, but we don't want to change the pedestrian movement along West Ridge Road or Fetzner Road. Relative to the building architecture, we went back and negotiated changes with Qdoba. Changes include the removal of split-faced block. The main building color will be taupe, and it will blend with the plaza. They are going to keep block at the lower part of the building for maintenance reasons. The art panels shown are the art that they are proposing for this site. I have a sample of the material and color to pass around; the change from the gray to taupe will blend in better with the rest of the plaza. We will not be changing any of the plaza building colors. We have been in contact with the Monroe County Department of Transportation ("MCDOT"), and we have done some trip generation projections; the MCDOT has received them. Moving forward with the project will be contingent on the final say from the MCDOT. The proposed bagel shop will have the largest shift. There is not a lot of traffic in the morning with the rest of the plaza, so the AM peak hour will have an increase with 115 trips; in the PM peak hour, it will be 101 trips. It's interesting to note that any shift in the AM peak hour increase does not end up higher than what the corresponding roadway volumes are between AM and PM. There is potential for more traffic in the morning for the plaza, but West Ridge Road has lower traffic volumes in

PLANNING BOARD MINUTES
July 6, 2016

the morning. We have met with the Town's engineering staff to discuss the potential to make some improvements from a storm water standpoint for the overall plaza. We will have ongoing discussions relative to upgrades or anything that needs to happen for the dedication of the sanitary sewer to the Town.

Mr. Copey: Is the drawing of the dumpster enclosure to scale? We sorted out the architectural concerns at the last meeting. I'll note that they did extend the screening around the back of the building; the parapet does not extend around but the screening does. We have received both copies of their submittals to the MCDOT, and we had some interaction with them. The MCDOT noted that they needed additional time to review but gave every indication that there are not any major concerns. They did not object to us moving forward with a condition that they would have to comply with any requirement that they had, which is Condition 13 in the proposed resolution. Showing the sidewalks on the drawing will have to be added to the Board's conditions of approval.

Mr. Montalto: They will be shown.

Mr. Gauthier: The details of the sanitary sewer improvements for the dedicated portion of the sanitary sewer and for the storm water management facility are not shown yet on plan but the applicant's engineer has agreed to develop them; it should not affect the site plan.

Arthur Daughton, 52 Goethals Drive: For the people who are impacted with portion of the project, relation to this part of the project, and how it's going to fit, right now you are shoving it down our throats without looking at this, how does the water when it runs down the street, and for the guy who lives next door. The landscaping is a joke, there is nothing in the back, and the building is going to be twice as large, is that correct?

Mr. Copey: What building are you referring to?

Mr. Fisher: The building that is proposed is actually smaller than the current.

Mr. Daughton: I think there is a lot of linkage between the two projects. I'm talking about the homes behind the plaza.

Mr. Fisher: The developer is going to make improvements to the existing plaza and improve the parking; the Qudoba restaurant will be a standalone building. We are just discussing the existing Ridgcrest Plaza.

Mr. Daughton: You don't think the runoff from Newton Road should be diverted to this project?

Mr. Gauthier: The drainage on Newton Road is a problem that we are aware of. It is largely independent of this project. The developer is going to make improvements to how they are managing storm water at the plaza and how the storm water comes off this site. The plan is not directing any additional runoff toward the residents on Newton Road. The project is likely to catch some of the drainage that currently goes toward Newton Road—a small amount of it—but it likely will be making a positive improvement. In each development that occurs, we make sure that the project makes an improvement. Newton Road at its high end does not have an adequate drainage system, and the Town is aware of that. The solution to the problem is downstream from there because the Newton Street drainage system already has been upgraded a couple of times, but it still is not adequate. Therefore, we ask the developer to make an improvement so that we can bring some drainage from Newton Road into that storm water management system. The residents are not charged for fixing the problem.

Mr. Daughton: So landscaping behind the building, in here for the neighbors, they don't know, there will not be any buffering on the side of their house. I'm looking for a

PLANNING BOARD MINUTES
July 6, 2016

reasonable setback. It's great that the investment is being made, but the neighbors will be majorly impacted so to please consider them. Thank you.

Todd McCanles, 60 Newton Road: We like the upgrade to the plaza but our biggest concern is that, right out our back window is a dumpster that serves all in the plaza. It's not quiet, and the lights shine right through the back windows of my home. There are quite a few people that use that dumpster who should not be using it. There is noise and we are concerned about the access from the plaza to Newton Road. First, the new development at the corner of Newton Road and West Ridge Road was going to be on the first couple of homes down Newton Road; now it's right next my property.

Beatrice Thomas, 60 Newton Road: Our house is set back from Newton Road, so we are about four-and-a-half feet from the plaza's fence. We have had to brace the fence from falling on our house because the snow plows have knocked it over. We get more of the noise because we are so close to the lot; when you are trying to sleep at night it's not that easy. The fence is about eight feet high. As my husband said, the lighting is so bright. You can put up only so many darkening shades. We will be back when the other project is before you.

Mr. Selke: What are your concerns?

Ms. Thomas: The noise, the lights. I don't know what remedies there are for this.

Mr. McCanles: We asked the plaza owner to change the time of the sweeper and it has been later, so that is a little better. The other thing is that there now will be asphalt on two sides of our property.

Mr. Selke: Will the art panels be permanent?

Mr. Montalto: Permanent. They don't change; they don't advertise.

Mr. Selke: Will the shiny tiles reflect a lot of light? What about the heating, ventilation and air conditioning ("HVAC") units?

Mr. Montalto: The tiles are an accent piece. I don't think that it will be any different than if you walked into your bathroom and with lights shining on the glazed tiles. The HVAC units will be within the screened area on the roof.

Mr. Selke: You have done a good job on Qdoba, but in the back of the plaza there are dumpsters that have to be enclosed. What is the plan for them? What about the barrels back there?

Mr. Montalto: Mr. Ingrassia, the plaza owner, has been working with tenants to remove them. The existing barrels will be removed. The condition should be that any waste should be put in the enclosed dumpster area. With the recent rezoning of properties on Newton Road, there will be a clean-up of that back area of the plaza when those properties are redeveloped. The way that it's used now is not efficient. With new leases the tenants will have properly sized waste receptacles for their spaces. As part of this project there will be a dumpster for Qdoba. There is no plan for a makeover of the dumpster areas with this project because that makeover is coming in with the five properties on Newton Road, and an overall dumpster plan that will address the overall needs of the plaza.

Mr. Fisher: Could they be emptied more often right now?

Mr. Montalto: I can say with confidence that Mr. Ingrassia will resolve that with the tenant.

Mr. Copey: I would like a timeframe for when you anticipate this being taken care of. Right now, it's a code compliance issue and we prefer to avoid that if possible. So, we should try to correct this problem in the context of this project. The Board could add a condition of

PLANNING BOARD MINUTES
July 6, 2016

approval that requires all maintenance-related conditions to be sorted out in conjunction with issuance of the building permit for Qdoba.

Mr. Sofia: It should be done before the signing of the final site plan drawings. Even if the immediate solution is to empty the dumpster more often until the other project gets going, you have to speed up addressing it now.

Mr. Montalto: Mr. Sofia's recommendation matches with what works for us from the standpoint of what works now. It's practical to work within the confines of the space that are there. Let us work with that tenants, and if that does not work, then we'll come up with another plan that is appropriate.

Mr. Copey: Prior to final approval signatures on the site plan?

Mr. Sofia: Yes.

Mr. Selke: What do you plan on doing with the existing fencing right now?

Mr. Montalto: As part of this project there is no improvement proposed. The fence is not in good shape. I will have the conversation with Mr. Ingrassia about repairing or reinstalling portions of the fence that are in a state of disrepair. It is a short-term amenity because there is a real desire to move forward with a project on the Newton Road properties.

Mr. Sofia: Regarding the part of the fence that will remain after the second project gets installed, if there is better fence to be used, can that have some attention now? Are these art panels going to be used in this project? It's going to scare little children. Can we revisit the east panel?

Mr. Montalto: Yes, we can look at that.

Mr. Sofia: The back of the plaza is not heavily exposed today; I don't know how it will look in the future. This Board dealt with another plaza in which we made a requirement that, when the property next store was developed, they would have to enhance that side of the plaza; I would like to put that sort of requirement in place here too. If the rear wall is screened by new development, that's one thing, but if it's not, that should be a condition of this approval. The plaza has to be compliant; the lights should be compliant, the concerns of the neighbors, all that should be brought into compliance.

Mr. Fisher: The lights could be adjusted so that there is no light spill.

Mr. Copey: We looked at the lighting, and nothing has really changed.

Mr. Montalto: The wall packs on the back of the building will change the light pattern.

Mr. Sofia: So we could summarize that the plaza must be brought up to code. We should pay attention to the neighbors, because they are so close. The lights can be adjusted or shielded.

Mr. Copey: They are using a lower-wattage fixture, but could the height of the pole be lowered?

Mr. Montalto: We will agree to work with you on that.

Mr. Copey: You have to remember that there are two points about lighting; the second is that you're not supposed to be able to see the light source from outside the site.

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

WHEREAS, Morgan Ridgecrest, LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a site

PLANNING BOARD MINUTES
July 6, 2016

plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 1946-1960 West Ridge 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.
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.

PLANNING BOARD MINUTES
July 6, 2016

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, the project as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were identified in the environmental review process.

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	Yes
	Helfer	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Mr. Selke then made the following motion, seconded by Ms. Slocum, 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. 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.
3. 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.
4. 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.

PLANNING BOARD MINUTES
July 6, 2016

5. 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.
6. 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 exterior insulation and finishing system ("EIFS") (in the grey/brown color family), with glazed brick (in the blue 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.
7. 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.
8. Snow storage areas shall be identified on the plan.
9. 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.
10. The locations of the designated fire lanes shall be shown on the site plan.
11. 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.
12. 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.
13. The Applicant shall comply with any and all requirements of the Monroe County Department of Transportation that may result from their review of this project.
14. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
15. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
16. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
17. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
18. As offered and agreed by the Applicant the existing waste barrels located behind the plaza be removed prior to site plan approval signatures.
19. As offered and agreed to by the Applicant, all dumpsters on the site shall be screened from public view in accordance with Town Code, and shall be subject to

PLANNING BOARD MINUTES
July 6, 2016

approval by the Planning Board Clerk, prior to final approval signatures being affixed to the site plan.

20. As offered and agreed by the Applicant the existing fence along the west property line which is in disrepair shall be repaired or replaced as necessary, subject to approval by the Planning Board Clerk.
21. The Applicant agrees to modify the rear façade of the plaza building per the Planning Board's review at the time of approval of the adjacent development to the west.
22. As offered and agreed to by the Applicant, a pedestrian connection to the public sidewalk at the intersection of Fetzner Road and West Ridge Road shall be added to the site plan, subject to review by the Planning Board Clerk.
23. As offered and agreed to by the Applicant, alternate art panels shall be proposed for the east side of the building pursuant to discussion in the minutes of this meeting, subject to approval by the Planning Board Clerk.
24. As offered and agreed to by the Applicant, the light pole closest to the west property line shall be reviewed and adjusted if necessary to ensure compliance with Town Code.

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

MOTION CARRIED
APPLICATION APPROVED WITH CONDITIONS

PLANNING BOARD MINUTES
July 6, 2016

2. 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)

Motion by Ms. Burke, seconded by Ms. Helfer, to continue the application to the July 20, 2016, meeting, as requested by the applicant.

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

**MOTION CARRIED
APPLICATION CONTINUED
TO JULY 20, 2016, MEETING**

PLANNING BOARD MINUTES
July 6, 2016

New Business

1. Applicant: 4320 West Ridge Road, LLC
Location: 4320 West Ridge Road
Mon. Co. Tax No.: 073.01-1-3, 073.01-1-4, 073.01-1-5, 073.01-1-6, 073.01-1-7,
073.01-1-21, 073.01-2-63, 073.01-2-64.111, 073.01-2-64.12,
073.01-2-68.1 (part)
Request: Site plan approval for Phase I of the Hampton Ridge Center
commercial development, consisting of a proposed retail
building (one story; 156,159± square feet) and a gasoline
dispensing station (1481± square feet), with related parking,
utilities, grading and landscaping on approximately 59.756
acres
Zoning District: BG (General Business)

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

Paul Colucci, The DiMarco Group; Ashley Champion, Esq., Nixon Peabody LLP; and Andrew Hart, ALA, Bergmann Engineers, presented the application.

Mr. Colucci: I'll give a brief history of this project. In January 2010, we appeared before the Planning Board with an overall site plan, which that was consistent with a rezoning and conceptual plan, which were the subject of a final environmental impact statement ("FEIS"); the Town Board approved the rezoning. In January 2011, the Planning Board approved the site plan for what we had at that time in the first phase—an Auction Direct motor vehicle dealership. That dealership has been replaced with a generic version of that building, which is labeled on the plan as "Retail K." The original site plan approval was the subject of some litigation, the deal with the dealership stalled and we didn't advance Hampton Ridge Center at that time. So we are here tonight to let you know that we have continued to try to advance this project. It is important to us for a lot of reasons. We are in discussions with a prospective tenant; I am unable to talk about them publicly. I have named them in a letter and should not have; we are under a disclosure agreement with them, but we are close to an agreement. The purpose for us being here is to advance the discussion of the building that is shown in the new Phase 1. It would be a general merchandise retailer with a grocery, vehicle maintenance, and fuel dispensing. I have applied the Board of Zoning Appeals for a special use permit for the motor vehicle aspects of the project. As I'm finalizing that business deal with them, I want to make sure that I'm representing their interests and that I can deliver everything that they want in that business deal. Rather than not disclosing to the Boards what our intentions are, we thought it prudent to come and get comments and interaction reinvigorated. We have a plan that was revised based on comments from the Town's staff. The building was moved to the eastward to comply with the setback requirements. The intent is to remain the same as the previous plan. Our proposed parking is in excess of the Town's parking requirements. The plan would be to bring the sanitary sewer from the adjacent land to the north to service the site, the same route as we proposed in 2010 and reviewed with the Town's staff. All the comments that were generated through review with the Town's engineering and planning staffs and this Board have been addressed and carried over from the 2011 plan. The storm water management facility is in the exact same location as before; it meets and exceeds the Town's requirement of reducing the current rate of runoff by 30 percent. Subsequent to the 2011 site plan approval, we filed a Notice of Intent ("NOI") with New York State Department

PLANNING BOARD MINUTES
July 6, 2016

of Environmental Conservation ("NYSDEC"). We paid a large amount of money for permit coverage but never enacted that NOI. We have been in discussion with the NYSDEC, and we are confident that we will be able to incorporate the new green infrastructure requirements in the plan. We are open to working with the Town to use this portion of the property as more of a regional detention center. We probably have some room on this plan to make the facility larger and offload some of the burden of storm water management in the creek corridor. The intent of the plan before you is to construct Lot 10, the 156,000-square-foot anchor building. The site is engineered to meet the tenant's standards. We are hopeful that we can get comments from the Town's staff and the Board tonight and incorporate those into the plan. We would build the main major commercial driveway with access to West Ridge Road. We will submit a traffic memorandum to the New York State Department of Transportation ("NYSDOT") for this phase of development and compare it to our traffic impact study that was part of the overall FEIS that was reviewed and approved with the rezoning. We are proposing to make a connection to 4110 West Ridge Road, the site of Kohl's department store. The NYSDOT would like us to build something over there so that it would generate enough traffic to meet the warrants for a traffic signal at the Kohl's driveway access to West Ridge Road. If we connected our new site with 4110 West Ridge Road, it would meet the warrants for the traffic signal. We would have a westbound deceleration lane for the new site. There also would be some widening of West Ridge Road for an eastbound left turn lane into the new site.

Mr. Selke: Do you meet the warrants for two traffic signals?

Mr. Colucci: We would meet the warrants for two signals. The entire infrastructure already is there at the Kohls driveway.

Mr. Copey: With the approval of this first phase, you expect to install the signal in front of Kohl's?

Mr. Colucci: Yes, we'll build a new driveway for the connection to 4110 West Ridge Road, shown in the location that we have always had, and we will align the driveway for the new project with the Doan Buick GMC project across the street. We want to connect from the new project over to the Kohl's plaza so that we can meet the warrants for a traffic signal at the Kohl's access to West Ridge Road.

Mr. Copey: So you will be installing both traffic signals with the first phase?

Mr. Colucci: Yes. Our sanitary sewer access is from the north. Subsequent to the Planning Board's 2011 site plan approval, Tom Thomas, the owner of some of the property that we have to traverse in order to connect to existing sanitary sewers, donated some of his land to the Town of Greece. Easements already had been filed to allow us to have the access to lay the sanitary sewer and the construction access. The Monroe County Water Authority wants us to build in a connection, have a master meter and master backflow preventer, and then have it be a private loop throughout the development. Discussions took place in 2011; we don't see a lot of that changing. So we wanted to get before you to get some feedback and comments and work hand in hand with you.

Mr. Fisher: I think that the biggest issue, based on the last time that we reviewed this project—and it was the subject of the litigation—is the question of whether the sanitary sewer is going to West Ridge Road. I think that that has to be taken care of; otherwise, this won't be approved.

Mr. Gauthier: We have to find a way for this project to conform to our requirements and specifications. We require that developments extend their sanitary sewer to the limits of the property; that typically occurs as the development of that property occurs. The current site plan seems to not comply with that, but it's something that I think that we can discuss

PLANNING BOARD MINUTES
July 6, 2016

to make it comply. Clearly the plan shows an extension of the easement, but that won't be the end of it.

Mr. Colucci: The design is not done in a manner that would ever preclude the construction of the sanitary sewer. Currently, we are extending the sewer just to the south portion of the Phase 1 parcel. I feel very strongly that, given this tenant and given the location that they are in, it's a nonissue.

Mr. Gauthier: I think that we can explore and find a way that we are not running afoul of where we ran into a wall in the past. Also, since you last appeared before us, the Town has acquired a couple of sanitary easements on the south side of West Ridge Road. Our vision is that that is where it would go if development from the south were to send a sanitary sewer northward under West Ridge Road. Without turning your site upside down, we could line it up; that would be preferable because our sanitary sewer master plan—both the previous one and the current one—shows that this sewer is to travel south of West Ridge Road. There is no urgency to do it next week or in the first phase, but we have to keep in mind the vision of that's where it's eventually going. To avoid potential criticism we have to make sure that it's fully compliant because otherwise it would defeat the purpose.

Mr. Colucci: We are open to working with you. There's a very good chance that I will be coming back to you, before we even conclude this business deal with this tenant, with a tenant to be in one of the outparcels, and then with that normal progression with advancing the sewer we would bring it there. Right now, I'm showing it to the tenant that needs the sewer service. We're proposing it that way not to spite, not to instigate; it's just that, where we are with Phase 1, that's as far as we would bring it. There is a strong possibility that this anchor tenant will instigate outparcels that will be immediate and brought to the limit of the project site.

Mr. Fisher: It may be to avoid potential controversy, just continuing it to the extent of where you have the streets. Normally, sanitary sewers get installed with the streets. So, if it's going to happen anyway, it may be that the best way to avoid controversy and conflict is if you simply extended it to that extent that you have the roadways.

Mr. Gauthier: The challenge is that, where the path of the sanitary sewer easement currently is shown, there will be a significant amount of fill over it, with a very deep sewer. If you are going to put in a deep sewer later, you would have to have a wide easement that would preclude a lot of other things from happening. If the sewer were constructed current with the road and the filing, you would not have to have as wide an easement; so, there might be some advantages to not delaying the installation of the sanitary sewer. You want to keep land for development rather than having a 40-foot-wide sanitary sewer easement that would monopolize an undue portion of your site.

Mr. Colucci: Yes, and we do not want to shut down roads to install it.

Mr. Copey: We have submitted the project to the Monroe County Department of Planning and Development and the Monroe County Development Review Committee, but we have not received their comments yet. Mr. Colucci mentioned that they will be submitting a traffic memo, and there is other information still to be submitted, such as architectural elevations. We are not to the point where we have fully reviewed the project or have feedback from other agencies. We had comments from our zoning staff advisor, who noted a number of possible variances; one of those has been rectified. As far as parking is concerned, we will be viewing this as a business center. They have enough room to meet the requirements. Most of the major design and review has been done. The buffer on the east side has been maintained; it is largely the same plan that was shown in 2011, and a lot of the issues have been discussed. I don't anticipate any earthshattering reviews that would move buildings or change the design. We wanted this discussion to occur tonight so that we could refresh the

PLANNING BOARD MINUTES
July 6, 2016

memory of the Board members who were here in 2010 and 2011, provide background and orientation for the newer Board members, and get any comments that you may have.

Mr. Gauthier: We have a number of technical comments, largely with technical details sanitary sewers, storm water, and letter of credit. I'm curious about the regional pond. How would that be different from a normal facility? I don't know what benefits there would be for the Town.

Mr. Colucci: If you had a drainage area that was overburdened and you wanted to offset that problem by more than the standard 30 percent reduction that our project is required to provide, or because we are in a watershed to Smith Creek, if you saw a benefit to planning this as a regional detention facility to upsize it beyond what I need to service my project. To be frank, the land to the north is not valuable to us. Not that I'm trying offload it on the Town; I think that we would retain ownership of it. We could negotiate some shared maintenance responsibility if it became more than just a pond for this development. We provide parking at 5.6 parking spaces per 1000 square feet of floor space; the code requirement is 4.5 spaces per 1000 square feet. If the Board was so inclined, most retailers are going toward fewer parking spaces; it's less to plow, stripe, sweep, patch, seal, and repave. It makes good sense when we are looking at good development. If we can provide fewer parking spaces, we think that we can move this site closer to West Ridge and reserve a larger area to the north. That would give us some more land to plan and work in conjunction with the Town, if there was a benefit.

Mr. Gauthier: You're talking almost a clustering?

Mr. Colucci: Yes. We demonstrate that we can meet the parking requirements. We think that we can pull the site southward and reserve more land to the north. We're open to going to the Board of Zoning Appeals to pursue less parking than the zoning ordinance requires; if it was demonstrated by the tenant that they didn't need all the parking. The retailers' needs are based on sales, and they look at the maintenance costs.

Mr. Copey: We received comments from the chairperson of the Town's Historic Preservation Commission ("HPC"). The comments are regarding the cobblestone house that is located on the site. I'll summarize. Ninety percent of all cobblestone buildings in North America can be found within a 75-mile radius of Rochester. About 1000 were built between the United States and Canada, and only four remain in the Town of Greece. In 2007, the building was reviewed by the State Historic Preservation Office ("SHPO"), which found it to be of historical significance and value. A tax credit is available for 20 percent of the cost of rehabilitation work if they choose to put the building on the state or federal Register of Historic Places. The HPC asks that the cobblestone house be protected during construction. The HPC suggested a site visit by Board members and commends The DeMarco Group for keeping the building.

Mr. Fisher: Was the SHPO involved?

Mr. Copey: The SHPO reviewed it; I will get the information that previously was provided.

Mr. Colucci: We would love to try to use it and incorporate it into the project.

Mr. Selke: Can you make any changes?

Mr. Colucci: It becomes a challenge because it has to be brought up to current building codes.

Mr. Sofia: Could you use that to house the hot box?

Mr. Copey: It's something to consider. There are some hot box housings around that look like a shed; it's a nice-looking building.

PLANNING BOARD MINUTES
July 6, 2016

Mr. Colucci: We are hoping that we could rebuild within the same footprint and leave the appendage in the front to remain historic with limited access.

Mr. Fisher: It is an important part of the site. We're all thinking good things. Because of the proximity to West Ridge Road, it could made the center of something.

Arthur Daughton, 52 Goethals Drive: I go to all the Town Board meetings. You have to have a clear understanding that when I listen to do what you do and do what they do, as a project manager for the Marriott Hotel Corporation, I'm not a dummy. I know the DiMarco family very well, our families go way back, these people may not remember. Did you say there was a 100-foot setback?

Mr. Fisher: From the building to the property lines of the homes to the east.

Mr. Daughton: We have a website; it's called Original People from Greece New York. We take photos of all these drawings and attend all the meetings and publish all this online. I take time to call these people to get their 10 cents in. When the Town Board approves zoning, they put all the responsibility on you. I've requested a moratorium; the demographics have changed. I want you to understand that they put the responsibility on you. At the end of the day, how will the Benderson and this property fit together? My hope is that they fit together and there a signal light that joins them across the street.

Mr. Selke: We're looking at Phase 1 of the development of this site. There are a lot of trees. Normally, the retailers would want exposure. What do you do with Phase I? You would want to think about that when you clear cut so that the entire is kept looking decent. What will this building look like?

Mr. Colucci: I have spoken with the tenant, and they are working on the architecture. They will submit elevations to the Town's staff. Buildout will not happen in a year. The amount that we will develop will depend on balancing earthwork, utility work, and connectivity. This tenant will want a visibility corridor from West Ridge Road. The grading plan shows details of site grading, the storm water management facility, the road connection, and general mass grading on the rest of the project site. That allows us to look at how we balance earthwork. We have a large excavation for the pond, and there is part of a previous land filling operation up near West Ridge Road which can't be disturbed. We would like to do the bulk of the earthwork and then stabilize the areas that are future building pads. We don't know the exact configuration, but the plan shows what we will pursue. I will be back for modifications in future phases.

Mr. Fisher: It may be helpful for us to know what the undeveloped portion is going to look like because presumably you want to have maximum visibility of that tenant, who is in the back of the site, from West Ridge Road. What would be the nature of that in the interim?

Mr. Colucci: We will work with the Town's staff and be able to describe that in future meetings. If we disturbed an area, we would have to stabilize it. That can be by seeding it or covering it with stone. If we were to come in with a new outparcel building soon after disturbing an area, our preference would be to cover it with stone. The tenant wanted to know whether we are in a special corridor overlay area or are we in a special architectural area with constraints; I told them that I didn't think that we are.

Mr. Gauthier: This land is in a sanitary sewer overlay area. I have talked with our Finance Director and our Commissioner of Public Works. If you are voluntarily constructing a sanitary sewer that is to be dedicated to the Town, the whole purpose is to pay in part for the sanitary sewer, so we have ways to work with you on that.

Mr. Colucci: The tenant is going to push pretty hard to have a prototypical building approved. They are reasonable, but are going to be resistant to doing a lot that is different from their prototypical building.

PLANNING BOARD MINUTES
July 6, 2016

Mr. Fisher: We need to see some architectural elevations of the exterior of the building.

Ms. Slocum: To be clear, the traffic signal will be in conjunction with the property across the street?

Mr. Colucci: Our traffic study took into consideration a larger project. The traffic signal at the Kohl's driveway lines up with Benderson Development's project and the other traffic signal lines up with Doan Buick GMC's driveway. We are not racing to beat anybody; Benderson has their project and we have ours. A healthy, vibrant corridor is what the community deserves and what we want to see.

Motion by Ms. Slocum, seconded by Ms. Burke, to continue the application to the July 20, 2016, meeting, as requested by the applicant.

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

**MOTION CARRIED
APPLICATION CONTINUED
TO JULY 20, 2016, MEETING**

PLANNING BOARD MINUTES
July 6, 2016

SPECIAL PLANNING TOPICS

Old Business

1. Applicant: Sanco Builders, LLC
Location: 981 Latta Road
Mon. Co. Tax No.: 046.19-3-20
Request: Extension of approved preliminary and final plat for the Legends at Latta subdivision, consisting of 28 lots (27 new houses; 1 existing house) on approximately 10.8 acres
Zoning District: R1-8 (Single-Family Residential)

Mr. Sofia then made the following motion, seconded by Ms. Helfer, to grant two 90-day extensions, previously approved on July 25, 2013, and revised August 19, 2015.

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

**MOTION CARRIED
TWO 90-DAY EXTENSIONS GRANTED**

PLANNING BOARD MINUTES
July 6, 2016

New Business

1. Response to the Town Board notice of intent to become the lead agency for the coordinated environmental review of the request submitted by Village Crossing LLC to rezone 3.6± acres from R1-E (Single-Family Residential) to BR (Restricted Business), on property located at 3455 & 3471 Mount Read Boulevard.

Motion by Mr. Selke, seconded by Ms. Helfer, that the Planning Board consents to the Town Board becoming the lead agency for the coordinated environmental review of the request submitted by Village Crossing LLC to rezone 3.6± acres from R1-E (Single-Family Residential) to BR (Restricted Business), on property located at 3455 & 3471 Mount Read Boulevard.

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

**MOTION CARRIED
RESPONSE APPROVED**

PLANNING BOARD MINUTES
July 6, 2016

ADJOURNMENT: 9:15 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