



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD MINUTES

SEPTEMBER 7, 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
Richard C. Antelli
Christine R. Burke
Devan M. Helfer
Jamie L. Slocum
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

Additions, Deletions and Continuances to the Agenda

Announcements

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PUBLIC HEARINGS

Old Business

None

New Business

1. Applicant: Philip R. Wegman
Location: 130 Hogan Point Road
Mon. Co. Tax No.: 025.02-1-10.111
Request: Preliminary and final plat approval of the resubdivision of Lot CR-4 of the Wegman resubdivision, Section 1, to create Lot DR-4 of the Wegman resubdivision, Section 1, and Lot 501 of the Wegman Subdivision, Section 5, on approximately 56.2± acres
Zoning District: R1-44 (Single Family Residential)

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

Richard Giraulo, Landtech Associates, presented the application.

Mr. Giraulo: We have here the Wegman complex. They have all the family members around the site but they want to create a common lot and put that in a limited liability company to share the cost to maintain. They will be cutting off the one remain house that was part of this whole property so that becomes a separate lot. Variances were granted last night by the Board of Zoning Appeals.

Mr. Copey: This was reviewed by the Monroe County Department of Planning and Development and the Monroe County Development Review committee. They noted that there were wetlands and floodplains on the property; however, this request does not involve construction. No comments from Town staff, except the variances, which were granted.

Mr. Sofia: What where the variances?

Mr. Schiano: For accessory structures.

Motion by Ms. Slocum, seconded by Mr. Antelli:

WHEREAS, Philip R. Wegman (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a preliminary and final plat approval of the resubdivision, 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.

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2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, One Vince Tofany Boulevard, at which all parties in interest and citizens were afforded an opportunity to be heard.
3. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Meeting for the Planning Board's consideration.
4. The Planning Board has carefully considered environmental information that was prepared by the Applicant's representatives or the Town's staff, which included but was not limited to: a project narrative; a conceptual site plan; simulated photographs; aerial photographs; a radio frequency engineering report (the "RF Report"); an analysis of radiofrequency electromagnetic field strength relative to human exposure, health and safety (the "RF Safety Analysis"); and Part 1 of an Environmental Assessment Form (the "EAF") (including a Visual EAF Addendum), which was prepared in part by using the New York State Department of Environmental Conservation's (the "NYSDEC") online EAF Mapper application (collectively, the "Environmental Analysis").
5. The Planning Board also has included in the Environmental Analysis and has carefully considered additional information 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.
6. 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 New York State Department of Environmental Conservation, the Town of Greece Planning Board, and the Town's own staff.
7. The Planning Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that 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 September 7, 2016.
8. The Planning Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
9. The Planning Board has met the procedural and substantive requirements of SEQRA.
10. 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.
11. 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 and all additional information submitted.
12. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
13. The Planning Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Planning Board's determination is supported by substantial evidence, as set forth herein.

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14. To the maximum extent practicable, the Proposal as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were revealed 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

Ms. Slocum then made the following motion, seconded by Mr. Antelli, 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. This subdivision map is for conveyance purposes only; no new construction is proposed. Approval of this map does not supersede any other conditions imposed by the Town of Greece or any other agency. Additional Town of Greece approvals must be obtained before any future construction.
3. The area variances that were granted by the Board of Zoning Appeals and the date on which such area variances were granted shall be added to the plat.
4. A digital copy of the plat with all necessary signatures and the Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
5. Subject to approval by the Town's Commissioner of Public Works and Engineering staff.
6. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
7. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
8. 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	Yes	Burke	Yes
	Helper	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED

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SITE PLANS

Old 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 Cory McWilliams, Costich Engineering, presented the application.

Mr. Fisher: Last night, the Board of Zoning Appeals granted approval. As I have mentioned before, they have about 80% of the responsibility for making most of the determination on this type of project.

Mr. Greiner: They Board of Zoning Appeals issued a negative declaration as lead agency in the coordinated review, thus ending the SEQRA process. Last week, we submitted information to the Town staff, based on comments from the Board, and at your direction, I spoke with the Fire Marshal. We talked about the width and composition of the driveway and he was fine with what we proposed. Given the size of the emergency equipment that might respond to a call to the site, he wanted a 20-foot turnaround; we went back to the land owner and have made those changes. We submitted pictures with regard to the "monopine" camouflaged antenna tower, and also landscaping for the site. We were trying to use trees that would grow in the shade, I think that really sums it up.

Mr. Copey: The Board of Zoning Appeals approved the special use permit last night. They did not require the antenna tower to be camouflaged for this site.

Mr. Schiano: They did not think that a monopine tower would fit in this area; they thought that it would be more intrusive. They also approved the board-on-board fences.

Mr. Copey: That authority to decide on the question of camouflage comes from our zoning code, so it sounds like the monopine tower is off the table. The proposed conditions include that the Fire Marshal will approve and sign off on what's been proposed for the access road. The applicant has proposed nine Hemlock trees around the perimeter, spaced appropriately. We discussed the landscaping to the north and will let the Board decide. Beyond that, they have done a good job with answering our questions.

Mr. Gauthier: Engineering and Department of Public Works comments have been addressed.

Mr. Fisher: We would like to understand the proposed landscaping. Another requirement from the Board of Zoning Appeals is that, if the surrounding land were developed in the future in a different manner than it is now, the applicant would return to update the landscaping.

Mr. Greiner: That is understood.

Ms. Slocum: Right now it's on three sides, and we are talking about extending it to the north?

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Ms. Burke: Is there a reason why it is not on the fourth side?

Mr. McWilliams: Currently, to the north there is nothing but woods. To put new trees there, we would have to clear out existing, fully mature trees.

Mr. Greiner: That is why the Board of Zoning Appeals requested that, if in the future the facts on the ground changed, would it be acceptable to Verizon to come back and add additional landscaping. Planting trees on the north side at this time would be counterproductive.

Mr. Fisher: The current, proposed plantings are 5 feet tall, 20 feet on center. It will take some number years before they really fill in. If Verizon planted trees in the future, they should be year-round type. The existing vegetation there is deciduous; for a good part of the year there is no screening, no softening of the view of that side. I think that is the benefit of putting in the additional plantings—it gives a chance for that year-round vegetation to grow. It is a relatively dark environment there right now; that's why you chose the plant species that you have. It will take a few years for them to grow so that if development comes they will be a sufficient size. My thought would be to have the landscaping installed all around the site now. In the long term, it would provide something that you could not provide immediately later.

Mr. Copey: There might be some gaps that we could fit some in.

Mr. Fisher: We are talking 20 feet on center, so we are really not talking about clearing out every bit of vegetation where there are areas with big trees. I would like to get some significant year-round vegetation in place, planted in a way that minimizes the loss of mature trees. A site visit would help to determine how to modify the landscaping plan.

Ms. Slocum then made the following motion, seconded by Mr. Antelli:

WHEREAS, Bell Atlantic Mobile of Rochester, L.P. (d.b.a. Verizon Wireless) (the "Applicant") has applied to the Planning Board for site plan approval for a telecommunications facility (the "Project"), consisting of a freestanding antenna tower (128 feet-high, including lightning rod) and related antenna(s), accessory antenna structures, and access driveway, on property located at 2419 Latta Road (the "Premises"); and

1. The Project is classified as an Unlisted action pursuant 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").
2. The Project was the subject of a coordinated environmental review, for which the Board of Zoning Appeals was the lead agency and the Planning Board was an involved agency.
3. On September 6, 2016, following the review of the Environmental Assessment Form and supplemental information provided by the Applicant and other interested or involved parties, the Board of Zoning Appeals issued a negative declaration pursuant to SEQRA, indicating that there would be no significant adverse environmental impact. On September 6, 2016, the Board of Zoning Appeals also approved a special use permit for the Project on the Premises.
4. In its role as the Lead Agency, the Board of Zoning Appeals exercised due diligence in identifying and notifying involved agencies, including the Planning Board, and pursuant to the SEQRA Regulations, Section 617.6(b)(3)(iii), the lead agency's negative declaration is binding on all involved agencies.

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5. The Planning Board has considered the lead agency's negative declaration, and reviewed additional detailed information related to traffic, buffering, and other relevant issues.
6. The Planning Board finds the Project to be consistent with the Project reviewed by the Board of Zoning Appeals.

NOW, THEREFORE, be it

RESOLVED that SEQRA requires no further environmental review of the Project by the Planning Board.

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

MOTION CARRIED
APPLICATION APPROVED

Ms. Slocum then made the following motion, seconded by Mr. Antelli, 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. The developer/contractor is responsible for removal and disposal of brush, trees, and debris from any lot clearing. A note that indicates this requirement shall be added to the plan.
4. 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.
5. 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 boundaries (if any) and boundary designations of flood zones shall be added to the plan.
6. 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.
7. Prior to the issuance of a Final Certificate of Occupancy or Certificate of Compliance for the Premises, the Applicant shall provide certification verifying proper installation

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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

8. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
9. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
10. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
11. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
12. As offered by the Applicant, the Applicant shall work with Town staff for additional screening around the north side of the site enclosure, but minimizing removal of existing trees, subject to approval by the Planning Board Clerk

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

MOTION CARRIED
APPLICATION APPROVED

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New Business

None

SPECIAL PLANNING TOPICS

Old Business

None

New Business

None

ADJOURNMENT: 7:20 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: _____

Alvin I. Fisher, Jr., Chairman

Date: _____