



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD MINUTES

DECEMBER 13, 2017

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

John Geisler

William E. Selke

Jamie L. Slocum

Michael H. Sofia

Christopher A. Schiano, Esq., Deputy Town Attorney

Michelle M. Betters, Planning Board Secretary

Absent

Scott R. Copey, Planner

John Gauthier, P.E., Associate Engineer

Richard C. Antelli

Additions, Deletions and Continuances to the Agenda

Announcements

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PUBLIC HEARINGS

Old Business

None

New Business

1. Applicant: West Ridge K Center, LLC
Location: 3049-3065 West Ridge Road
Mon. Co. Tax No.: 074.13-3-31.1
Request: Minor subdivision approval for the West Ridge Road K Center subdivision, consisting of 2 lots on approximately 13.12 acres
Zoning District: BG (General Business)

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

Michael Montalto, Costich Engineers, presented the application.

Mr. Montalto: We are here for a subdivision in part of Ridgmont Plaza. In July, 2017 we obtained site plan approval from the Board for the development for the Texas Roadhouse restaurant. The area where Texas Roadhouse will be was depicted as a leased parcel due to financing for the project; we now are requesting approval for a subdivision to create a separate parcel for the restaurant's leased area. An existing reciprocal access easement has been filed for the property for ingress/egress. There was a minor comment from the Town's engineering staff relative to making sure that the sanitary sewer is dedicated to the Town. We have had conversations with Mr. Gauthier relative to the gradient of the sanitary sewer pipes, and we will do additional testing to make sure that there are no deficiencies; if there are, we will correct them to make sure that the sewer can be dedicated. The only other comment was to add addresses to both parcels, making the main building 3049 West Ridge Road, and Texas Roadhouse 3065 West Ridge Road; this does not cause any changes to the plans.

Ms. Betters: This subdivision was reviewed by the Monroe County Department of Planning and Development and the Monroe County Development Review Committee. They noted that there are state and federal wetlands on the property. The proposed subdivision does not have any impact on them. Confirming what Mr. Montalto stated about comments from engineering, the subdivision to create two parcels means that the sanitary sewer system, which has been private, now will have to be public. The developer has sent a letter to the Town, stating that the sanitary sewer will meet Town standards for public sewers when it is dedicated to the Town; compliance with that is listed as one of the staff's recommended conditions of approval. There were no comments from the Town's building, zoning, or Fire Marshal staffs.

Mr. Geisler: What is the parking arrangement?

Mr. Montalto: The site plan always defined the parking near Texas Roadhouse as being for the restaurant. The change of the parking configuration on the parcel that will have the At Home home goods store has created more parking spaces for that parcel. Everything operates under a reciprocal access easement.

Mr. Geisler: Is the reason for the subdivision so that they can finance the project?

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Mr. Montalto: Texas Roadhouse is obtaining a construction loan; they don't want to encumber the entire plaza with that loan. Meanwhile, At Home has their investment in the former Kmart building, so for the banking world we are creating these separate parcels. The two parcels will operate as a single piece of property, but there will be multiple lots within the site.

Mr. Schiano: Texas Roadhouse is leasing the lot?

Mr. Montalto: Yes, from West Ridge K Center, LLC.

Mr. Geisler: So, in order for them to get financing they have to have separate title?

Mr. Montalto: No, they want separate titles. This so that West Ridge K Center, LLC does not get tied to Texas Roadhouse's multi-million dollar construction loan.

Ms. Slocum made the following motion, seconded by Ms. Burke:

WHEREAS, West Ridge K Center, LLC (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 3049-3065 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.

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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 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	Absent	Burke	Yes
	Geisler	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Mr. Geisler 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. Proposed parcel addresses shall be shown on the plat, subject to approval by the Fire Marshal and Town Assessor.
3. As a result of this and previous subdivisions, portions of the private sanitary sewer serving the Premises must become dedicated to the Town as public sanitary sewer. As offered and agreed by the Applicant, prior to final approval signature, the Applicant

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shall work with the Town and undertake the testing and corrective measures necessary to address any deficiencies relative to Town standards for dedication of the sanitary sewer system to the Town.

4. As offered and agreed by the Applicant, easements shall be provided over dedicated portions of the sanitary sewer in a form and location satisfactory to the Planning Board Attorney and Commissioner of Public Works.
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.

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

MOTION CARRIED
APPLICATION APPROVED WITH CONDITIONS

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SITE PLANS

Old Business

None

New Business

None

SPECIAL PLANNING TOPICS

New Business

None

Old Business

None

ADJOURNMENT: 7:15 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