



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD MINUTES

FEBRUARY 20, 2019

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

John Geisler

Jamie L. Slocum

Michael H. Sofia

William E. Selke

John Gauthier, P.E., Associate Engineer

Christopher A. Schiano, Esq., Deputy Town Attorney

Michelle Betters, Planning Board Secretary

Scott R. Copey, Planner

Absent

Additions, Deletions and Continuances to the Agenda

Announcements

Policy of Decorum

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PUBLIC HEARINGS

Old Business

None

New Business

1. Applicant: North Coast Ventures, LLC
Location: Generally, west of Flynn Road and north of Post Avenue
Request: Final plat approval for the Crescent Park subdivision, Section 11, consisting of 15 lots on approximately 5.53 acres
Zoning District: R1-E (Single-Family Residential)
Mon. Co. Tax No.: 033.04-1-2.310

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

Richard Giraulo, LandTech Surveying & Planning, P.L.L.C., presented the application.

Mr. Giraulo: I have here an overall aerial image of the property. The dark green area shows Section 10, in which the houses are beginning to be bought; we're in tonight for approval of Section 11. It includes 5 lots that front Post Avenue, and the continuation of Whistlers Cove with 10 more lots, for a total of 15 lots. I received Town engineering and planning staff comments; I can address all of those. Sanitary sewers are on-site. We look forward to continuing the development of the site.

Mr. Copey: This a final plat and not subject to review by the Monroe County Department of Planning and Development and the Monroe County Development Review Committee. We had no comments from the Fire Marshall, building or zoning departments.

Mr. Gauthier: As Mr. Giraulo indicated, we have exchanged our comments and responses,. Generally the unresolved issues are details, but if they concur with the general position that we took, we have no outstanding issues.

Mr. Howard Vragel, 81 Post Avenue: My prime reason for being here is to make the developer and the Board aware of the water problem that affects the neighbors in this area. It is basically flat in that area. Since I have been there, we have a trickle in a 12-inch-diameter culvert to an 18-inch. At least a half dozen times a year it flows full and backs up onto our properties. All that water is going to the area that is being developed. If they don't develop it right, with the capability of accepting that water, our properties will be flooded; every one of our lots has a leach field. If they don't do it right, we won't be able to use our property. I would not go to the Town if it floods; I would go to the New York State Department of Environmental Conservation ("NYSDEC").

Mr. Fisher: The person we would go to is John Gauthier.

Mr. Gauthier: We have had discussions in the past.

Mr. Vragel: We have, but the Town has done absolutely nothing to reduce the amount of water. When new property is developed we get water, and the Town won't do anything.

Mr. Gauthier: The developer is responsible for the incremental impact that he would have, but he is not going to be responsible for fixing the overall situation. We don't allow him to make it worse.

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Mr. Vragel: I want it to go on record, that if it does interfere I won't be contacting the Town, a notice of claim. I want to make sure that we don't get flooded.

Mr. Giraulo: Mr. Vragel's property is not shown on this map. We are looking to get approval for Section 11.

Mr. Selke then made the following motion, seconded by Ms. Burke:

WHEREAS, North Coast Ventures LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a subdivision plat, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property generally located west of Flynn Road and north of Post Avenue (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").
2. The environmental review of the entire subdivision was completed pursuant to and in conformity with the requirements of 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") when the preliminary plat was approved by the Planning Board
3. The final plat is consistent with the preliminary plat.

NOW, THEREFORE, be it

RESOLVED that the SEQRA Regulations require no further environmental review by the Planning Board.

Seconded by Ms. Burke and duly put to a vote, which resulted as follows:

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

MOTION CARRIED

Mr. Selke then made the following motion, seconded by Ms. Burke, 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

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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. The Town's 2001 Community Master Plan Update (Clough, Harbour & Associates, September 2001) contains current and projected population growth; an inventory and analysis of public, private, and semi-private recreation facilities, both active and passive; and recommendations for future actions. Based on this document, the Planning Board finds that the Town currently needs, or will need, additional park and recreation space in the vicinity of the Proposal. The Planning Board further finds that development of this subdivision will contribute to the demand for additional park and recreation space, and that this subdivision provides no suitable park or recreation land to address such current or future need. Therefore, pursuant to New York State Town Law, Section 277, payment of the Town's recreation fee shall be required for each building lot in this subdivision, payable to the Town upon the issuance of the original building permit for each house. A note that indicates this requirement shall be added to the plat.
3. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
4. No building permits shall be issued for any of the lots in this subdivision unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk. The Liber and Page of easement filing shall be referenced on final as-built record drawings provided to the Town.
5. The Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk shall be indicated on the approved, signed copies of this final plat that are submitted to the Town. A note that indicates this requirement shall be added to the plat.
6. No building permits shall be issued for any of the lots in this subdivision unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, 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.
7. Throughout the life of the storm water permit (from the filing of the Notice of Intent to the Notice of Termination), the developer shall comply fully with all aspects of the NYSDEC General Permit No. GP-10-001, particularly Part IV, which describes:
 - periodic inspections of the construction site by a qualified professional; and
 - maintenance of a site log; and
 - stabilization requirements; and
 - maintenance of sediment traps and ponds during construction.The periodic inspection reports shall be provided to the Town's Engineering staff within 24 hours of inspections.
8. Subject to approval by the Town's Commissioner of Public Works and Deputy Commissioner of Public Works for Engineering.
9. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
10. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors and assigns.

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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.

VOTE:	Antelli	Yes	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

1. Applicant Reid Petroleum Corporation
Location: 3561 Latta Road & 638 North Greece Road
Mon. Co. Tax No.: 044.04-1-01, 044.04-1-12
Request: Site plan for proposed convenience store, restaurant, and fuel sales (3,500± square feet), including drive-up service lanes and window, with related parking, utilities, grading, and landscaping on approximately 1.38 acres
Zoning District: BR (Restricted Business)

Ms. Burke made a motion, seconded by Mr. Geisler, to continue the application to the March 20, 2019, meeting, as requested by the applicant.

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

**MOTION CARRIED
APPLICATION CONTINUED TO
MARCH 20, 2019, MEETING**

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2. Applicant: 135 Canal Landing, LLC
Location: 135 Canal Landing Boulevard
Mon. Co. Tax No.: 089.03-4-24.3
Request: Site plan approval for a proposed office building (one story; 7,250± square feet), with related parking, utilities, grading, and landscaping on approximately 4 acres
Zoning District: BG (General Business)

Ms. Burke made a motion, seconded by Mr. Geisler, to continue the application to the March 6, 2019, meeting, as requested by the applicant.

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

**MOTION CARRIED
APPLICATION CONTINUED TO
MARCH 6, 2019, MEETING**

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New Business

1. Applicant: LiDestri Spirits
Location: 1020 Lee Road
Mon. Co. Tax No.: 089.04-1-2.101/642
Request: Site plan approval for a proposed tank farm for the process of fermenting spirits, on approximately 0.07 acres
Zoning District: IG (General Industrial)

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

Matthew P. Sinacola, Engineer, Passero Associates, Greg Gebert, Design Manager, Haskell Architects and Engineers, presented the application.

Mr. Sinacola: We are here to tonight to ask the Board for approval of six fermentation and one storage tank, along the north side of the existing building on Lee Road. The exterior tanks are part of the manufacturing process for the production of a new spiked carbonized drink product. The fermentation tanks would produce the alcoholic content that goes into that product. We are showing the tanks just east of the loading docks. We have included building elevations, with color and have copies for everyone. The tanks are 12.7 feet in diameter and 34.9 feet tall, the CO2 tank is 10 feet in diameter and slightly shorter, they are located on a concrete pad they will be built on. There is a building addition proposed of about 610 square feet, this will come down between the two rows of tanks and is intended to enclose the piping. There will be a retaining wall of about three feet that will be around the tanks for protection and an additional concrete curb for added protection. The existing utilities are in the way and will have to be rerouted. There will be alterations to the access and landscaping we have attempted to some additional screening for some of the green space lost.

Mr. Copey: This proposal was reviewed by the Monroe County Department of Planning and Development and the Monroe County Development Review Committee; they had little comments. No comments from our zoning staff. Our Fire Marshal stated that the CO2 tank had to be located at least 10 feet from an exit. The tank that is an agenda item in front of Town Board to grant a waiver for a special use permit. They did provide a good deal of landscaping out front and do appreciate that. There are some neighbors across the street, we have not heard from anyone.

Mr. Gauthier: No comments from engineering.

Mr. Selke: Are the tanks separate? What is the finish of the tanks? Will the tanks fade or peel?

Mr. Gebert: They are separate. They are stainless steel; I don't see a problem. A carbon steel tank skirt at the bottom might need to be repainted. The stainless is matte finish and is not mirrored. The ladder on the tank goes to the heating, ventilation and air conditioning ("HVAC") unit to keep that space tempered.

Mr. Selke: Is there a well around the tanks? What kind of traffic? Will there be a warning for showing the wall around the tanks?

Mr. Gebert: Yes. It will hold one full tank plus 10% also designed for 100-year storm. The barrier is about three feet, all the drains that discharge will have to be tested be it can be discharged. The tanks are filled from inside the building. Any waste has to be pretreated before it can be discharged.

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Mr. Sinacola: We could have some bollards in front of the wall.

Mr. Fisher: It's nice to see LiDestri grow and diversify. It says a lot for the future. Success breeds success.

Mr. Sofia made the following motion, seconded by Mr. Antelli:

WHEREAS, LiDestri Spirits (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for re-approval of a site plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 1020 Lee 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.
 1. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
 2. 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").
 3. 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.
 4. 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 Transportation, the Monroe County Department of Planning and Development, and the Town's own staff.
 5. 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.
 6. The Environmental Analysis examined the relevant issues associated with the Proposal.
 7. The Planning Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
 8. The Planning Board has met the procedural and substantive requirements of SEQRA.
 9. 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.

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10. 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.
11. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
12. 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.
13. 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
	Geisler	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Mr. Sofia 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. Subject to the approval of the [variance(s) / special use permit] requested from the Board of Zoning Appeals. The [variance(s) / special use permit] and the date on which such [variance(s) / special use permit] [was / were] [approved / granted] shall be added to the plan.
3. Any Town of Greece approval or permit for the Premises does not relieve the Applicant, developer, or owner of the Premises from obtaining all other town, county, state, or federal government approvals or permits that are required for the Premises. A note that indicates this requirement shall be added to the plan.
4. The 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

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smaller than the previous plant when it originally was installed. A note that indicates these requirements shall be added to the plan.

5. 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.
6. The exterior appearance shall be gray/stainless in color, mat finish, as describe in tonight's meeting.
7. The exterior colors and architectural style of the building shall remain as they are. The exterior materials shall remain as they are, except where changes are required by the *New York State Uniform Fire Prevention and Building Codes*. A note that indicates this requirement shall be added to the plan.
8. The locations, heights, and types of outdoor lighting fixtures shall be shown on the plan. If none are proposed, a note to this effect shall be added to the plan.
9. Details or catalogue cuts of the proposed light fixtures and standards shall be added to the plan.
10. Light spill shall be contained on the Premises. Outdoor light sources shall be aimed or shielded so that they are not visible when viewed from off the Premises, and so that light spill is cast only downward onto the Premises. Exempt from this requirement are low-wattage or low-voltage lights that are located near the principal entrance to a building, and low-wattage or low-voltage lights, not higher than 42 inches above grade, that define a walkway or other access to a building. A note that indicates this requirement shall be added to the plan.
11. 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.
12. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
13. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
14. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
15. 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
	Geisler	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED WITH CONDITIONS

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2. Applicant: 155 Bellwood Drive, LLC
Location: 155 Bellwood Drive
Mon. Co. Tax No.: 089.04-1-7
Request: Site plan approval for a proposed building addition to an existing building (2,300± square feet) including construction of sidewalk for Americans with Disabilities Act ("ADA")-compliant access, on approximately 0.05 acres
Zoning District: BG (General Business)

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

Nathan Rozzi, Rozzi Architects, presented the application.

Mr. Rozzi: We are requesting approval for an addition of about 2,000 square feet. This will be a medical user and require some specialty equipment. This will be one story and the intent is to match the existing exterior. We have presented this plan to the Canal Ponds Architectural Review Board. They have approved it, pending this Board's approval. One last look at the proposed addition before our final construction. At the entryway is a vestibule that will be remove. A new storefront will be placed and the sidewalk will be extended. The access will be for patients to be shielded from the weather.

Mr. Copey: This project was reviewed by the Monroe County Department of Planning and Development and the Monroe County Development Review Committee; they had no outstanding comments. There are no comments from our zoning or building departments. Planning had comments on the notes that had to be added to the drawings, and the applicant had accommodated for a bike rack.

Mr. Gauthier: No comments from engineering

Mr. Geisler: What will be the total square feet that they will be using? We're glad to see that used.

Mr. Rozzi: About 17,000 square feet; which is about half.

Mr. Fisher: This use is much better suited for that space, so we appreciate the positive use.

Mr. Geisler made the following motion, seconded by Mr. Sofia:

WHEREAS, 155 Bellwood Drive, LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a site plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 155 Bellwood Drive (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 a Type II action under SEQRA. (SEQRA Regulations, §617.5 According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

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NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Planning Board relative to the application.

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

MOTION CARRIED

Mr. Geisler then made the following motion, seconded by Mr. Sofia, 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 exterior appearance (that is, materials, colors, and architectural style) of the proposed addition shall be visually compatible with the existing building. As offered and agreed by the Applicant, such materials and colors shall be rough faced stone (in the tan/brown color families) and E.I.F.S. (in the tan color family). Elevations of the exterior appearance shall identify these colors and materials, shall show all sides of the proposed addition, and shall be filed with the site plan.
4. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
5. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
6. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
7. 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	Yes	Burke	Yes
	Geisler	Yes	Slocum	Yes

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**Selke
Fisher**

**Yes
Yes**

Sofia

Yes

**MOTION CARRIED
APPLICATION APPROVED WITH CONDITIONS**

SPECIAL PLANNING TOPICS

Old Business

None

New Business

None

ADJOURNMENT: 7:40 p.m.

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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