



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD**

### **MINUTES**

**JUNE 19, 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

William E. Selke

Jamie L. Anthony (Jamie L. Slocum)

Michael H. Sofia

John Gauthier, P.E., Associate Engineer

Michelle Betters, Planning Board Secretary

John T. Caterino, Planning Board Clerk

Christopher A. Schiano, Esq., Deputy Town Attorney

#### **Absent**

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

#### **Announcements**

#### **Policy of Decorum**

PLANNING BOARD MINUTES  
June 19, 2019

**PUBLIC HEARINGS**

**Old Business**

1. Applicant: Sample Real Estate NY  
Location: Willnick Circle  
Request: Final plat approval for Section 2 of the Chatham Estates subdivision, consisting of 16 lots on approximately 16.5 acres  
Zoning District: R1-44 (Single-Family Residential)  
Mon. Co. Tax No. 044.03-2-40.111

**Ms. Burke made a motion, seconded by Mr. Geisler, to continue the application to the July 24, 2019, meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Anthony</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
APPLICATION CONTINUED TO  
JULY 24, 2019, MEETING**

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**New Business**

None

PLANNING BOARD MINUTES  
June 19, 2019

**SITE PLANS**

**Old Business**

None

**New Business**

1. Applicant: Eden Court Capital LLC  
Location: 2443 West Ridge Road  
Request: Site plan review for demolition of existing building with construction of proposed new building, (one story; 4,000 square feet), with related parking, utilities, grading, and landscaping on approximately .586 acres  
Zoning District: BR (Restricted Business)  
Mon. Co. Tax No. 074.14-4-16

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

Matt Tomlinson, Marathon Engineering, presented the application.

Mr. Tomlinson: This project is at the corner of Mitchell Road and West Ridge Road, we're proposing to knock down existing building, build a new one in compliance with the set-backs, we were before the Board of Zoning Appeals and were granted variances last night. We did appear before this board for concept and have received comments. We have made some changes for the façade based on comments from staff and the Board. I have handed out some elevations and they show that we have broken up the façade. Along the rear of the building there is landscaping but as pointed out it is on the neighbor's property, so we have added trees along the east and some color difference on the building along with some wall sconces. The outstanding comments are technical in nature and will continue to work through those.

Mr. Caterino: Monroe County Development and Review Committee has reviewed the application and I have forwarded those comments. They were granted variances last night for parking, setbacks and lot coverage. Our building department had no comments, our Fire Marshal asked for fire hydrant on the site and has been addressed. We did have comments from staff regarding the architectural standpoint of the building and access to a sanitary sewer lateral that serves the property from the mall property, but with speaking with Mr. Tomlinson it sounds like the owners are working on an agreement with the mall property owners, and will be a condition that they obtain any necessary agreements so they have access to that.

Mr. Gauthier: The most exciting one was the lateral issue. That sounds like it's under control. The details of drainage leaving the site is minor in detail.

Mr. Sofia: Concept makes such difference, nice job.

Mr. Selke: I'm concerned about safety, you were going to put building lighting. Where is snow storage?

Mr. Tomlinson: Our parking will be fully lit. We have labeled snow storage, in large events some might have to be removed from the site.

Mr. Selke: It's a busy corner, do you have proper signage?

Mr. Tomlinson: Yes it has been reviewed and there will be the proper signage.

PLANNING BOARD MINUTES  
June 19, 2019

**Motion by Mr. Selke, seconded by Mr. Antelli:**

WHEREAS, Eden Court Capital, 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 2443 West Ridge Road (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning Board determined that the Proposal 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 "SEQR Regulations") (collectively, "SEQR"), and that the Proposal constitutes an Unlisted action under SEQR.
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 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 carefully has considered an Environmental Assessment Form 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 carefully has considered additional information and comments that resulted from telephone conversations, meetings, or written correspondence from or with the Applicant and the Applicant's representatives.
6. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development, the Monroe County Department of Environmental Services, the Town of Greece Environmental Board, and the Town's own staff.
7. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with 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 Town 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 SEQR.
11. The Planning Board carefully has considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQR.

PLANNING BOARD MINUTES  
June 19, 2019

12. The Planning Board carefully has 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, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQR, 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.

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Anthony</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED**

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**Mr. Selke 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 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

PLANNING BOARD MINUTES  
June 19, 2019

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.

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 Clerk of the Planning Board prior to affixing the Planning Board approval signature to the site plan.
6. The exterior appearance (that is, materials, colors, and architectural style) of the proposed building shall be generally the same on all sides of the proposed building. As offered and agreed by the Applicant, such materials and colors shall be. E.I.F.S. (in the white/grey family) and brownish horizontal planks. 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 site plan and landscape plan.
9. The locations of the designated fire lanes shall be shown on the Site Plan.
10. 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.
11. 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.
12. No building permits shall be issued unless and until the Applicant executes an agreement for maintenance of the proposed storm water management facilities. Such agreement shall be subject to approval by the Planning Board's Attorney and the Commissioner of Public Works.
13. 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.
14. No building permits shall be issued unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk.
15. 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.
16. Subject to approval by the Town's Building Inspector, Fire Marshal, Commissioner of Public Works, and Engineering staff.

PLANNING BOARD MINUTES  
June 19, 2019

17. The Applicant shall develop the Premises as it relates to accessibility, as required by the New York State Uniform Fire Prevention and Building Codes and subject to the approval of the Building Inspector.
18. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
19. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
20. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
21. The date and type of variances issued by the Board of Zoning Appeals shall be added to the plan.
22. The Applicant shall obtain and provide all necessary agreements and/or easements as it relates to the site's access to the site's public utilities (e.g. sanitary sewers, storm sewers, etc.), subject to the approval of the Planning Board Attorney and to be filed in the Office of the Monroe County Clerk.

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Anthony</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED**  
**APPLICATION APPROVED WITH CONDITIONS**

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**SPECIAL PLANNING TOPICS**

**Old Business**

1. Applicant: Rochester Academy Charter School  
Location: 1757 Latta Road  
Request: Relief from Condition # 1 (regarding entrance and exit route of school busses) of the site plan approval granted on April 20, 2016.  
Zoning District: R1-12 (Single-Family Residential, 12, 000sf)  
Mon. Co. Tax No. 046.14-08-1.1

**Ms. Burke made a motion, seconded by Mr. Geisler, to continue the application to the July 10, 2019, meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Anthony</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
APPLICATION CONTINUED TO  
JULY 10, 2019, MEETING**

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PLANNING BOARD MINUTES  
June 19, 2019

**New Business**

1. Applicant: 2016 Erie Canal Holdings, LLC  
Location: 110 Marina Drive  
Mon. Co. Tax No.: 089.30-4-22  
Request: Extension of site plan approval for a proposed office building (two stories; 22,000± square feet), with related parking, utilities, grading, and landscaping on approximately 3.5 acres previously approved June 20, 2018.  
Zoning District: BR (Restricted Business)

**Motion by Mr. Antelli, seconded by Ms. Burke, to grant two 90-day extension of the site plan, previously approved on June 20, 2018.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Anthony</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

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

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PLANNING BOARD MINUTES  
June 19, 2019

2. Applicant: Keridge Corporation  
Location: 1396 West Ridge Road  
Request: Relief from Condition #10 (regarding fence height and type) of the site plan approval granted on March 10, 1997.  
Zoning District: BR (Restricted Business)  
Mon. Co. Tax No. 075.17-2-26.1

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

George Stone, Owner of Kerharts Towing, presented the application.

Mr. Stone: We are here to request a change in our fencing. We are currently the impound yard for the Greece Police Department and the Monroe County Sheriff's department. Currently we have a six-foot shadow box fence that that has been there for about 21 years. It is worn out and have had several problems with break-ins by people pushing the wood slats in. We are asking for an eight-foot, chain link fence with privacy slats. For security and cosmetic reasons, a lot of time we have vehicles that are used for evidence. A lot of times we have vehicles that were in fatal and families go there for curious reasons. We think by increasing the height with privacy slats it will be more secure. I have a letter signed by Chief Phelan stating is in approval with that.

Mr. Fisher: Our experience has been that it really does not screen from public view, I can see the benefit of going to eight feet and if you have a new one, there will be less opportunity for folks to take the wood apart. We have people propose for dumpster and they are a maintained issue and people can through it so easily, you really need to have a board on board fence.

Mr. Stone: That has been our issue, people just kick it in, and I have some pictures to show you, you are less likely to see through these. A lot of the truck are dump trucks and larger trucks.

Mr. Schiano: The issue is not the height, the preference is the board-on-board.

Mr. Stone: New York State Fence assured us that it is much tougher to climb a chain link fence with privacy slats, because you can't get your feet in. They are on a diagonal.

Mr. Fisher: It does not provide a visual barrier.

Mr. Selke: Give it time, they break or hanging, we want to keep it nice looking.

Mr. Stone: The chain link is half the price that board-on-board, and it's more durable in the wind.

Mr. Sofia: This looks better that I anticipated.

Mr. Stone: They are thick vinyl slats, I don't have samples.

Mr. Schiano: what kind of time frame?

Mr. Stone: As soon as possible, we are already compromised.

Mr. Gauthier: Our impound lot was put in by New York State Fence, we can take a look now.

Mr. Fisher: Based on what we saw, and along as you did it on an angle, then it will be visually hidden. I think a brown in color and the quality to what we have been shown will be acceptable. I think one concern is safety and security and this would be appropriate.

PLANNING BOARD MINUTES  
June 19, 2019

**Motion by Mr. Antelli, seconded by Ms. Burke, to grant relief of Condition #10 of the site plan approval granted on March 10, 1997.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Anthony</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**RELIEF GRANTED**

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PLANNING BOARD MINUTES  
June 19, 2019

**ADJOURNMENT:** 7:45 p.m.

**APPROVAL OF PLANNING BOARD MEETING MINUTES**

The Planning Board of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Alvin I. Fisher, Jr., Chairman