



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD**

### **MINUTES**

**JULY 6, 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

Richard C. Antelli

Christine R. Burke

John Geisler

William E. Selke

Jamie L. Slocum

Christopher A. Schiano, Esq., Deputy Town Attorney

John Gauthier, P.E., Associate Engineer

Scott R. Copey, Planner

Michelle M. Betters, Planning Board Secretary

#### **Absent**

Michael H. Sofia

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

#### **Announcements**

PLANNING BOARD MINUTES  
July 6, 2017

**PUBLIC HEARINGS**

**Old Business**

None

**New Business**

None

**SITE PLANS**

**Old Business**

1. Applicant: DVL2, LLC  
Location: Generally, southeast corner of Latta Road and Long Pond Road  
Mon. Co. Tax No.: 045.03-4-1, 045.03-4-2, 045.03-4-3, 045.03-4-4, 045.03-4-17.11 & 045.03-4-20.111  
Request: Site plan approval for a proposed medical office building (one story, 15,000± square feet), with related parking, utilities, grading, and landscaping on approximately 15.2 acres  
Zoning District: BR (Restricted Business)

**Ms. Burke made a motion, seconded by Mr. Geisler, to continue the application to the July 19, 2017, 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>Slocum</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Sofia</b>	<b>Absent</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED  
APPLICATION CONTINUED TO  
July 19, 2017, MEETING**

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PLANNING BOARD MINUTES  
July 6, 2017

**New Business**

1. Applicant: West Ridge K Center, LLC  
Location: 3049 West Ridge Road  
Mon. Co. Tax No.: 074.13-3-31.1  
Request: Site plan approval for a proposed freestanding restaurant (one story; 7,163± square feet) and a proposed addition (one story; 10,000± square feet) to an existing, vacant retail building (one story; 84,000± square feet), with related parking, utilities, grading, and landscaping on approximately 13.127 acres  
Zoning District: BG (General Business)

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

Michael Montalto, Costich Engineers; and Angelo Ingrassia, property owner, presented the application.

Mr. Montalto: We are here for redevelopment of the former K-Mart in Ridgemont Plaza. This is approximately 13.12 acres of land. Redevelopment includes general façade improvements, development of additional parking areas south and west of the main building, 10,000± square-foot addition to the building, reconfiguration to parking layout, site lighting upgrades to LED lighting, and the development of an approximately 7,100± square-foot, standalone Texas Roadhouse restaurant. The reconfiguration of the main parking lot came up for review with Town staff. The angled parking spaces and one-way drive aisles for K-Mart were reconfigured to perpendicular spaces and two-way drive aisles, so with that we were able to gain parking spaces and reduce the general confusion that previously existed. The main building renovation will take it from a single tenant to one anchor tenant and multiple, smaller retail/office uses; Mr. Ingrassia has done this in Irondequoit. Instead of having only a main parking field north and alley parking to the south of the building, the area south of the building would be developed as actual formal parking with sidewalks. If there are office or medical uses, people will be able to enter the building from the south side. The building is over 85 feet deep; this allows us to put in a central corridor in the building and offer multiple uses. Improvements to the building will include some wood banding, some metal, some brick and some exterior insulation and finishing system ("EIFS") improvements; that theme would be carried to the western and southern sides, not to the same extent, but some of the elements will be carried over. The Texas Roadhouse is at the northwest corner, near the Friendly's restaurant. We received the special use permit for the restaurant from the Town Board. This is principally a dinner-only restaurant; they have lunch only on weekends. There are approximately 281 seats for dining, and there are 34 seats in a waiting area. There will be about 40 employees, about 20 per shift. They are open 4:00 p.m. to 10:00 p.m., Mondays through Thursdays; 4:00 p.m. to 11:00 p.m. on Fridays; 11:30 a.m. to 11:00 p.m. on Saturdays; and 11:30 a.m. to 9:00 p.m. on Sundays. We obtained our area variances associated with the redevelopment of the plaza from the Board of Zoning Appeals. With regard to one of the variances for a new pylon sign, this will allow Mr. Ingrassia to be able to promote what tenants are within his part of the plaza. The existing freestanding plaza sign mentions only Ridgemont Plaza, and so it's more important to be able to have that new sign. We have received Monroe County comments, and they were routine in nature. The County mentioned a wetland at the southern portion of the site where the storm water management facility is; we are not doing any work there that would affect the wetland. The Town's Fire Marshal had comments regarding the address, and asked for an additional hydrant; that won't

PLANNING BOARD MINUTES  
July 6, 2017

be a problem. It is a redevelopment project from a storm water management standpoint. We are adding additional storm water management practices; we are adding only 1560± square feet of impervious surface area to the entire project. From the redevelopment area north of the project, we actually have almost a 13,000-square-foot reduction of impervious surface area, and we gain some of that impervious back with the pavement addition on the south side. As you can see from the overall site layout, we are adding several islands to channel traffic flow, and we are adding landscaping where there currently is none. We are adding a canoe-shaped island to help separate and define a circulation path between the Wegmans and K-Mart parcel. The building architecture for the restaurant is a wooden cedar-sided building, with a green metal roof; it has some brick veneer on the lower portions. The landscaping is primarily evergreens. The building is treated the same all the way around, and attention has been paid to the Town's requirements. We are introducing a reasonable amount of green space as well, in terms of around the building. Rather than pushing the building north, everything north and west is green space.

Mr. Copey: Mr. Montalto gave a good summary of what the comments are from both the County and Town staff. Variances were granted last night, but the Board of Zoning Appeals noted that with the pavement setback if there was an opportunity to increase the greenspace along the frontage of West Ridge Road, they would allow that variance to transfer over to whatever distance the Planning Board would like it to be without going back to the Board of Zoning Appeals. As indicated, there is great improvement to the plaza, lots of landscaping and greenspace that we don't currently have; the lighting improvements also are great with the LED. I have a question regarding cross access. The architecture looks good.

Mr. Montalto: There is a reciprocal cross access easement that was formed and filed about two month ago.

Mr. Copey: Is there common maintenance?

Mr. Ingrassia: We maintain our site, Wegmans maintains theirs.

Mr. Gauthier: As I discussed with Mr. Montalto, I have not sent our comments out yet, but I have looked over the project. We have reviewed the project conceptually and I don't have any significant problems. I'm sure that we will have some minor details to address but I do not see any major issues. I do have to call to Mr. Ingrassia's attention that we do not have a storm water maintenance agreement on this property. We are trying to get all private ponds that come before us under a storm water maintenance agreement. We have no choice but to try to get it, so if that is not objectionable, we will be asking for one.

Mr. Montalto: We have no objections.

Mr. Geisler: I've noticed on the south side there are no windows or treatments; it will be facing the plaza. Also, what is the pitch of the site?

Mr. Montalto: West Ridge Road is about 10 feet higher than the site. The general slope is about 2%, and it is a normal, relatively flat plaza where it slopes down to the rear of the site. We are not changing the runoff patterns. We are adding storm water treatment measures in the northern part of the site.

Mr. Geisler: Is there a creek there?

Mr. Gauthier: There is a very broad wetland that is associated with Round Pond Creek; it is off the site. The building itself is out of the floodplain. When the redevelopment project is done, it will be contributing less at peak flow than it currently does. We are at 18% lot coverage.

PLANNING BOARD MINUTES  
July 6, 2017

Mr. Selke: This project certainly is needed. As Mr. Geisler mentioned, we like to see detail on all four sides of the building. There is an access point behind Friendly's. Who belongs to that?

Mr. Ingrassia: Friendly's owns that. I could not find an easement.

Mr. Selke: What are your plans for resurfacing?

Mr. Montalto: As I indicated in my presentation, the parking lot is to be resurfaced; where deficient, it will be reconstructed.

Mr. Selke: So, potholes filled and recoated and restriped?

Mr. Ingrassia: Correct.

Mr. Selke: What is the dumpster like?

Mr. Montalto: It's part of the building, with steel gates, and we have added landscaping so that it is screened.

Mr. Selke: There will be a lot of senior citizens to visit this site. If you could, consider adding more handicapped parking spaces. What about building lighting? Do you have an agreement with Citizens Bank?

Mr. Montalto: We comply with handicap parking code requirements, but we can discuss it with Texas Roadhouse. They have a patio area with canned lighting. There are commercial doors that open to the parking lot. We have an agreement with Citizens Bank. We can add some more shutters to the top of the building on the south side.

Mr. Fisher: The northerly parking area has a drive aisle on both sides of a single line of parking spaces; I look at that as problematic. One way to eliminate the excess without changing the parking would be to increase the green space at the north part and perhaps the south part that is part of Texas Roadhouse, or put greenspace between the parking that's located opposite the middle, to have the more traditional parking pull in and back out, with a drive aisle on only one end of the parking spaces.

Mr. Montalto: We are agreeable to reviewing that. That change would be need to be reviewed by Texas Roadhouse. They have entered into a lease agreement, and any change is something that they would have to look at.

Mr. Ingrassia: This topic came up late in the process, so I was not able to get an answer for tonight. I think that we can work with Town staff to get that green space, especially if it has no negative impact on parking. We have spent some time today and have a plan that will not impact the parking. We have sent that to Texas Roadhouse, and I am confident in working with them that it will be successful. If I do get an approval from Texas Roadhouse, I will work diligently to get that and know how important it is to make that change. It will be a quality project.

Mr. Fisher: I am comfortable with your word to improve that area, and you will work with staff to be able to get that done.

Mr. Montalto: We have a sketch of the revised parking. We are putting the northern edge at the required 20-foot setback and then increasing the greenspace; it's the same idea as just removing the 24 feet. It's a 7600-square-foot impervious surface area. We have given it some serious thought and will discuss it with Texas Roadhouse.

Mr. Fisher: How far is the building set down?

Mr. Montalto: We are in a hole; we are in eight feet of cut. There are three to four feet of cut from Friendly's, and the whole west side is tucked down in there. The service area is a little plainer from an architectural standpoint. The south side of the building is the business

PLANNING BOARD MINUTES  
July 6, 2017

end of the building, and from a corporate standpoint they have not proposed any improvements to that side. It is tucked into the side of the plaza. One thought is that we have landscaping close to the building; we could ask for shutter elements where it's bare.

Mr. Selke: We want to make sure that if we don't ask for something to be added, we have a good rationale as to why we did not. I think that a little something to break up the appearance of that wall that would work.

Mr. Montalto: We can speak to them about adding some elements. Remember, there will be landscaping with different heights.

Mr. Fisher: Working with staff on that would be okay. I think that the landscaping that you have added is such an improvement. One site affects another and the Texas Roadhouse, I think, will help with the rest of the plaza. You have turned the appearance of this site 180 degrees from what it was and made it a great attribute to the rest of the area.

Mr. Selke: What will the inside of K-Mart become?

Mr. Montalto: Internally, it will be more of a flex space. We have tried to give some visual interest for the outside.

**Mr. Selke made the following motion, seconded by Mr. Geisler:**

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 site plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 3049 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

PLANNING BOARD MINUTES  
July 6, 2017

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.
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.

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

**MOTION CARRIED**

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**Mr. Selke then made the following motion, seconded by Mr. Geisler, to approve the application, 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

PLANNING BOARD MINUTES  
July 6, 2017

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. Addresses and address ranges for each building 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.
5. The exterior appearance (that is, materials, colors, and architectural style) of the proposed restaurant 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 wood siding (in cedar color family) with brick veneer wainscot and pilaster with green trim and metal roof (in the grey 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.
6. The exterior appearance (that is, materials, colors, and architectural style) of the existing plaza building to be redeveloped 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 wood façade paneling with exterior insulation and finishing system ("EIFS") (in the grey color family), with brick veneer piers and aluminum panel cornice detailing. 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. An easement or agreement for vehicle access to West Ridge Road shall be provided, subject to approval by the Planning Board Attorney.
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.



PLANNING BOARD MINUTES  
July 6, 2017

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. No building permits shall be issued unless and until the Applicant executes an agreement for maintenance of the proposed storm water management pond. Such agreement shall be subject to approval by the Planning Board's Attorney and the Commissioner of Public Works.
14. 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.
15. 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.
16. No pre-construction meeting shall be scheduled unless and until a Notice of Intent (NOI) has been filed with the New York State Department of Environmental Conservation (the "NYSDEC").

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-0-15-002, 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.

17. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
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. As offered by the Applicant, the Applicant shall work with Town staff to increase the green space along West Ridge Road.
22. As offered by the Applicant, the Applicant shall work with Town staff to add shutters and/or other architectural detail to the south side of Texas Roadhouse building.

PLANNING BOARD MINUTES  
July 6, 2017

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

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

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PLANNING BOARD MINUTES  
July 6, 2017

**SPECIAL PLANNING TOPICS**

**Old Business**

None

**New Business**

None

**ADJOURNMENT:** 8:17 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