



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD**

### **MINUTES**

**JULY 11, 2018**

**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

Michael H. Sofia

William E. Selke

Scott R. Copey, Planner

John Gauthier, P.E., Associate Engineer

Christopher A. Schiano, Esq., Deputy Town Attorney

Michelle M. Betters, Planning Board Secretary

#### **Absent**

Richard C. Antelli

Jamie L. Slocum

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

#### **Announcements**

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**PUBLIC HEARINGS**

**Old Business**

**New Business**

**SITE PLANS**

**Old Business**

1. Applicant: LiDestri CROPS, LLC  
Location: 50 McLaughlin Road & 1349-1401 Ridgeway Avenue  
Mon. Co. Tax No.: 089.04-1-3.2, 090.03-1-16, 090.03-1-17, 090.03-1-19, 090.03-1-20, 090.03-1-21  
Request: Site plan approval for a proposed food storage and packaging building (280,000± square feet), with related parking, utilities, grading, and landscaping on approximately 22.75 acres  
Zoning District: IG (General Industrial)

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

David Cox, P.E., Passero Associates, P.C.; Stephanie Dempsey, Senior Architect Project Manager, Bergmann Associates; and Matt Groth, Intern Architect II, Bergmann Associates presented the application.

Mr. Cox: We were here about two years ago and went over with the Board a master plan for the eventual development of the whole site that is owned by LiDestri. We are showing the hydroponics facility for the baby organic spinach; to the north of that, we show the present project. The building shown has the same location and building orientation. We have checked to make sure that nothing has changed relative to the State Environmental Quality Review Act ("SEQRA") review that the Board performed the last time that we were before you. The disturbance is less, the overall impervious surface and acreage is less, the building is smaller and there is less parking needed than originally. There will be less sewer and water demand, there will be less traffic generated and no impact to the environment. All the impacts are less for this project. Because of the type of process for this facility, there are nitrogen tanks, and we have received Town Board approval of a special use permit for their use. This a frozen food distribution facility. Frozen, cut-up vegetables are stored in bins, they go into the freezer section, and when they are ready to be packaged they are taken out and packaged right here. Surprisingly, a lot of the frozen packages come from overseas. This facility is designed to handle domestically the demand in the U.S. Currently, in some instances, the vegetables are processed here, shipped overseas, packaged there, and shipped back to the U.S. The building has three parts: it has the freezers; the distribution and packaging facility; and the offices.

Mr. Sofia: Are you proposing the full building today? Does LiDestri own the frontage to Ridgeway Avenue?

Mr. Cox: We are proposing one building, to be built in two phases over four years. LiDestri does not own all of the parcels on the Ridgeway Avenue frontage; although LiDestri owns some of them, there are no plans for those parcels. Some of the latest technology will be used in the freezer section. It's called hypoxic air system, and it lowers the oxygen in the

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freezer building so that a flame will not light; therefore, there is no need for sprinklers. It is safe, you can breathe in there, but it is fully automated. Under the slab of the freezer it is heated, because it is so large that it will actually freeze the ground. Here are some elevations of the exterior of the building. The tallest parts of the building are about 118 feet, and there are air intakes that are about 10 feet high, for a total height of 128 feet.

Mr. Copey: Is this taller than what originally was shown on the plan?

Mr. Cox: Yes, it is a bit taller. There is not a height restriction in this zoning district, and this height and taller is not unusual for Eastman Business Park. For example, there is a chiller plant that is about 130 feet tall, and north of Ridgeway Avenue the older stacks for the RED-Rochester power plant are 400 feet high, and the new stacks for the natural gas-fueled power plant are 200 feet high.

Mr. Geisler: How many square feet is the building?

Mr. Cox: It is 280,000 square feet.

Mr. Geisler: This is a massive building, so it's going to cast a big shadow.

Mr. Cox: The shadow won't reach any of the neighbors. We are set back hundreds of feet from the neighbors. We also are planting evergreens for a buffer.

Mr. Selke: This is about an eight- or nine-story building? What is on top of the buildings? Is that required to be screened?

Mr. Cox: It will have the same façade as the building. We took photos from five different spots along Ridgeway Avenue; we then did a photo simulation. Because the trees are closer to Ridgeway Avenue, you won't be able to see the building very much.

Mr. Copey: Is the photo with the highest building, Phase II? What is the distance to the property line?

Mr. Cox: Yes, Phase II. The distance is about 160 to 180 feet.

Mr. Geisler: Is the property in the front residential?

Mr. Copey: The properties along Ridgeway Avenue are zoned office or industrial. There are people who live in those houses, and one neighbor was concerned about the height of the building.

Mr. Cox: Vehicles will enter the site via the existing signalized access on McLaughlin Road; cars will park in the parking lot. Tractor trailer trucks will drive to the back of the building; there will be about three to four trucks per hour. Drainage will flow down to the regional storm water management facility that is already there. There are some wetlands to the south; we are avoiding them. Water will be from Monroe County, electricity will be from RED-Rochester, and sanitary sewers will go to the county system; we are not sure yet whether gas will be from RG&E or RED-Rochester. This will be one building, but it will be constructed in two phases. The first phase will have about 80 people working; the next phase will have another 80 jobs.

Mr. Geisler: What's the schedule for the first phase?

Mr. Cox: About 18 months. LiDestri is excited to expand this park with the food-based industry, and they have been very successful.

Mr. Copey: We had some comments from Monroe County Department of Planning Development and the Monroe County Development Review Committee. They commented on the sanitary sewers connecting to the county system, and the storm water would be regulated by the Town. The Monroe County Department of Transportation ("MCDOT") stated that all access would be from Ridgeway Avenue, for current and future phases. The project complies

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with zoning requirements. New York State issued a building code variance for fire suppression. As Mr. Cox noted, they provided an update on the traffic information. Regarding what was discussed in SEQRA, the Planning Board issued a negative declaration last year. One specific condition was to update with each phase of development; they have done that. I noted that we received a call about this from one neighbor, but that was it.

Mr. Gauthier: The Town's Traffic Advisory Committee ("TAC") met last night but their comments have not been drafted yet; however, from discussions that I have had with the TAC staff, there is nothing that would impact approval of this project. We have no engineering concerns.

Mr. Geisler: Any concerns with wastewater?

Mr. Gauthier: No. There is none from processing; the only wastewater would be from the offices.

Mr. Cox: There is a little from a wash-down in the plant, but that's it.

Mr. Selke: What is the color of the siding? It might disrupt traffic with reflection off the building.

Mr. Cox: It is an off-white. We did not a vibrant white, but because it's a freezer, we did not want a dark color to absorb any heat. The office will be a shade of blue that will be different from the rest so that visitors will know where to go. It's a standard insulated metal panel.

Mr. Groth: As far as the metal panel, it's an off-white, it's a dull, matte panel, not shiny. We have done many buildings using this material; there is no reflective issue whatsoever.

Mr. Copey: Is this what is used on cell towers? It's surprising that it blends in better with the sky.

Mr. Groth: Yes. The panels will be above grade about a foot, and there is no worry about penetration of water.

Mr. Selke: What time do the trucks come?

Mr. Cox: Truck traffic will be during the day, but it is a 24-hour facility, with three shifts.

Mr. Sofia: Are the vegetables local?

Mr. Cox: Yes. In New York there is quite a bit of farming, and the plan is to get as much local as possible.

Mr. Sofia: How do the vegetables get frozen before they get to this site?

Mr. Cox: There are various processing facilities in New York. This facility will be able to handle a lot of packaging. The majority of the building is two stories.

Mr. Geisler: I don't understand why the building is so high.

Mr. Cox: There are no floors. Inside will be a massive racking system that is completely supportive of itself; the outside is just a shell. That's what stores all the vegetables.

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

WHEREAS, as part of the overall site plan approval for LiDestri ECO-Industrial Park, the Planning Board became the lead agency without the objection of any involved agencies. After reviewing the Environmental Assessment Form ("EAF"), project plans, and other supplemental information, the Planning Board concluded that there would not be a significant adverse impact on the environment. This Proposal is consistent with the LiDestri ECO-Industrial Park proposal approved by the Planning Board.

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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 Proposal.

<b>VOTE:</b>	<b>Antelli</b>	<b>Absent</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Slocum</b>	<b>Absent</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. Geisler, 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. 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.
3. 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.
4. The location of any outdoor refuse container on the Premises, along with the height and type of enclosure for such container, shall be shown on the plan. If refuse is to be stored inside the building, a note that indicates this shall be added to the plan.
5. 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.
6. 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

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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.

7. 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 insulated metal panels (in the off white and blue color families). 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.
8. The locations of the designated fire lanes shall be shown on the Site Plan.
9. 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.
10. Water mains and hydrants shall be installed and be in proper operating conditions prior to the commencement of any aboveground construction.
11. Suitable access roads and temporary street signs shall be installed and maintained so as to provide continuous access to fire department and other emergency vehicles prior to the commencement of any aboveground construction.
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 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.

14. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
15. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
16. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
17. 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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<b>VOTE:</b>	<b>Antelli</b>	<b>Absent</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Slocum</b>	<b>Absent</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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**New Business**

None

**SPECIAL PLANNING TOPICS**

**Old Business**

None

**New Business**

1. Applicant: CEC Entertainment, Inc.  
Location: 3130 West Ridge Road  
Mon. Co. Tax No: 074.01-1-5.1  
Request: Relief from Condition #5 (regarding exterior appearance of the building) of the site plan approval granted by the Planning Board on September 18, 2002  
Zoning District: BG (General Business)

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

Walter Boyd, CEC Entertainment, presented the application.

Mr. Boyd: We are here to get approval to refresh the exterior appearance of our stores. Many of our stores have not been updated in a decade. This color is a food fresh color, and we want to give the idea that our items are fresh. We updated 12 stores last year and will do 25 this year. We are not proposing new finishes, just painting of the existing. We are replacing the sign and awnings.

Mr. Sofia: Is the change the green paint, with the different color variations?

Mr. Boyd: Yes.

Mr. Geisler: What is the white shown on the picture?

Mr. Boyd: That is a cheese board; those are decorative. No changes to the windows, but the awnings will be changed. There is up lighting and down lighting.

Mr. Fisher: Given that the building is lower than West Ridge Road, this helps highlight it and helps people recognize that it's there.

Mr. Sofia: I'm surprised that you are not bringing the circles around the side of the building. When you pull in to that driveway, you see that side.

Mr. Cox: That is a good idea, and I think that that's a great suggestion.

Mr. Fisher: That is a good idea and could be part of the motion that you continue down that west side.

Mr. Sofia: Even on the Lowes side, that parking lot is full. Why not continue it?

Mr. Selke: I would like to give you that option and work with staff.

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**Mr. Selke then made the following motion, seconded by Mr. Geisler, to grant relief from Condition #5 of the September 18, 2002, Planning Board approval, subject to the following condition:**

1. If the applicant so desires, the circular pattern may be continued around the sides and rear of the building, subject to approval of the Planning Board Clerk.

<b>VOTE:</b>	<b>Antelli</b>	<b>Absent</b>	<b>Burke</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Slocum</b>	<b>Absent</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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2. Applicant: Acquest South Park, LLC  
Location: 1200 Lexington Avenue  
Mon. Co. Tax No.: 089.40-001-2.108  
Request: Permit request for tree clearing and grading  
Zoning District: IG (General Industrial)

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

John Clarke, DDS Companies, presented the application.

Mr. Clarke: The parcel is vacant, and Acquest is actively trying to market the property. In an effort to clean up the scrub brush and some trees, and to open up the visibility of the space, they would like to take out trees, grade, and plant seed. They are not looking to do any mass changes to the grading; we are making sure that drainage continues to go where it currently is going. They just want to get the unattractive trees out of there. That will cause earth disturbing activities, do some grading, and we want to be able to plant seed. We met with Town staff and got some good direction from them. We will be preparing a Storm Water Pollution Prevention Plan ("SWPPP"), erosion and sediment control, a Notice of Intent ("NOI") will be delivered to the New York State Department of Environmental Conservation ("NYSDEC"), and we will obtain a permit to do the work. We wanted to make sure that we were aboveboard with the Town in this activity. The Town's staff thought that it would be a good idea to bring this to the Planning Board.

Mr. Gauthier: We received an inquiry about doing this, and we have no code-related mandate to have this in front of the Board. I explained that we have had some problems and criticism in some cases where other developers had gone wild with clearing of sites, and that we would appreciate it if they came in and explained their intent. We want to go about this in a uniform manner.

Mr. Fisher: We appreciate that. Not only do they come to you but they come to us, so this is helpful. The applicant is cooperative, and we appreciate that.

Mr. Sofia: I think that the biggest benefit is regarding the surrounding properties. We have to buffer other properties. If a site is clear-cut, then it makes it real hard to buffer. Thank you for coming to us.

Mr. Gauthier: They have some challenges. The storm water from this area discharges to the Genesee River, and the site has to be inspected until it's stabilized. That, however, creates an incentive for them to revegetate promptly.

Mr. Selke: Is the soil reviewed?

Mr. Gauthier: The water is being intercepted and brought to the storm water facility to the south. There should not be a significant amount of additional infiltration. They will let us know of any environmental concerns on the property.

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**ADJOURNMENT:** 8:10 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