



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD MINUTES

AUGUST 21, 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

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

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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

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

Richard Giraulo, LandTech Associates, presented the application.

Mr. Giraulo: We are here to update.

Mr. Gauthier: This particular project has changed owners, it's been dormant for a while, there was a submittal for section two six months ago and it was discovered there was a significant amount of wetland on the property which required a redesign. There is a significant amount of filling required and the developer has the opportunity to acquire a fill for this purpose. There is window of opportunity that will pass so in advance of the approval they have asked for a fill and grading permit. Typically on the second and final section this would be a mechanical thing. I would like to get a recommendation from the Board before processing this, in some ways it limits the Boards actions. There is an approved preliminary, there is a number of lots but if filling were to proceed your hands are somewhat tied. So before that is taken away we asked the developer to describe what they want to do, if that's ok we can proceed.

Mr. Giraulo: Thank you, this did start six months ago, the Army Corps regulations have changed, this property had been delineated previously, and the only wetlands were on the south end of the property. With the new regulations, it makes just about any puddle an Army Corps' Wetland. We have identified those area and will avoid them. We are going to lose some lots, shift the road to the east. I'm here to also talk about stockpiling soil that has become available and that why we have applied for the fill and grading permit. There will be about 2000 yards for each pile.

Mr. Gauthier: I don't see any objection, they just have to line up the storm water permit with the new owner. As long as the Board does not have any misgivings.

Mr. Fisher: Will this change the preliminary?

Mr. Gauthier: They will have less lots.

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Mr. Antelli made a motion, seconded by Ms. Burke, to continue the application to the September 18, 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
SEPTEMBER 18, 2019, MEETING**

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2. Applicant: DMK Development – Greece, LLC
Location: 3230 Latta Road
Request: Minor subdivision approval for DMK Subdivision, a re-subdivision of Lot 1 of the Latta Road Subdivision, consisting of 2 lots on approximately 12.14 acres
Zoning District: BR (Restricted Business)
Mon. Co. Tax No. 045.03-1-13.1

For a synopsis of the discussion relative to this request, see the minutes of this meeting relative to the request for site plan approval by applicant DMK Development-Greece, LLC.

Motion by Mr. Selke, seconded by Mr. Geisler:

WHEREAS, DMK Development – Greece, 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 3230 Latta Road (the “Premises”); and

WHEREAS, having considered carefully all relevant documentary, testimonial and other evidence submitted, the Planning Board makes the following findings:

1. Upon review of the application, the Planning Board determined that the application is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the “SEQRA Regulations”) (collectively, “SEQRA”), and that the application constitutes an Unlisted action under SEQRA.
2. The Planning Board has considered the Proposal at a public meeting (the “Meeting”) in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all parties in interest were afforded an opportunity to be heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board’s consideration.
4. The Planning Board has carefully considered an Environmental Assessment Form (“EAF”) and supplementary information prepared by the Applicant and the Applicant’s representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the “Environmental Analysis”).
5. The Planning Board has carefully considered additional information and comments that resulted from telephone conversations or meetings with or written correspondence from the Applicant and the Applicant’s representatives.
6. The Planning Board has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town’s own staff.
7. The Planning Board has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written

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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, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the Applicant's voluntary incorporation of features and measures that were identified as practicable.

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	Anthony	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

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. Any Town of Greece approval or permit for these 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.
3. No building permits shall be issued unless and until highway permits are issued.
4. No building permits shall be issued for any of the lots in this subdivision unless and until this final plat has been recorded in the Office of the Monroe County Clerk. 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.
5. 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.
6. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Town Engineer.
7. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
8. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
9. 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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New Business

1. Applicant: Timberland Development, Inc.
Location: Avery Park Lane
Request: Final plat approval for the Avery Park subdivision, section 8, consisting of 16 lots on approximately 3.75 acres
Zoning District: R1-E (Single-Family Residential)
Mon. Co. Tax No. 033.04-2-62.41

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

Richard Giraulo, LandTech Associates, presented the application.

Mr. Giraulo: This has been around for some time, this plat was approved around 2002, the only question is how we terminate the road at the end, and it could be some years before it's developed. This project does about a big piece of property currently own by someone else but not sure how long it will be left vacant. These are small lots, with a hammerhead turnaround located on the adjoining property. The owners were asked if the turnaround was OK with an easement, they did not have a problem but their attorney recommended against it. So if the Town could help mitigate that liability otherwise there is the turnaround in someone's front yard. If it was put at the end it would make sense and we could develop the lots however it does encumber the lots. I do have another alternative that shows a cul-de-sac. It's huge, it does wipe out two lots, and the owner is getting taxed on lots he can't develop. We prefer the hammerhead but are willing to work with the Town.

Mr. Fisher: So in that case the approval will be done with the Planning Board recognizing the ability of town staff to work with the developer to find a mutually agreeable alternative of the turnaround.

Mr. Gauthier: We have a lot of opportunities to accomplish it, it should not be a deal breaker. We have to consider that this may be in place for a long time. School buses and snow plows can make the maneuver, but if we can make it safer we want to look at that.

Mr. Schiano: You're willing to work with staff?

Mr. Giraulo: Of course.

Environmental Statement: The environmental review was completed when the preliminary plat was approved by the Planning Board. The final plat is consistent with the preliminary plat. Therefore, the SEQRA Regulations require no further environmental review by the Planning Board.

Mr. Sofia then made the following motion, seconded by Ms. Burke, to approve the Proposal, subject to the following conditions:

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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 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 building permits shall be issued for any of the lots in this subdivision unless and until this final plat has been recorded in the Office of the Monroe County Clerk. 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.
4. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been submitted to and approved by the Town.
5. 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.
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. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
8. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
9. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
10. 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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11. As offered and agreed to by the Applicant, the Applicant shall work with Town Staff regarding the final design of the road and turn around layout at the southern end of the subdivision section and subject to the approval of the Planning Board Clerk and Town Engineering Department.

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: DMK Development – Greece, LLC
Location: 3230 Latta Road
Request: Site plan approval for construction of a proposed retail, Tractor Supply Company(one story; 19,097± square feet), with outside trailer/equipment display area, related parking, utilities, grading, and landscaping on approximately 6.11 acres
Zoning District: BR (Restricted Business)
Mon. Co. Tax No.: 045.03-1-13.1

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

Patrick Laber, Schultz Associates, Matt Heneveld, DMK Development, presented the application.

Mr. Laber: I'll run down the changes that have taken place since we were last here in May. One of the biggest issue was the trailer and equipment area, up front and immediately north of the entrance, that has been moved to the east side. That allows us to move if from view of Latta Road and we can now extend the entrance drive to get another car length worth of stacking area; that helps with the entrance. There will be two islands that will be landscaped, the area between the access drive that feeds into the Town's parcel and previously into the lot to the west, the green space down to Latta Road, there are notes on the plan that states there will be no equipment or display or staging of merchandise, it will remain green and landscaped. The other item for discussion is that Lot 1 will not be developed, that will stay, as I understand in its current condition. We were asked by the Planning Department to remove the access easement and drive that was on the previous plan as there is no need. We show that we will be pumping to the Latta Road sewer instead of through the school district property. Private pump station is shown in northeast corner of the parking lot, all private up to the existing man hole that the Town owns. A request by the Fire Marshal was to have private fire hydrant on the site. We have also adjusted the storm sewer layout to match the configuration of the road. The grading plan has not changed, we have brought down any light spill along the west property line, and there should be no light spill off the site. Since last meeting we have a full landscape plan put together. Some highlights include trees along the frontage along Latta Road, in the entrance your first view will be of trees, the curbed islands will be landscaped with trees and low level plantings. The berm on the east side to shield the outdoor fenced area now has three or four different types of trees. We have added more trees on the west side of the property line, further south to buffer the parking lot. The plat for the subdivision has not changed. Lot sizes are still the same, the traffic assessment was reviewed by a third party, as requested by the Board, and the findings were in agreement with the original findings. We did provide a list of what was going to be displayed outside.

Mr. Fisher: How many different types of trailers will be displayed?

Mr. Laber: Four or five, like the ones at Lowes. The inventory will be displayed, from what I understand they don't go through a lot of trailers, so the area is more than adequate for what they sell in a year, maybe three or four.

Mr. Laber: There was discussion with town staff regarding trailer sales, a letter was issued by the Building Inspector confirming that this would be permitted.

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Mr. Matt Heneveld: The trailer display area is about 20 x 150 feet, they can probably fit about 1 per parking space size, and this is a large ticket item, so this is an important product. We did get a zoning letter addressing these items in the code, June 24, 2109, from the Building Inspector, stating the types of merchandise and products TSC has at all their stores, abiding by the zoning code as being a permitted use. I have a copy here.

Mr. Fisher: That is in question based on the legal interpretation.

Mr. Caterino: As part of the code, the building inspector is in charge of interpretations of the zoning ordinance.

Mr. Fisher: So will trailers be stored in that section?

Mr. Heneveld: Correct, that's what you'll see on plan denoted that will be the only area they can display those.

Mr. Fisher: It's clear that none of the existing asphalt, other than the display areas, would be used for storage or display of merchandise.

Mr. Heneveld: Correct, the updated plan specifically shows no merchandise will be displayed in those areas.

Mr. Fisher: The issue that comes up periodically is, for whatever reason, will store pallet in the parking areas.

Mr. Heneveld: Because of the layout, we don't have any room to do that.

Mr. Fisher: We don't want to see any storage in the existing asphalt.

Mr. Heneveld: They definably won't be storing any pallets out front, there will stuff by the delivery door such as merchandise as it comes in and out or by the dumpster.

Mr. Sofia: The picture you showed is neat and organized, I would like it to look like that all the time.

Mr. Selke: My concern is that as time goes by, manager's change, how we keep it so it's consistent.

Mr. Schiano: Maybe a stipulation that the merchandise is kept in the enclosed areas?

Mr. Selke: Yes or a designed area.

Mr. Heneveld: Someone mentioned that this could become messy, but they have limited space because of drive isle.

Mr. Fisher: Could some landscaping be added near the storage and the property line?

Mr. Heneveld: We could add something and work with staff.

Mr. Laber: There are a lot of trees, along the front, that will prohibit any storage; same on the berm on the east. Along the west side of property, we will be extending the existing tree line to help buffer the parking lot. There are a lot of low level plantings, they did a nice job, and they have added about 100 new plantings.

Mr. Heneveld: From the last round of elevations, we have taken in comments from staff, the color is a bit darker, brick veneer was added, the columns are hardy plank instead of the metal, and the red is a more earth tone red. The awnings were split up a bit. The parapet was increased by a foot and half for shielding of the heating/ cooling systems. The fence will be black aluminum tube fencing and added brick masonry piers to dress it up.

Mr. Fisher: That should be added to the east side as well.

Mr. Heneveld: We were asked to add a buffer of trees and a berm, to screen that area.

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Mr. Fisher: That should be consistent along with the elevations of building sides. There should be things like spandrel glass to provide some architectural elements to the building.

Mr. Sofia: I would agree to have the black aluminum fencing and brick piers along the east side. I would have some elements added to the building on the west side not necessary the east side.

Mr. Fisher: You can work with staff.

Mr. Schiano: Typically we ask that there is consistency to all sides.

Mr. Caterino: Staff has received comments from a neighbor Gina DiBella, of 224 Northwood Drive, she does not prefer the Latta Road location and would like to see that moved to West Ridge Road, Elmridge Plaza.

Mr. Schiano: That is not part of your charge.

Mr. Caterino: If Tractor Supply were to remain at this site she would like the Board to take a hard look and require the developer to make adjustments to fit into the neighborhood, she cited the display along Latta Road. We have reviewed the revised plans and were able to provide feedback. Our Fire Marshal and zoning department had no comments. Our building department commented on ADA access along the site. At the previous meeting, questions came up about traffic, we did have Barton and Longudice review the applicant's traffic study and they were in agreement with the traffic study. Since then we have reached out to New York State Department of Transportation, since Latta Road is under their jurisdiction, they are going to provide a speed study from Kirk Road to Flynn Road and any information I get I will pass along to the Board and the public. Most comments from planning were about the elevations, the fencing and dressing up the east and west sides. Also to extend the corners of the building on the front to break up the roof line.

Mr. Selke: When would the speed study come in?

Mr. Caterino: They did not give a time line. This will not affect the applicant.

Mr. Gauthier: Generally the revisions have satisfied our concerns. One earlier comment, we have a procedure for a temporary private force main and private pump station that requires some paperwork to do. Just keep in mind it's not just mechanically but there is some paperwork associated with it.

Mr. Sofia: You mentioned the private sewer, how does that work?

Mr. Gauthier: Where we don't have gravity sewer servicing a property, we began a process five or six years ago, can reach an existing sewer with a forced main, we allow that party to have a temporary force main connection, with the agreement that should be the sanitary be extended and a petition passed to extend the district they will record a "Yes" vote. This had receive a positive response.

Mr. Sofia: It's been a concern that the Lot 1 not be developed, the fact that we are eliminating the cross access on this property is interesting because we have never done that. It will be part of our staff notes and hope it assures the neighbors that the likelihood is minimal without cross access. Because we are not asking now we can't go back and ask for that later.

Mr. Selke: What are the hours of operation. Will lighting be on timers?

Mr. Heneveld: 8 AM to 9 PM, Monday through Saturday and 9 AM to 7 PM on Sunday.

Mr. Selke: Will the tree near the entrance come down?

Mr. Laber: Yes

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Mr. Geisler: I think the applicant has made substantial strides to accommodate the Planning Board and hope it can continue with the requests we have made tonight.

Mr. Fisher: One reason why we are so picky is that this is in effect the heart of the town, this is the geographical center of town, Town Hall is just to the north, there has been substantial increase and will continue to be in the commercial nature in this with the development of property that is kitty corner to your parcel. We want to be sure that these tie in, in a positive way and provide consistent, positive experience.

Jim Leary, 25 Clearwater Circle: I have a question, I'm confused, after the last meeting, I received a letter from someone from the town, it's not signed, so I don't know who, at the last meeting time, it was said that the Planning Board cannot require a business to locate to another location, much less, a specific location, locations are selected on the developers' marketing studies, the second page of the letter states that Tractor Supply inquired about purchasing the western property but MuniPro denied and instead offered the eastern part of the property away from Clearwater. So my point is someone in the town is saying they can't offer suggestion and alternative but on page two it's saying we can.

Mr. Selke: This is Planning Board.

Mr. Schiano: For the purpose of this board, they can say what goes in, this board can only talk about how it goes in.

Mr. Leary: Isn't MuniPro the town?

Mr. Schiano: It's an agency, the charge is how things go in not where.

Mr. Leary: Why can't the town, and the we don't want it our back yard, why can't you tell them and let them know it's not a good fit? That's what I questioning.

Mr. Fisher: At the last meeting we went through the give and take, because our job as the Planning Board is to try and take items before us and to try and make it suitable and it mitigated to the greatest degree practical. We went through that process and at the end of the meeting, I've had conversation with some of those people and they felt much better of what was proposed if they responded positively to the comments that were made. The changes that were made have made this much more suitable to where it's being located. The concerns that were raised at the first meeting have to been to a great degree have been addressed.

Mr. Leary: My second point, in the letter, it said that our preferred approach was to have an open public meeting with the residence. I went back from the August 19, 2014 Town Board minutes, rezoned the property, the next item was to waiver of a public hearing notification to the residence in the area. The night they make proposal they do away with a notification. I understand they do things differently and that's why I have a bad taste and that why I'm here.

Mr. Fisher: I'm glad you came this meeting and offered your opinion because it does help us. Same with the residents.

Mr. Schiano: Most of the reasons for the change were due to the residents. That's the importance of them coming.

Mr. William Cybulski, 157 Clearwater Circle: I understand you can't tell them where to go, but you can say how it gets there and what it looks like. The fence looks like where inmates would play. I think you should limit the hours and when deliveries come. Why have trailers when they don't sell the stuff, please take into consideration about how this will look.

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Motion by Mr. Selke, seconded by Mr. Geisler:

WHEREAS, DMK Development–Greece, 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 3230 Latta 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’ consideration.
4. The Planning Board has carefully considered an Environmental Assessment Form (“EAF”) and supplementary information prepared by the Applicant and the Applicant’s representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the “Environmental Analysis”).
5. The Planning Board has carefully considered additional information and comments that resulted from telephone conversations or meetings with or written correspondence from the Applicant and the Applicant’s representatives.
6. The Planning Board has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town’s own staff.
7. The Planning Board has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from nearby property owners, and all other comments submitted to the Planning Board as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
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.

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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 Applicant's voluntary incorporation of features and measures that were identified as practicable.

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	Anthony	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

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. 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 accordance with the Town's Landscape Guidelines for Development. Such certification shall be on the certification form provided in such guidelines and shall be

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- 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 brick veneer and smooth face C.M.U. (in the beige/brown family), six (6) inch brownish horizontal planks and red metal awnings. 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 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").
 16. 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:

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- 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. 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.
18. Subject to approval by the Town's Building Inspector, Fire Marshal, Commissioner of Public Works, and Engineering staff.
19. 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.
20. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
21. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
22. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
23. The outdoor display of merchandise on the site shall comply with Section 211-25 (Outdoor storage, displays and sales) of the Town's Zoning Ordinance and should only be allowed in the locations designated on the site plan as permanent display areas. Furthermore, trailer storage shall only occur in the proposed 20-foot x 150-foot display area on the far eastern portion of the site, adjoining the Town's property located at 3220 Latta Road.
24. The Applicant shall delineate an area within the greenspace/landscape adjoining Latta Road where display/storage of merchandise will be prohibited and have it shown on the plan, subject to the approval of the Planning Board Clerk.
25. The Applicant shall install 8.0-foot-high, black aluminum fencing on the east side of the merchandise display area. Said fencing shall be the same type and materials as proposed on the south side of the display area, subject to the approval of the Planning Board Clerk.
26. The Applicant shall extend the front corner roofline of the building as discussed this evening, subject to the approval of the Planning Board Clerk.
27. The Applicant shall install decorative architectural features on the east and west side of the buildings as discussed this evening, subject to the approval of the Planning Board Clerk.
28. As offered and agreed by the Applicant, the Applicant shall add landscaping on the eastern side of the trailer display area mentioned in Condition #23, subject to the approval of the Planning Board Clerk,

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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

SPECIAL PLANNING TOPICS

Old Business

None

New Business

1. Applicant: 3935 Dewey Avenue, LLC
Location: 3935 Dewey Avenue
Request: Concept plan for proposed redevelopment of an existing building, (2,450± square feet), to accommodate a new KFC Restaurant with related parking, utilities, grading, and landscaping on approximately .63 acres
Zoning District: DMU (Dewey Avenue Mixed-Use)
Mon. Co. Tax No. 060.06-5-29

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

Ray Trotta, HollandTrotta , presented the application.

Mr. Trotta: This property is the old Friendly's site, this will become a Kentucky Fried Chicken. The foot print is basically the same, so we will keep the building. There are apartments behind us, we are process not to find out if there is an easement for that entrance and will keep as access, and there is also an entrance to Dewey Avenue. The property is pretty much a sea of pavement, we have to implement the local code as much as possible and also try to improve the ground water. On the site plan we put a rain garden in the front of the building and will have a cross walk to the sidewalk as well. We will keep the same circulation but adding a drive thru, the traffic pattern will be the same. I show some renderings, the roof is a gable roof so ground mounted units will be screen in the northwest corner of the building. I'm not sure if they are keeping the copula, the brick will stay but will add a band along the bottom, we might add some shutters and light from behind, instead of windows or spandrel but we are not sure at this moment. The building will be gutted and all refreshed. The hours will be 10 AM to 10 PM.

Mr. Fisher: This will require a special use permit.

Mr. Trotta: Yes.

Mr. Sofia: The south side of the drive is where the sidewalk should go.

Mr. Trotta: I agree, we will also add a crosswalk to the south. There will be no outdoor seating. We have two handicapped spaces and are at the correct parking ratio. The whole parking lot will be redone along with dark sky compliant. This will look like a new building. The dumpster will be masonry, split face maybe, another comment was putting a knee wall in the front so I'm working on that. Snow storage will have a combination of spots and it will be trucked off it there is too much.

CONCEPT REVIEWED

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2. Applicant: Village Crossing, LLC
Location: 3455 & 3471 Mount Read Boulevard
Mon. Co. Tax No.: 075.05-2-8, 075.05-2-9
Request: Waiver of site plan re- approval requirements for a proposed mixed-use retail and office building (two stories; 47,380± total square feet—23,240 square feet on ground floor, 24,140 square feet on second floor), with related parking, utilities, grading, and landscaping on approximately 3.35 acres, previously approved by the Planning Board, February 7, 2018
Zoning District: BR (Restricted Business)

Motion by Mr. Sofia, seconded by Ms. Burke, to grant a waiver of site plan re-approval, previously approved on February 7, 2018.

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

**MOTION CARRIED
WAIVER GRANTED**

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3. Applicant: Orville's Appliance, Inc.
Location: 2558 West Ridge Road
Request: Relief from Condition #6 (regarding exterior changes) of the site plan originally approval on May 21, 2008.
Zoning District: BR(Restricted Business)
Mon. Co. Tax No. 074.14-1-23

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

Paul Hauzer, Store Manager, Orville's, presented the application.

Mr. Hauzer: We are looking to open a Orville's at the site of the Walgreens on West Ridge Road. We would like to change the canopies to a red corporate color, we will take out one of the smaller windows and all a larger one. We will leaving the canopy and add a coil door for customer pick up. The signage will comply with the current code and the clock will stay and just be fixed.

Mr. Fisher: This corner is the center of the commercial part of the town and good to have that building in use. It's a great location. It's a positive addition.

RELIEF GRANTED

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ADJOURNMENT: 9:00 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