



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD**

### **MINUTES**

**FEBRUARY 8, 2023**

**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

Jamie L. Anthony

John C. Geisler

William E. Selke

Michael H. Sofia

William Timmons

Christopher A. Schiano, Esq., Deputy Town Attorney

Mathew J. Trau, Junior Engineer

John T. Caterino, AICP, Planning Board Clerk

Janelle Castellana, Planning Board Secretary

#### **Absent**

Christine R. Burke

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

Continued: Steve Gibbs, 320 Manitou Beach Road to February 22, 2023

#### **Announcements**

#### **Policy of Decorum**

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OFFICE OF PLANNING & ZONING

1 VINCE TOFANY BOULEVARD • GREECE, NEW YORK 14612

TEL.: (585) 723-2355 • FAX: (585) 723-2442

[www.greecenyc.gov](http://www.greecenyc.gov)

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**PUBLIC HEARINGS**

**Old Business**

1. Applicant: Ray Helfrich  
Location: 982 North Greece Road  
Mon. Co. Tax No.: 058.04-3-65.12  
Request: Preliminary and Final plat approval for the Pollock Estates Subdivision consisting of eighteen (18) residential lots on approximately 11.7± acres.  
Zoning District: R1-18 (Single-Family Residential)

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

Richard Giraulo, Landtech, presented the application:

Mr. Giraulo: We were last before the board a month or so ago and at that time some questions and issues were raised by the neighbors and some by the staff. We did submit revised plans that are shown on the screen. The end of Rumford Road, there is an existing temporary turn around on the property at 326 Rumford Road, that does encroach onto our property and the neighbor to the north is kind of utilizing that turn around to store equipment in. It is our position that we would like it removed where it falls on our property, in fact we have to tear into it to tie into the two (2) manholes so it will get torn up for utilities. There is no need for that once we continue the road. We eliminated Lot #17 from the original proposed plan, so we are down one lot. This allows for a full size turn around. The existing pavement that is just to the south that represents the turn around currently, that will be removed and put in a permanent turn around. That is proposed as an easement to the Town of Greece. That will give them access all the way across Lot #17 and access to the bio filter to the north as well. There was concern with the south property lines and existing vegetation and our proposed bio retention facility. We did meet with Town staff on site to review that. There is a lot of downed trees, dead falls, fairly open underneath, a lot of debris and stuff, stuff pushed in there so the intent is to clean that up. On the plans we have moved the basin, rotated it further north, kind of held it on Lot #5 and rotated it, so we didn't encroach into the backyard. The developer is willing to add some other vegetation but we don't want to end up with trees dying on the opposite side of the bio retention facilities that no one can get to. We still have a few details to work out with DPW.

Mr. Caterino: The revised set of plans do address a lot of staff comments. We do need to finalize a couple details, notably that end at Rumford Road and some existing turn arounds. For the tree line at the south side, we wanted to see what the board thought. We thought about something that provides a nice buffer like Spruce or conifer trees but there aren't any there currently so it would stand out significantly. Any other non-conifer trees would take some time to fill in. We have a draft resolution with standard conditions of approval.

Mr. Trau: We are generally satisfied at this point. We need to finalize the E. Moreno Drive turn around and the easement which we will work with Mr. Giraulo on.

Josh Figler, 468 E. Moreno Drive: Thanks for even considering some of the questions from the last meeting, I know it is not required. How much of the north south tree line buffer would be maintained? So if it is at 100% right now, would the amount of trees left be 50% or 25%? For an understanding. What do the lines represent, tree trunks or tree cover?

Mr. Giraulo: The line represents the edge of disturbance, so not necessarily the trunk but where we plan to disturb, so vegetation can be preserved from that line back. Within the

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lines vegetation wouldn't be touched. But we don't want to leave stuff in there that would create any issues.

Mr. Fisher: The trees there to the extent that you have shown on the map would remain except for what you might clean up. You have moved the bio retention filters away from the trees, so they aren't disturbed.

Mr. Schiano: To be clear, the words clean up means anything that is fallen or dead would be removed.

Mr. Giraulo: Correct, fallen, dead, diseased, things that aren't healthy.

Mr. Figler: Roughly how much would remain?

Mr. Sofia: I think what you're asking though is if the current trees are 100 feet of width right now, is it going to be about 50 feet when it's done.

Mr. Giraulo: Approximately 50% of what is there right now, should remain.

Mr. Sofia: Nice job on the turn around. It's going to look nice.

Mr. Fisher: Another reason why we would want the temporary turn around removed is the vehicles are blocking the sidewalk.

Mr. Caterino: The Town and the applicant will work that out internally for the removal.

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

WHEREAS, Ray Helfrich (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a preliminary and final plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 982 North Greece 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

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limited to the Monroe County Department of Transportation, 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>Burke</b>	<b>Absent</b>	<b>Anthony</b>	<b>Yes</b>
	<b>Geisler</b>	<b>Yes</b>	<b>Sofia</b>	<b>Yes</b>
	<b>Selke</b>	<b>Yes</b>	<b>Timmons</b>	<b>Yes</b>
	<b>Fisher</b>	<b>Yes</b>		

**MOTION CARRIED**

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**Mr. Geisler made the following motion, seconded by Mr. Timmons with 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.

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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 plat.
3. 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.
4. No building permits shall be issued for any of the lots in this subdivision unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk. The Liber and Page of easement filing shall be referenced on final as-built record drawings provided to the Town.
5. The proposed dwelling units shall comply with setback requirements of the R1-18 zoning district unless relief is granted by the Board of Zoning Appeals.
6. One (1) tree shall be provided outside of the street right-of-way for each lot in this subdivision. Tree species and size shall be in accordance with the town's Landscape Guidelines for Development.
7. Buildings shall conform to the elevations and locations shown on the approved subdivision or grading plans. At any time prior to the issuance of a certificate of occupancy, the Town may require certification of the location and elevation of the top of block of a basement or cellar. Certification of the as-built location shall be in the form of an instrument location map prepared by a licensed land surveyor. Certification of the as-built elevation, in relation to the vertical datum shown on the approved plans, may be in the form of either a survey note on the instrument location map, or an elevation certification form or separate letter prepared by a licensed land surveyor or licensed professional engineer. A note that indicates this requirement shall be added to the plat.
8. 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.
9. If the project "disturbance" exceeds 1.0 Acre of total area, 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").
10. Should a NYSDEC stormwater permit be required, 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-0-20-001, particularly Part IV, which describes:
  - periodic inspections of the construction site by a qualified professional; and
  - maintenance of a site log; and
  - stabilization requirements; and
  - maintenance of sediment traps and ponds during construction.The periodic inspection reports shall be provided to the Town's Engineering staff within 24 hours of inspections.
11. Subject to approval by the Town's, Fire Marshal, Commissioner of Public Works, and Engineering staff.

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12. No building permits shall be issued for 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.
13. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
14. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
15. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

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

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

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**New Business**

None

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**SITE PLANS**

**Old Business**

None

**New Business**

1. Applicant: West Herr  
Location: 4422, 4432, & 4400 West Ridge Road  
Mon. Co. Tax No.: 073.01-1-15, 073.01-1-16 & 073.01-1-1.21  
Request: Site plan approval for the construction of a motor vehicle dealership (28,000± square feet) with related parking, utilities, grading, and landscaping on approximately 20.4± acres.  
Zoning District: BG (General Business)

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

Joshua Saxton, Civil Engineer, Passero Associates; Jim Mulka, Director of facilities, West Herr:

Mr. Saxton: As shown on the screen, the project is approximately 8.8 acres with vegetation as well as an existing creek. The big part of this project is relocating that creek. The creek as it is now, there are two 36-inch pipes that cross West Ridge Road from the southern property, discharge into the creek and eventually flows north through the property. As part of this development, we are essentially rerouting that creek around. Something that went through a lot of review with the Army Corp. of Engineers. As for the layout of the site, we ended up now is almost an entirely open channel, is to get culverts through the site and not as exposed but something the Army Corp. wanted was as much exposure and open air as possible which we are achieving except for a crossing to the northwestern parking lot which is goes through a culvert going under that road. Building is placed centrally on site. We will be utilizing the existing road with the adjacent car dealership. No additional curb cuts on West Ridge Road, so we won't be creating any traffic concerns. We have a lot of parking spaces for employees and vehicle storage. ADA parking, striped islands, landscaping islands and snow storage are included on the plans. The driveway is designed for emergency vehicles as well as for delivery trucks. We added a sidewalk along West Ridge Road. Water is to be serviced by an existing stub and service to the east of the building. We will tie into the existing septic field to the east of the building. Stormwater meets all NYSDEC and town requirements.

Mr. Caterino: This site plan was reviewed by the Monroe County Planning and Development. Most of their comments were related to the stream or other agencies that need to review the plans or have approvals for it. A lot of the comments from staff have been for the relocation of the creek and the floodplain associated with that. They will need a nationwide permit from the U.S. Army Corp of Engineers which is still in progress. They will also need Water Quality certifications from the NYSDEC. Planning comments have been addressed relating to the sidewalk and some other aspects. Building comments were related to ADA parking on the site.

Mr. Trau: Engineering concerns have been satisfied at this point. We are waiting on the Army Corp of Engineers recommendation on this and the permitting.

Mr. Geisler: What is the elevation difference between this and the existing dealership in the adjoining parking lot?

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Mr. Saxton: Essentially the same. This building will be slightly lower due to the grade change from relocating the stream.

Mr. Selke: Is there a cross access agreement with the adjoining property? Just a note for a stop sign at the entrance/exit driveway. Snow removal, do you take offsite? Any new car dealerships that come to the area we have spent time getting the frontage so that it can't become a display area for cars. So, we require landscaping there. Do you have color and materials of the building?

Mr. Saxton: We are combining the lots, same owner of both dealerships but we will get one prepared.

Mr. Mulka: When it is normal snow, we just push it to the grassed areas. If we get a large amount of snow, we can bring in trucks and have removed offsite. Subaru has a standard for the building with the colors and materials. It will match the local Subaru buildings.

Mr. Fisher: Where will the trailers be unloaded? We will want to see landscaping as well; staff can help with that.

Mr. Mulka: Loaded and unloaded on our site. We will pull into that driveway, down the center aisle adjacent to the building. The tractor trailers can get around the entire building.

Mr. Schiano: We put into their special use permit they are not to load or unload anything onto West Ridge Road. On the renderings, show where the cars that are being dropped off for service and after hours drop off for service and/or parts.

Mr. Caterino: We can get signage added for no loading or unloading of vehicles on West Ridge Road.

Mr. Timmons: Are there any gates on the property controlling any traffic or anything?

Mr. Saxton: No, it is all open

Mr. Fisher: Staff has specific things that we should have in place for our next meeting.

**Mr. Sofia made a motion, seconded by Mr. Timmons to continue the application to meeting of February 22, 2023.**

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

**MOTION CARRIED**  
**APPLICATION CONTINUED TO FEBRUARY 22, 2023**

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2. Applicant: Steve Gibbs  
Location: 320 Manitou Beach Road  
Mon. Co. Tax No.: 017.04-2-44 and 017.04-2-45  
Request: Concept plan review for the expansion (proposed building addition, storage barn, and additional parking areas) of an existing marina with related utilities, grading, and landscaping on approximately 4.7± acres.  
Zoning District: BR (Restricted Business)

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

**Mr. Timmons made a motion, seconded by Mr. Geisler to continue the application to the meeting of February 22, 2023.**

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

**MOTION CARRIED  
APPLICATION CONTINUED TO FEBRUARY 22, 2023**

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**SPECIAL PLANNING TOPICS**

**Old Business**

None

**New Business**

1. Applicant: 447 Long Pond Road, LLC  
Location: 447 Long Pond Road  
Mon. Co. Tax No.: 034.03-9-69  
Request: Extension of the final plat approval of the Hawthorn Grove Subdivision, consisting of seven (7) lots on approximately 5.91± acres and originally approved on April 7, 2021.  
Zoning District: R1-18 (Single-Family Residential)

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

Mr. Caterino: they are just requesting extensions while they see what the real estate market does in the next couple of months and decide if they are moving forward.

**Mr. Sofia made a motion, seconded by Mr. Geisler, to approve two 90-day extensions, as requested by the applicant.**

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

**MOTION CARRIED  
APPROVED TWO 90-DAY EXTENSION**

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**ADJOURNMENT:** 7:44 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