



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD

MINUTES

JUNE 21, 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

Christine R. Burke

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, Planner / Clerk of the Planning Board

Janelle Castellana, Planning Board Secretary

Absent

Jamie L. Anthony

Additions, Deletions and Continuations to the Agenda

Announcements

Policy of Decorum

OFFICE OF PLANNING & ZONING

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PUBLIC HEARINGS

Old Business

1. Applicant: Taouk Mill, LLC
Location: 555 Mill Road
Mon. Co. Tax No.: 058.03-3-11
Request: Preliminary and Final Plat approval for Mill Estate subdivision consisting of twenty-one (21) residential lots on approximately 16.87± 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: At the last meeting there was discussion around whether a secondary stub road should be provided from the property to the small five (5) acre site to the west. At that time the planning board asked town staff to review. In the meantime, we have had discussions with an attorney at Phillips Lytle LLP. They have presented the town with a letter that I believe all board members have, outlining the position on this project and the fact that the planning board will have completed their due diligence by approving this project as presented. There is a lot of information packed in that letter.

Mr. Caterino: Since the last meeting we have brought up that staff thought a connection to the west was something that warranted further discussion. We talked about a couple different possible routes; lot 9 since it already has a turnaround, it would be the most non-intrusive to the development or lot 11 or 12 to give you future straight connection out to Manitou Road. Staff recommends a connection to the west. In an effort to get that connection to Manitou Road for future development, one of the purviews of this board is to consider the overall pattern of development whether proposed or future, so the road connection would be warranted. We did receive the letter this afternoon from an attorney at Phillips Lytle, LLP, which we forwarded to the board and we also provided hard copies, as well as to Mr. Schiano for his review. We haven't seen any new plans since the last meeting so that is where we stand currently.

Mr. Trau: No engineering concerns at this time.

Mr. Sofia: We don't have a crystal ball on future development. I think during concept when we looked at this in depth, the volume of undevelopable land is more to the south and that is why we suggested to this applicant to have the access road continue to the south. I am concerned that the precedent that we could be setting by requesting them to put another access on this property when it is not typically what we have done and only to adjoin a small piece of property that does have access to Mill Road. We don't know the future development but we do know there is significantly more land to the south that are owned by developers.

Mr. Selke: I have the same sort of feeling Mike, sort of setting a precedent. I know the applicant to the west has some land coming in from Mill Road, the applicant does have the ability to access his land and that is something that I have to consider. He bought that land, he knows he has access to that land. The compromise that I was looking for was hoping that the applicants would come up with some kind of a plan that they would share costs or do something. I haven't heard from staff what they are recommending.

Mr. Schiano: That would be a third-party action that you can't get involved in.

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Mr. Selke: Any other options or plans besides what we are looking at, in terms of the second access, access to the west, that's the only thing we have on the table. He only has the property coming off Mill Road, so ability to do that, now he is looking for a stub road or access through this applicant's property, and that's the only option we have? We don't know what the rest of the developments are going to turn out to be or why, so we are looking at this into the future but we don't have answers.

Mr. Schiano: Keep in mind that you are planning for future development.

Mr. Caterino: One of the purviews of the board is future connections.

Mr. Geisler: I prefer for the second access if the developers can work it out, that is their issue, to the west. I don't think it's a precedent, I think we have it in a lot of subdivisions. I am in favor of access from one subdivision to another.

Mr. Selke: Can we review the letter that was sent to us?

Mr. Schiano: That is something the applicant will need to agree to postpone so you can go through the letter.

Mr. Fisher: I think that would be worthwhile to go through, it is ten pages and need time to really understand as it came just before the meeting, so we are in position to be able to ask questions and make comments.

Mr. Timmons: I think it is too small of a development to ask for two points of access. On the process, I do think we need time. At the last meeting we got a letter at the last minute to consider a stub road and today a letter from the other side to take a look at it again, we keep getting things late so if we can postpone for review, but sooner or later we have to get the facts and make a decision.

Mr. Selke: Our legal counsel says our job is to look at future development and do the best job possible that will encourage that development. I would like to review the letter sent to us in depth.

Mr. Fisher: I think it would be reasonable and take some time to review the letter.

Mr. Schiano: Rick are you in agreement with that?

Mr. Giraulo: Absolutely, there is a lot to unpack and I want to make sure the board members are fully aware of everything in there.

Mr. Geisler made a motion, seconded by Mr. Timmons to continue the application to the meeting of July 6, 2023.

VOTE:	Burke	Yes	Anthony	Absent
	Geisler	Yes	Sofia	Yes
	Selke	Yes	Timmons	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION CONTINUED TO July 6, 2023

New Business

None

SITE PLANS

Old Business

None

New Business

None

SPECIAL PLANNING TOPICS

Old Business

1. Applicant: Chick-Fil-A, Inc.
Location: 2140 West Ridge Road
Mon. Co. Tax No.: 074.15-15-19.1
Request: Minor Improvement Plan approval for two (2) proposed canopies and drive-thru lane expansion with parking, utilities, grading, and landscaping, on approximately 1.5± acres.
Zoning District: BR (Restricted Business)

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

Betsy Brugg, Woods Oviatt Gilman LLP, Randy Bebout, Bohler Engineering, presented the application:

Mr. Fisher: I think we were waiting for the Board of Zoning Appeals to grant variances before we could continue, I think they made that decision last night.

Ms. Brugg: We have been working hard with both boards to satisfy all issues. The Zoning Board did grant approval with conditions last night. I think the last time we were here, we agreed on brick color and pillars and enhancing landscape.

Mr. Caterino: As Ms. Brugg mentioned, they did receive their Zoning Board approval for the setbacks for the two canopies and the parking setback. In terms of the plans, the only real change that we have had was that they offered to extend the existing monumental wall along West Ridge Road further to the east to better shield the canopy. They also agreed to wrap the columns in the decorative red brick and also have the roof of the canopies be in similar color to match. We did provide staff notes to the board. Standard conditions of approval with the site-specific ones relating to the architectural features complying with the Zoning Board approval and to maintain the landscape on the property.

Mr. Selke: What is the landscaping plan?

Mr. Bebout: It was submitted with the plans. The wall wasn't shown but we are now extending the brick wall along with the plantings.

Mr. Sofia made a motion, seconded by Mr. Selke:

WHEREAS, Chick-fil-A (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of minor improvement plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 2140 West Ridge Road (the "Premises"); and

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

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

VOTE:	Burke	Yes	Anthony	Absent
	Geisler	Yes	Sofia	Yes
	Selke	Yes	Timmons	Yes
	Fisher	Yes		

MOTION CARRIED

Mr. Sofia made a motion, seconded by Mr. Selke 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.
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. A note that indicates this requirement shall be added to the plan.
3. 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.
4. The exterior appearance of the proposed canopies (that is, materials, colors, and architectural style) of the building shall be consistent. As offered and agreed by the Applicant, such materials and colors shall be brick columns (in the red color family) and the roofs of the canopies (in the red color family). Elevations of the exterior appearance shall identify these colors and materials, shall show all sides of the building, and shall be filed with the minor improvement plan.
5. As offered and agreed to by the Applicant, the Applicant shall extend the existing decorative masonry/retaining walls along West Ridge Road, subject to the approval of the Clerk of the Planning Board.
6. 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

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be no smaller than the previous plant when it originally was installed. A note that indicates these requirements shall be added to the plan.

7. 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.
8. 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. Furthermore, the Building Inspector shall approve field changes to the approved plan as it relates to Accessibility/ADA Compliance.
9. Subject to the conditions of approval granted by the Board of Zoning Appeals on July 20, 2023. A note that indicates this requirement shall be added to the plan.
10. Subject to approval by the Town's Building Inspector, Fire Marshal, Commissioner of Public Works, and Engineering staff.
11. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
12. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
13. 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:	Burke	Yes	Anthony	Absent
	Geisler	Yes	Sofia	Yes
	Selke	Yes	Timmons	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED WITH CONDITIONS

New Business

1. Applicant: Fieldstone Capital, LLC
Location: 3500 Latta Road
Mon. Co. Tax No.: 044.02-1-10.11
Request: Concept Plan review for the construction of 239 residential units, consisting of single-family homes and townhomes on approximately 54.72± acres.
Zoning District: RP (Planned Residential)

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

Matt Tomlinson, Marathon Engineering, and Amy Forsythe, Fieldstone Capital, LLC presented the application:

Mr. Tomlinson: This is a project that has been looked at conceptually a few times over the last couple of years. This ownership has met with staff over the last month going over and working out any kinks with this zoning code and layout. What is shown on the screen and passed out to the board, reflects what has been changed to reflect the code and develop a neighborhood that isn't rigid or straight lines to maximize the density. This location is just east of the intersection of North Greece Road and Latta Road. 54 acres, zoned RP which is a planned residential district as I'm sure this board knows, this parcel was rezoned designed for single-family or townhome style development either for rent or for sale. This project is a for rent proposed market rate project. All duplex or single-family style pad to be built and leased. The maximum density allowed in this RP (Planned Residential) is five (5) units per acre, so the 54 units were talking would allow a maximum density of 270 units, what is shown on the drawings is 240 units. We did try to maximize that density by going to three (3) unit, four (4) unit, five (5) unit townhome style mix but it wasn't the product the developer wanted to bring to the table. This provides more green space making it more desirable. It also provides more buffering to neighbors providing more space then pushing the units right to the property lines. We are bordered by multi-family for the majority of the western border. There is some single-family that lines the frontage on Latta Road and single-family that lines Rockwell Drive. The parcels to the east, Green Acre Farm is also zoned Single-Family residential. In the RP zoning code, there is some specific requirements for the ratio of housing which requires 25% of the units to be developed to be single-family, 75% is the maximum townhouse density, this plan reflects this. We have 60 single-family and 180 duplex shown, which gets us the 240 units. Before we come in for preliminary plat, we want to get the Board's feedback on our layout and design. The Planning board within the Zoning district has quite a bit of say on the layout and disposition of units. We have single-family along the entirety of the eastern border and norther border. We tried to make the neighborhood flow in such a way that we have continuity between the single-family instead of interspersing pads with townhouses all the way through. So the first phase on the south side of the wetland or stream that comes through would be all townhouse style other than the existing house at 3490 Latta Road which is also zoned RP. That is a common zoning across it and is included as one of our single-family units as it is intended to be maintained as that structure and a single-family home with an extended lot that touches back there to create some similarity on the frontage. Then we have some single-family, kind of a common neighborhood, this will be a filed plat to create all of these parcels. It is intended right now for all roads within the development to be private and utilities will be dedicated through the Town or Water Authority. Townhouses grouped towards the multifamily that borders the west. We have done an archeological study and it came back with a letter of no impact from SHPO. We have done a wetland delineation and got a preliminary jurisdiction determination from the Army Corp. of

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Engineers and what they came up with as jurisdictional is the stream or tributary to the stream that goes through, no other wetlands on site. We got a traffic study done so a lot of SEQR items that we anticipated that this board is going to have to review and consider, we have tried to get ahead so we can submit a complete package. There were utility easements stubbed to this parcel from neighboring parcels under previous development; there is drainage and sanity easement to the north through Rockwell Drive, there is emergency access which will be a gated connection, only for emergency vehicles as well as water easements to the west. So this site really lends itself to what we are trying to create.

Mr. Fisher: The house on Latta Road that you refer to, is that the white one with the columns? That has historical significance, I think it would be great benefit if that were able to be listed as a historical property and it may also open opportunities for it to be used for other office possibilities and ensure its life in the future. It is also important to make sure that the Fire Marshal has the opportunity to review and ensure us there is adequate access.

Mr. Geisler: Will the existing home be connected to the sewer? What stream is going through? What is the size of the garages and square footage of the units?

Mr. Tomlinson: We have not had any discussions yet, but we will be extending sewer throughout the development. The tributary to Larkin Creek. No floodplain, just a tributary to the creek. Two-car garage, Townhomes are approximately 1300 square feet and between 1500-1600 square feet for the single-family patio homes.

Mr. Selke: I don't see any visitor or guest parking. It looks like one car parking besides the two that go in the garage.

Mr. Tomlinson: The townhomes have space for two cars in the garage and two cars in the driveway.

Mr. Fisher: In most cases we have designated parking for visitors scattered through the subdivisions.

Mr. Tomlinson: We have been asked to look where we can provide some visitor spaces throughout, in between the units for example. The clubhouse area where we will have a pool will have 20-30 parking spaces adjacent to it as well. The intention is to be that of a neighborhood, we do want to make accommodations for visitors of course but we don't want this to be a sea of asphalt and parking.

Mr. Selke: Latta Road can be a busy road at certain times of the day and inclined at certain areas, I am concerned on the visibility of exiting onto Latta Road. Are we saving any trees for buffering?

Mr. Tomlinson: We are working with New York State Department of Transportation, we are slated to have both a right and left exit lane. As far as buffer, our intention is to leave quite a bit of buffering not only for existing neighbors but also for the community that we are trying to create.

Mr. Fisher: I think one thing that may help is that the state has agreed to put in westbound and eastbound left turn lanes at the corner of North Greece Road and Latta Road.

Mr. Timmons: The gated access, just wondering why and how will it work?

Mr. Tomlinson: Typically, we work with the Fire Marshal on what the preference is, usually a Knox box or something of that nature with keys to allow it to be operated by emergency personnel but doesn't allow to become a shortcut through the neighborhood.

Mr. Timmons: More for the board, when you look at Burning Ridge Trail which is in the corner of the southwest corner of this property it almost looks like there is a stub road there that

was going to come over to here but in this drawing it doesn't look like it's going to be utilized, does anyone remember why the was created or why we aren't using it?

Mr. Caterino: For that particular development, Burning Ridge Trail is a private road so that road isn't dedicated to the Town of Greece, future connections wouldn't have been considered because it wasn't proposed for dedication at that time.

Mr. Tomlinson: We are not approaching the owner because it sits up about six feet higher than the terrain where we are right now. By fire code it is not far enough away from our proposed access to qualify for a secondary means of egress for the density that we have.

Mr. Caterino: Typically, for residential projects the board doesn't look at architectural features of the units, but in this district the board has that purview, we really wanted to know the board's take was on the look of it. On the Long Pond Road development, we wanted them to swap the units, so it wasn't a cookie cutter look, playing with different colors or features. For yhe western units, in the zoning district it requires that single-family adjoins single-family but the board has flexibility in the overall design so we wanted to know your thoughts on this arrangement because we will have townhomes bordering single-family. If the board is ok, the staff is also ok with the layout.

Mr. Sofia: Is where you are proposing the pool the most appropriate place for it? So close to the road? Maybe some proper landscaping to make sure that it is protected from Latta Road.

Mr. Tomlinson: We did look at a couple different options and that's a great question. It helps with leasing presentation and dressing up the entrance, the goal is to develop the first phase without having to cross the stream.

Mr. Selke: What is the design and style of the proposed homes?

Ms. Forsythe: The design is very similar to the Gardens at Fieldstones. Ranches with two car garages, combination of townhomes and patio homes, variations of colors, sidings, styles and sizes. There is no HOA.

Mr. Fisher: We look forward to seeing a formal application with the townhomes and additional vegetation.

CONCEPT REVIEWED

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2. Applicant: Mi Rancho Alegria
Location: 300 Center Place Drive
Mon. Co. Tax No.: 074.20-1-15
Request: Relief of Condition #5 (exterior appearance) of the site plan approval granted on December 8, 1999.
Zoning District: BR (Restricted Business)

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

Raul Alegria, Mi Rancho Alegria, presented the application:

Mr. Alegria: We have one location in Hudson, NY already. This will be a second location for this Mexican restaurant. We are here for the colors, to make it more colorful with Mexican colors.

Mr. Fisher: Yes, Mexican food is becoming very popular and having brighter colors is like having a sign and attracting people. I would agree to change the initial requirements to have brighter colors. So, we are not approving a particular color elevation tonight simply relieving the condition and work with staff to define specifics.

Mr. Sofia made a motion, seconded by Mr. Selke to grant relief of condition #5

VOTE:	Burke	Yes	Anthony	Absent
	Geisler	Yes	Sofia	Yes
	Selke	Yes	Timmons	Yes
	Fisher	Yes		

**MOTION CARRIED
RELIEF OF CONDITION #5 GRANTED**

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ADJOURNMENT: 8:11 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