



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD**

### **MINUTES**

**JUNE 7, 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**

Continuation: Chick-Fil-A, West Ridge Road continued to June 21, 2023

#### **Announcements**

#### **Policy of Decorum**

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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 our last meeting, there was some discussion about a few items that we have now added to the current plans John Caterino has put up. We added a sanity sewer easement heading to the west, we put it right at the end of the pond as opposed to one lot further south to service the next property. We also added some easement signs for the floodplain easement that Town staff had requested, along Smith Creek tributary floodplain. Otherwise, the drawings remain relatively non changed. I know there has been some discussion about a stub road to the west from that owner and a response from the owner of this project. So, I will let John take it from here.

Mr. Caterino: At the previous meeting there was discussion about a stub road to the west based on comments that we had received from a neighboring property owner. Since that meeting, we have received additional comments pretty much in line with what the neighbor said originally. We have talked about them internally, town staff - commissioner of public works, engineering staff, planning staff and we feel the neighbors' comments do have some merit and should be taken into consideration. We also spoke with Mr. Schiano, Deputy Town Attorney, and the situation of what we did for one project next door as it relates to this project; if we do it for one, we should do it for the other. That is where we are right now. There are still some items outside of the layout that need to be addressed, but those we need to look into as town staff, the letter of credit on the existing subdivision, if damage was to occur to that. The Department of Public Works and engineering will look into that. Another question from the previous meeting was regarding changing the name of Murano Trail as it comes into the site to Sitti Lane; something the town can do outside of this board.

Mr. Trau: There are no major engineering concerns at this time.

Mr. Fisher: Is there an idea of where the stub road might occur?

Mr. Caterino: Looking at an aerial, the grand plan for this area is to get additional access in other than Mill Road. We are slowly adding more units to the south side of Mill Road with only one access point. Regarding the applicant's letter that was submitted this afternoon, I printed out copies and provided to the board members.

Mr. Giraulo: Yes, I think we should review the response

Mr. Caterino: (showing aerial) this is the applicant's property, this is the Bellasera subdivision which is under construction, so it doesn't have updated property lines, this is the neighbor to the west that is requesting the stub road. Somewhere further to the south would line up to Manitou Road, you could come out to the far south but at some point, you have to make a curve to get to Manitou Road. Along the northern end, this property along with the neighbor property has a creek tributary with floodplain and wetlands, so creek crossing could be considered but now your looking into regulatory and the economics of it. So, if I had to say, I would say somewhere to the south.

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Mr. Giraulo: I would like to point out that it is not much of a creek. I think 24-inch culvert, a little piece of town floodplain comes off there, upstream end of everything so its just the start of it. The shape of that property is about 300 feet wide in the back and 750 feet deep so if he came in with a private drive from Mill Road, you could actually get seven (7) lots per zoning code in there. If we come in with a stub road, we could get six (6) lots.

Mr. Fisher: We had already extended an easement to the property to the west for sanitary sewer.

Mr. Sofia: I will refer to it as an additional stub, it's two (2) exits from the property, I am assuming it would cost this developer a lot. So he has an easement for the sewer, but Rick, will he lose a lot with an additional stub going to the west?

Mr. Giraulo: At least one lot, because then you create corner lots that have to be wider. You have to have space for turnarounds and revise for stormwater.

Mr. Sofia: So, the applicant would lose one lot and the neighbor would gain one lot if he didn't do a stub road.

Mr. Giraulo: Potentially right, seven (7) lots based on zoning code. There are still other places south of us to get access up to Mill Road. The strong push for the large sanitary sewer is coming from the south of this site, an owner one lot or two south that wants to take that to Manitou Road. So, I think it makes sense to make sure that sewer heads south as it is more likely to get installed.

Mr. Fisher: Before we get into more discussion, I would like to open the Public Hearing and get public input, is there anyone in the audience that would like to be heard on this application.

Tom Thomas, the property owner to the west and to the east: I have been building in the town for 40 years and I have pretty much built every development from North Avenue to this development. Every time I have done a development in this town, they have always required me to put a stub road or at least give access to the property to the west, that is why I am asking for this stub road. To develop my property as Rick said, I could come in from Mill Road but it is like 600 feet with a private drive. Every development I have done, they required stub roads to the adjoining property, this would be the first one I have seen that is not required. I heard that they would be willing to give a sewer easement but would still need water line and utilities to the development and if I had to come in from Mill Road, I would have to cross the Town of Greece floodplain and put in 650 feet of road. I had to give access from my subdivision to this subdivision, for a stub road, I am just asking for the same consideration.

Mr. Fisher: The stub road that is coming from your property to the east, is an access, it's not paved?

Mr. T. Thomas: Right, the town just made provisions for access in case something was to be developed.

Mr. Fisher: Would it be reasonable then, to do the same for this stub?

Mr. T. Thomas: I would consider that; I just need access for the road and utilities.

Mr. Sofia: At the time this came to us, we put the stub road which we traditionally do heading south, the property that Mr. Thomas owns and the property to the east of it, I don't know why we did that, he is correct, we always ask for the connection. There was no guarantee that the property to the west would get a stub road to it.

Mr. Fisher: I think we put it up there because that is a large parcel, to provide access to it, so it's logical there, one lot depth off the northern end of the parcel. I think we expected development to the west, that's why we put an easement to the west. I can see what the developer is saying, it's not wide enough to put in a town road to get up to Mill Road. So, what he is requesting is to have access to come from the adjacent parcel.

Mr. Selke: Are there rules and regulations or is this a good faith thing?

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Mr. Schiano: You are charged with the future development of properties. Health, safety, and welfare along with future development. Granting easements and the reasonableness of each application, on its own merits.

Mr. Caterino: The property to the east, Bellasera, it was more than an easement, we left it as a public right of way.

Mr. Fisher: It sounds like Mr. Thomas would be able to get access in that fashion.

Mr. Selke: The road that this applicant wants to use is through Mr. Thomas' property, is that a town dedicated road?

Mr. Caterino: It hasn't been dedicated yet, but because it is a final plat map, we recognize it as a dedicated road, he still has a letter of credit on it, if damage occurred during the building process that could be used for any repairs.

Mr. Selke: If we don't look at this in a sensible matter, with a stub road, we are looking at property that is landlocked.

Mr. Sofia: Well it does have access from Mill Road, with obstacles. As Mr. Schiano stated our responsibility is utilities and future expansion. There is more land to the south than there is to the west, that is why we made it go south.

Mr. Giraulo: The board members have my clients response to the letter sent.

Daniel Thomas, Taouk Mill, LLC: I did receive public comment from Mr. Thomas. I reviewed his request for the stub road. I have to wonder why I would have to give two (2) stub roads when I am only trying to develop 20 lots when Mr. Thomas received approval for the Bellasera subdivision in 2018 for 90 lots and only had to put in one stub road that was requested by the town. Mr. Thomas also owns property to the west of mine two years before he got approvals for Bellasera. So he definitely could have developed something there. If we had provided another access to his 90 lots subdivision to the west, it would have opened up approximately 80 acres for development. So Mr. Thomas has this large parcel to the west and he had three spots to put additional stub road that would have gained access to over 80 acres of developable property. You are asking me to put in two stub roads in and I only have 20 lots. So essentially, I would lose one lot and he would lose one lot going into it. So if you wanted more access, it probably should have been done on the Bellasera original design. Our proposed stub road is actually granting access to more developable property.

Mr. Fisher: I don't think the question is, should we provide access to the south but should we have the one to the west to grant access to the west.

Mr. D. Thomas: He has full access from Mill Road and I am willing to give an easement for sanitary sewer so he can get the sewer; water and electric can be brought from the road. His property west of mine is small, 5.88 acres, too small for a conventional subdivision layout. It would be best for a private drive. Mr. Thomas also had the opportunity to purchase this property prior to me. A stub road where he is requesting is directly through our stormwater management area, the project would need to be completely redesigned. By giving him access, we both lose a lot. If Mr. Thomas was so concerned with developing this, he has had since 2016 to do so.

Mr. Geisler: I like to drive in subdivisions and have an easement or road into an adjoining subdivision, this looks to me like a reasonable request.

Mr. Caterino: The temporary turnaround will go on lot #9, what if you lose part of that lot, give remainder to lot #10 and put the right-of-way through there. Even if nothing is developed, its provided.

Mr. Sofia: I feel like we have fulfilled our obligation by providing access to the acres to the south, we don't know what would happen if anything to the west.

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Mr. Fisher: I think we need some alternatives that minimize the impact on the existing development. Staff can work with Engineering to be able to consider what the alternatives may be so we can make a reasonable decision.

Mr. Giraulo: Would it be unreasonable to just have one stub road, either west or south? To have two (2) on a relatively small piece of property is eating into the developability of the acres that we have.

Mr. Fisher: To me we have already made the decision that we need the one to the south. We will get more information from the staff and come back to the next meeting with what the consequence would be for development to the west. On the applicant to the west and beyond that.

**Mr. Selke made a motion, seconded by Mr. Geisler to continue the application to the meeting of June 21, 2023.**

<b>VOTE:</b>	<b>Burke</b>	<b>Yes</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 JUNE 21, 2023**

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**New Business**

1. Applicant: Allocco Builders & Developers LLC  
Location: Bronze Leaf Trail  
Mon. Co. Tax No.: 034.04-2-6.12  
Request: Final Plat approval for the Estates of Autumn Heights subdivision consisting of twelve (12) residential lots on approximately 12.59± acres.  
Zoning District: R1-44 (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: This was originally approved back in 2008 as a cul-de-sac, zoned R1-44 but the preliminary plat was approved as I understand it under the old SF-1 zoning requirements and therefore we are in compliance with the current zoning requirements even though it was R1-44 zoned property. The only changes from the previous plan, we updated the previous cul-de-sac dimensions, got smaller. We also tried to push the rear yard swales further away from the houses because the planning board has been concerned about usable rear yards. That caused some impacts into wetland adjacent areas. The wetland permit application will be submitted for disturbance into the adjacent area, lots 104 through 108. Conservation easements proposed in lots 104 through 107 to preserve that area. Stormwater management is going to occur with our traditional retention basin, two chamber system on the rear of lots 106 and 107. The DEC has already issued a permit for the property to the previous owner, that has been transferred to the current owner. Sanitary sewer is coming off two existing lots off Blue Aspen Way, lots 144 and 151. The only issue we run into is the encroachment from 155 Blue Aspen Way, who built a putting green on the rear of his property and actually encroaches about 32-feet onto this property. It is ultimately an issue between the property owners. The current owner can remove the putting green from the encroachment, the owners could come to an agreement and have an easement to provide access for both properties and share, the owner at 155 Blue Aspen Way could purchase some of the property of lot #110 or the entire lot.

Mr. Caterino: We saw this back in 2008 and approved a preliminary and final plat application. The final plat was never filed and since we approved a preliminary, that locks in the layout of the subdivision. Also, as part of that preliminary, this application came in as what is now called a cluster subdivision in our zoning ordinance so we granted zoning setback variances for all the lots, the size and layout. We are in receipt of a jurisdictional determination from the Army Corp of Engineers as it relates to federal wetlands. On this site there are currently three federal wetlands, two were deemed non jurisdictional and the third is covered by the conservation easement. They also provided us with determination from the New York State Department of Environmental Conservation regarding the boundaries of the State wetlands on the property. We are not able to sign final drawings without the proper permit.

Mr. Trau: We have one grading comment under review but nothing that would hold up this application for approval.

Mr. Fisher: I move to close the public hearing

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

WHEREAS, Allocco Builders & Developers LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a final plat, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at Bronze Leaf Trail (the "Premises"); and

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

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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

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the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

<b>VOTE:</b>	<b>Burke</b>	<b>Yes</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**

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**Mr. Selke then made the following motion, seconded by Mr. Sofia, 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. A note that indicates this requirement shall be added to the plat.
3. The Planning Board approves the following modified zoning requirements for the Estates at Autumn Heights Subdivision pursuant to New York State Town Law, Section 278:
  1. Lot areas and dimensions as shown on the approved plat.
  2. Front setbacks of 50 feet instead of the 70 feet required.
  3. Side setbacks of 10 feet instead of the 20 feet required.
  4. Rear setbacks of 50 feet instead of the 70 feet required.Such modified zoning requirements shall be indicated on the plat.
4. 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.
5. 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.
6. 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.
7. 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.
8. If the project "disturbance" exceeds 1 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").
9. 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



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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.

10. 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.
11. Subject to approval by the Town's, Fire Marshal, Commissioner of Public Works, and Engineering staff.
12. Subject to the approval and permitting of the New York State Department of Environmental Conservation (the "NYSDEC") as it relates to encroachments into state freshwater wetlands and the 100-foot adjacent areas.
13. The Applicant shall install concrete bollards with informational placards on the lots containing the conservation easement to the Town of Greece, subject to the approval of the Planning Board Clerk and/or Engineering Staff
14. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
15. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
16. 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>Yes</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 APPROVED WITH CONDITIONS**

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**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.**

**Mr. Timmons made a motion, seconded by Mr. Geisler to continue the application to the meeting of June 21, 2023.**

<b>VOTE:</b>	<b>Burke</b>	<b>Yes</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 JUNE 21, 2023**

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**New Business**

1. Applicant: Wilmorite Construction, LLC  
Location: 112 Greece Ridge Center Drive  
Mon. Co. Tax No.: 074.18-4-7.113 & 074.19-1-6  
Request: Minor Improvement Plan approval for proposed addition gates, screening walls, and other improvements, on approximately 0.22± acres.  
Zoning District: BG (General Business)

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

Kurt Charland, Chase Kraemer, Tim Burke, Bergmann Associates, presented the application:

Mr. Burke: We are here tonight to talk about the improvements associated with the Burlington Coat Factory application. I am speaking specifically about the elevation improvements. Kurt and Chase will speak to the site improvements. The existing space formerly known as Bed Bath and Beyond is being subdivided into two separate tenant spaces, one being Burlington Coat Factory. This particular location is the back side of the truck loading dock area. We are looking to extend the public walkway along the eastern face of the mall and extend to the entry way of Burlington Coat Factory. In the renderings you will see it is a tight corner space, signage over the main entrance and additional signage along the building facing the parking lot. We are looking to screen the existing alleyway providing gates for access to garbage, fire department as well as egress serving the existing exit from the mall. Looking to screen and create a semiprivate wall enclosing the truck courtyard. It will be a sliding gate that will remain closed except for when trucks are being provided access.

Mr. Kraemer: I will be speaking to the site development. There will be some things we have to do to make the entrance way work in that corner just because it is an unusual situation. To do that we will be extending that existing sidewalk that runs in front of the Red Robin and Body Fuel from the south to our entrance at the northern side of the building. That will be a raised sidewalk and pitch to the east and the west grade wise. With that we will have to adjust some utilities. Garbage trucks will still be able to access within that screened area. We will add four (4) ADA parking spaces out in the lot, those are going over six (6) existing parking spaces. We have provided truck movements to the existing truck docks getting in through the sliding gate.

Mr. Caterino: What is the height and material on the gates being used?

Mr. Burke: Currently we are showing those as 8-feet.

Mr. Selke: How many trucks deliver in a day and a week?

Mr. Burke: We will have to follow up, we believe off-peak hours. They occasionally drop a trailer.

Mr. Caterino: This is a minor improvement plan so it didn't have to be referred to Monroe County for comments. Most of the comments from staff were already mentioned by the applicant. The asphalt being used, one thought was to expand the decorative red concrete to the new area, just to make it a continuation of what is already out there. Continuing striping to the access aisle so it is easily defined for someone using it for access to the entrance. The Fire Marshal had a comment about placement of no parking signage.

Mr. Charland: The intent with the asphalt, the street itself is not concrete, it's the sidewalk area and the goal of the sidewalk, that wide raised table is to create that focus center point going into the main entrance, it is raised, the concrete transitions down the asphalt. We brought it up so it's even with the plaza adjacent to it. It would pull away from the connection to the courtyard to the other buildings.

Mr. Selke: Do you have an entrance on the inside of the mall too? Any new landscaping?

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Mr. Burke: Yes, we do have entrance inside the mall. No new landscaping. Minor impacts overall for the rest of the site.

Mr. Timmons: I am having trouble picturing a long tractor trailer pulling into this dock. I imagine they must have to do it now, you have it laid out nicely, you see people walking on the red brick and not on the asphalt but if are trying to draw people to park in the parking lot which is almost behind us from what we are looking at, and walk across, I am curious how that is going to work and I am curious if there is more than one delivery truck at a time? Where is that second truck going to park while the first one is unloading?

Mr. Burke: The information that was conveyed to us by the owner is that they would not have more than one truck at a time and that Wilmorite would be scheduling any deliveries associated with any other tenants in the mall prior to the normal business hours of the mall.

Mr. Caterino: If we do something decorative that still defines the driveway area for pedestrians coming from parking lot, almost funnels them to the entrance sidewalk.

Mr. Sofia: That is a justifiable concern. I was looking forward to that red concrete, but it actually encourages more of an issue. If you illuminate more to the left and hug the building.

Mr. Charland: After milling, we will be restriping for pronounced pedestrian walkway.

Mr. Sofia: We should probably make a stipulation that truck deliveries and garbage pickup are outside of business hours.

Mr. Fisher: The garbage area is pretty grubby right now. The gates shown on the renderings should blend in more with the colors your showing for the building, the white and greys, so you don't draw attention to the area behind the gate.

**Mr. Timmons made a motion, seconded by Mr. Geisler:**

WHEREAS, Wilmorite Construction, LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a minor improvement plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 112 Greece Ridge Center Drive (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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (See § 617.5(c)(7) of the SEQRA Regulations).
2. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action relative to the Proposal.

<b>VOTE:</b>	<b>Burke</b>	<b>Yes</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**

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PLANNING BOARD MINUTES  
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**Mr. Timmons 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. A note that indicates this requirement shall be added to the plan.
3. The exterior appearance (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 fiber cement panels (in the red color family) and EIFs (in the white color family), with split-face CMU (in the grey 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.
4. The proposed screen fence/wall and operable gate shall be 8-feet tall of aluminum material (in the white and grey color family) similar to the exterior building color.
5. The outdoor refuse container shall be enclosed and screened from public view. A wall, fence, or landscaping may be used.
6. 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.
7. 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.
8. The proposed signage shall be subject to the Town's Zoning Ordinance and/or approval from the Board of Zoning Appeals, if required.
9. Subject to approval by the Town's Building Inspector, Fire Marshal, Commissioner of Public Works, and Engineering staff.
10. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
11. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
12. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
13. Truck deliveries and refuse service pick up shall occur outside of business/operating hours.

<b>VOTE:</b>	<b>Burke</b>	<b>Yes</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 APPROVED WITH CONDITIONS**

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**ADJOURNMENT:** 8:25 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