



William D. Reilich  
Supervisor

# TOWN OF GREECE

## PLANNING BOARD

## MINUTES

**AUGUST 16, 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**

*Chairman Fisher and the Planning Board offer their condolences to board member Michael Sofia on the passing of his mother in-law.*

### **Policy of Decorum**

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OFFICE OF PLANNING & ZONING

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**PUBLIC HEARINGS**

**Old Business**

None

**New Business**

1. Applicant: Fieldstone Estates, LLC  
Location: North Greece Road  
Mon. Co. Tax No.: 044.02-1-2 and 033.04-2-64.1  
Request: Final Plat approval for Section 1 of the Fieldstone Estates North subdivision consisting of seventeen (17) lots on approximately 9.11± acres.  
Zoning District: R1-18 (Single-Family Residential)

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

Robert Winans, P.E., LandTech presented the application:

Mr. Winans: The preliminary plat was approved back in January 2023, we have all the signatures on the plans. This is the first section consisting of 17 lots. It will be an extension of Jade Creek Lane. The lots are in the R1-18 zoning which makes it larger than some of the other subdivisions around the area. They are 100 feet wide with depths 140 feet and a minimum area of 18,000 square feet. Sanitary sewer and water will be extended on site from Jade Creek Lane. The first section will include bio-retention areas in the rear yards which will be constructed to meet the water quality requirements. There is a new storm water area called the north stormwater management area that will be constructed to help with the rear yard drainage. Since Rochester Gas and Electric will not be able to extend gas service to this project, the builder has looked into different options and it looks like they are going with electric heat pump systems but propane or geothermal is an option. Electric heat pumps are comparable to gas. They may have smaller propane tanks in the rear for gas stoves or a small gas fireplace but not for the main heating.

Mr. Caterino: We did approve the preliminary plat for the entire subdivision earlier this year, as part of the approval the board did grant a negative declaration for SEQR. The final plat that we have before us is in line with the preliminary plat. The only major comment from staff was related to addressing for emergency services. Planning comments are related to the use of propane storage tanks. When the preliminary was approved, a condition was that above ground tanks will need to be screened, subject to approval of the Planning Board clerk. They are thinking these tanks will be around 100 gallons and those will need approval from the town's Fire Marshal in terms of how far they need to be away from the structures or any other items. This is new to the board, and we may see more of these going forward so we wanted to discuss how to handle the storage tanks. We don't want to hold this project up, so we have a condition in approval. Mostly standard conditions but includes the storage tanks being approved by the Fire Marshal and in accordance with the New York State Building code. We did carry over the condition about the screening of the tanks and we can add to that tonight. Another site specific one was the bio-retention facilities, they are showing concrete bollards to delineate those, so we ask for those to be provided.

Mr. Trau: No major engineering concerns at this time.

Mr. Fisher: We see those tanks as vertical tanks, but it would be easier to screen or even less necessary to screen if there were horizontal tanks available. Do you have any idea of what the configurations would be?

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Mr. Winans: I live out in the country, so I have propane tanks but mine is 500 gallons, horizontal, I buried mine about 10 years ago. I think the 100-gallon ones are vertical and I know you have to keep them a certain distance from the house but there may be ways to screen with vegetation.

Mr. Fisher: One alternative would be to set up one and see what it looks like. Vegetation seems practical, if the Fire Marshal is ok with it.

Mr. Caterino: For the condition of approval where we talk about the screening subject to approval of the Planning Board clerk do we want to modify that or leave as is?

Mr. Fisher: Preferable to screen with vegetation.

Mr. Sofia: You just buried your tank, any idea what the cost difference from above ground tank to a buried tank?

Mr. Winans: It cost me between \$1500-\$2000 to bury a 500-gallon tank

Mr. Sofia: So less than that for a 100-gallon tank. I think we should explore that first especially if they have to be so far away from the house, it is going to be hard to screen them completely.

Mr. Geisler: Has anyone considered if banks want these buried? Are these tanks refillable, do they drive a truck in?

Mr. Winans: There are fillable and a truck runs a hose back to the tank. These are going to be expensive homes, so I think the builder is going to be well aware of the appearance.

Mr. Sofia: I think we should request burying them unless there is some justifiable reason why they couldn't be.

Mr. Schiano: You're an owner of the tanks, is there any danger of them in the ground, rotting? How long do they last for?

Mr. Winans: They are very well made, new construction, just like gasoline tanks. They are double sealed.

Mr. Fisher: Why don't we say our first preference is to bury the storage tanks, the second would be to provide vegetation so we can establish a process for the future.

Mr. Caterino: We should add that the tanks are to be stored in the rear yards of the properties and not visible from the street or public right of way.

Mr. Sofia: Online says you can bury 100-gallon propane tanks following proper installation and usage, local regulations and codes specific requirements, consult a professional.

Mr. Caterino: The Fire Marshal is looking into the storage tanks so at least for this evening we will modify condition #11 to say the preference is for the tanks to be underground if that isn't feasible and they need to be above ground they need to be screened just to approval of the Planning Board clerk.

Mr. Fisher: This is straight forward final plat consistent with the preliminary plat, so I'll close the public hearing and ask for a motion.

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

WHEREAS, Fieldstone Estates, LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a subdivision plat, as more fully described in the minutes of this public meeting (the "Proposal"), relative to North Greece Road (the "Premises"); and

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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").
2. The environmental review of the entire Fieldstone Estates North subdivision was completed pursuant to and in conformity with the requirements of 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") when the preliminary plat was approved by the Planning Board
3. The final plat is consistent with the preliminary plat.

NOW, THEREFORE, be it

RESOLVED that the SEQRA Regulations require no further environmental review by the Planning Board.

<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**

**Mr. Geisler then made the following motion, seconded by Mr. Timmons, 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. 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 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.
5. 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.

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6. 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.
7. 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").
8. 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.
9. 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.
10. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
11. The use of any storage tanks shall comply with Section 211-29 of the Town of Greece. The preference is for the tanks to be underground, but if the tanks are above ground, then they shall be screened, subject to the approval of the Planning Board Clerk. A note indicated this requirement shall be added to the plat.
12. The use of any aboveground and/or underground storage tanks shall be subject to the approval of the Town's Fire Marshal, per the requirements of the New York State Uniform Fire Prevention and Building Code.
13. The Applicant shall install concrete bollards with informational placards on the lots containing adjoining the bioretention basins, 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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2. Applicant: West Ridge Greece SRE, LLC  
Location: 271 Greece Ridge Center Drive  
Mon. Co. Tax No.: 074.19-1-6  
Request: Minor Subdivision approval for The Mall at Greece Ridge Center Bon Ton Site subdivision consisting of two (2) lots on approximately 9.77± acres.  
Zoning District: BG (General Business)

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

Peter Vars, P.E. BME Associates, presented the application:

Mr. Vars: We are requesting a minor subdivision approval for two (2) lots on the 9.77 acres; creating a .23-acre lot, and remaining lot 9.54 acres. This is located in the northeast corner of the property with frontage along West Ridge Road; Somerworth Drive is on the east side of the property. The property is zoned BG, General Business. The proposal is to create a lot that is 91 feet deep by 111 feet wide so just about 10,100 square feet. The purpose of this is to create a lot to be conveyed to the applicant for a future out parcel development which we acknowledge would be subject to its own site plan application. This application tonight is for the sole purpose of creating the lot. The lot itself has been prepared with regard to zoning requirements acknowledging the 30-foot setback off of West Ridge Road. The maximum size building would be 4,000 square feet. The applicant will have a cross access agreement with the owner. The site will be served by the existing access roadway system, nothing new proposed.

Mr. Caterino: This is an unlisted action for SEQRA, and we recommend the Board issue a negative declaration for that. Monroe County Planning and Development did review the application and had very few comments. New York State Department of Transportation had a comment that they are not allowing any additional access onto West Ridge Road. Town staff comments were related to what will happen in the future and all we are doing tonight is subdividing the land. We have discussed the cross-access agreement that should be provided and has been noted in the staff notes that it is subject to approval of Mr. Schiano and myself prior to being filed in Monroe County.

Mr. Fisher: This area is totally underutilized and it's a very visible site, so it makes a lot of sense. I move to close the public hearing.

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

WHEREAS, West Ridge Greece SRE, LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a minor subdivision, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 271 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 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.

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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

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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>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. 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 plat.
3. This subdivision map is for conveyance purposes only; no new construction is proposed. Approval of this map does not supersede any other conditions imposed by the Town of Greece or any other agency. Additional Town of Greece approvals must be obtained before any future construction. 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 prepared and provided to the Town for review.
5. 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.
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. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
8. As offered and agreed to by the Applicant, the Applicant shall provide a cross access, shared parking, and utility easement to be filed in the Office of the Monroe County Clerk, subject to the approval of the Planning Board Clerk and/or the Planning Board Attorney.
9. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
10. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
11. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.



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<b>VOTE:</b>	<b>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**

None

**New Business**

1. Applicant: Allied Property Developers, LLC  
Location: Manitou Road/Sand Pebble Lane  
Mon. Co. Tax No.: 025.03-3-35.101  
Request: Extension of the final plat approval for Section 7 of the Buttonwood Heights Subdivision, consisting of 18 lots on approximately 6.72 acres previously approved on August 8, 2019.  
Zoning District: R1-E (Single-Family Residential)

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

<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  
APPROVED TWO 90-DAY EXTENSION**

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**ADJOURNMENT:** 7:35 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