

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

PRESENT:

William D. Reilich	Supervisor
Mike Barry, Jr.	Councilman
Brett Granville	Councilman
Andrew J. Conlon	Councilman
Diana Christodaro	Councilwoman

Cheryl M. Rozzi, Town Clerk
Brian Marianetti, Town Attorney

PLEDGE OF ALLEGIANCE:

Councilman Brett Granville led the Town Board in the Pledge of Allegiance. The invocation was led by Pastor Greg Strand of Hope Lutheran Church.

PROCLAMATIONS DELETIONS ADDITIONS TO THE AGENDA:

There was one proclamation awarded by the Town Board. Town of Greece Planning Board Chairman, Alvin Fisher received a proclamation on behalf his service on the Planning Board for nearly 38 years of which 25 have been spent as the board Chairman.

PUBLIC FORUM:

An Open Forum was conducted to allow speakers the opportunity to address the Town Board. One speaker addressed the Town Board and the Open Forum concluded at 6:13 p.m.

(Supervisor Reilich took the following agenda items out of Regular Agenda Order):

180 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

WHEREAS Qdoba Restaurant Corporation has made application for a special use permit to operate a restaurant, to be known as Qdoba MexicanEats, on property located at 1946 West Ridge Road..

NOW THEREFORE, BE IT

ORDERED that a public hearing be held by the Town Board of the Town of Greece at the Town Hall, One Vince Tofany Boulevard, Rochester, New York, in and for said Town, on the 21st day of June, 2016 at 6:15 p.m., to operate a restaurant, to be known as Qdoba MexicanEats, on property located at 1946 West Ridge Road.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

181 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to adopt the Standard Work Day and Reporting Resolution for retirement reporting purposes. A complete copy of the resolution will be attached to the minutes of this meeting.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

182 - Councilman Barr offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board amend the 2016 Fee Schedule to include a registration fee of \$500 for vacant and defaulted mortgage properties under Chapter 194 of the Town Code.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

(Back to Regular Agenda Order)

PUBLIC HEARINGS:

6:15 p.m. — Public hearing to consider the Town’s proposed Community Development Block Grant programs and projects for the 2016 program year (August 1, 2016 through July 31, 2017).

Supervisor Reilich declared the public hearing open at 6:15 p.m. to consider the Town’s proposed Community Development Block Grant programs and projects for the 2016 program year (August 1, 2016 through July 31, 2017).

Proof of publication in the Greece Post on Thursday, May 5, 2016 was read and received. John Caterino of the Department of Technical Services Department presented an overview of the project. There were no speakers who addressed the Town Board and the hearing concluded at 6:23 p.m.

#183 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

WHEREAS, the Town of Greece, Monroe County, New York (the “Town”) is a Community Development entitlement community and, as such, receives an annual block grant from the United States Department of Housing and Urban Development (“HUD”); and

WHEREAS, the Town Board anticipates receiving a block grant from HUD’s Community Development Block Grant (“CDBG”) program for the period of August 1, 2016 through July 31, 2017 (the “2016CDBG Program Year”), in the amount of \$395,839; and

WHEREAS, in anticipation of receiving CDBG funds from HUD for the 2016 CDBG Program Year, the Town has proposed various CDBG projects and programs, to be undertaken and conducted by or for the Town, for the benefit of its citizens (the “2016 Town CDBG Program”); and

WHEREAS, the proposed 2016 Town CDBG Program reflects the needs and priorities that are contained in the Town’s Consolidated Plan, and also complies with all CDBG program rules and regulations promulgated by HUD;

NOW, THEREFORE, be it

RESOLVED that the Town Board hereby adopts the 2016 Town CDBG Program; and

BE IT FURTHER

RESOLVED that the Town Supervisor hereby is authorized to submit the 2016 Town CDBG Program to HUD for review, and to submit such additional information as may be required by HUD; and

BE IT FURTHER

RESOLVED that the Town Supervisor or his designee hereby is authorized to accept CDBG program funds totaling \$395,839, and to execute with HUD a contract and any amendments thereto for the 2016 CDBG Program Year, subject to HUD’s approval of the 2016 Town CDBG Program.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

6:16 p.m. — Public hearing to consider the request submitted by Ontario Realty Holdings, LLC to rezone 0.68± acres from BP-1 (Office) to IG (General Industrial), on property located at 1739 Ridgeway Avenue.

Supervisor Reilich declared the public hearing open at 6:23 p.m. to consider the request submitted by Ontario Realty Holdings, LLC to rezone 0.68± acres from BP-1 (Office) to IG (General Industrial), on property located at 1739 Ridgeway Avenue.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

Proof of publication in the Greece Post on Thursday, May 5, 2016 was read and received. Representatives from the Ontario Realty Holdings LLC presented an overview of the project. There was one speaker who addressed the Town Board and the hearing concluded at 6:30 p.m.

#184 A - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Ontario Realty Holdings, LLC (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 1739 Ridgeway Avenue; and

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

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to rezone 0.66± acres of real property (the Premises") from BP-1 (Office) to IG (General Industrial). The Applicant/Project Sponsor proposes to lease an existing building (one story; 5200± square feet) and grounds to a prospective tenant for use as a base of operations for a property maintenance business (the "Project"). The Project does not include any new construction or substantial changes to the Premises at this time. Vehicular access for the Premises is via an unsignalized driveway at Ridgeway Avenue (Monroe County Route 111, a two-lane urban minor arterial). Currently, the Premises consist of a building that previously was used by various construction contractors, with a paved parking area. Existing land uses in the vicinity include but are not limited to: single-family houses; apartments; storage of construction equipment; a food processing factory and warehouses; and a freight and truck terminal with general warehousing; a new, freestanding restaurant in the vicinity is expected to be under construction soon.
2. 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 an Unlisted action under SEQRA.
3. On May 17, 2016 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal were presented at the Hearing for the Town Board's consideration.
5. The Town Board has carefully considered environmental information that was prepared by the Applicant/Project Sponsor's representatives or the Town's staff, which included but was not limited to: a project narrative; a map of the Premises; aerial photographs; and Part 1 of an Environmental Assessment Form (the "EAF"), which was prepared in part by using the New York State Department of Environmental Conservation's (the "NYDEC") online EAF Mapper application (collectively, the "Environmental Analysis").
6. The Town Board also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant/Project Sponsor's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
7. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Department of Planning and Development; the Monroe County Department of Transportation; and the Town's own staff.
8. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of May 17, 2016.
9. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Proposal on the following principal relevant issues: vehicular traffic; storm water

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

management; and compatibility with nearby uses. A summary of the analyses of these issues and the Town Board's reasoned elaboration supporting its determination of environmental significance follows.

10. Vehicular traffic.

- a. Description of analysis and impacts. The nature, location, and size/intensity of the Project do not warrant a traffic impact study; therefore, the Project is not likely to have a significant adverse effect on the existing transportation network.
- b. Mitigation measures. No mitigation measures are required at this time.
- c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Project without mitigation measures.

11. Storm Water Management.

- a. Description of analysis and potential impacts. The Premises currently consist of a building that previously was used by various construction contractors, with a paved parking area. The Project does not include any new construction or substantial changes to the Premises at this time; therefore, no storm water management impacts are anticipated.
- b. Mitigation measures. No mitigation measures are required or proposed for the Proposal. Any future changes to the Premises must comply with applicable federal, state, and local regulations, including the most recent storm water management guidelines promulgated by the NYSDEC.
- c. Conclusions. The Proposal will not degrade existing storm water conditions on the Premises or on adjacent properties. If changes to the Premises are proposed in the future, such changes may present an opportunity to improve drainage conditions for adjacent properties.

12. Compatibility with Nearby Uses

- a. Description of analysis and potential impacts. The Premises consist of an existing building with paved driveways and parking areas. The Project does not include any new construction or substantial changes to the Premises at this time. The Premises previously were used by various construction contractors.
- b. Mitigation measures. No mitigation measures are required at this time.
- c. Conclusions. The Proposal will not have a significant adverse effect on existing character of the surrounding area.

13. The Environmental Analysis examined the relevant issues associated with the Proposal and the Project.
14. The Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
15. The Town Board has met the procedural and substantive requirements of SEQRA.
16. The Town Board has carefully considered each and every criterion for determining the potential significance of the Proposal and the Project upon the environment, as set forth in SEQRA.
17. The Town Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the Project and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional relevant information submitted.
18. The Town Board concurs with the information and conclusions contained in the Environmental Analysis.
19. The Town Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Town Board's determination is supported by substantial evidence, as set forth herein.
20. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant/Project Sponsor's voluntary incorporation of Project elements or Project modifications that were identified as practicable.

NOW, THEREFORE, be it

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Town 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 Town Board determines that the Proposal and the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#184 B - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Ontario Realty Holdings, LLC (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 1739 Ridgeway Avenue; and

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

1. In summary, the Applicant's proposal (the "Proposal") is to rezone 0.66± acres of real property (the Premises") from BP-1 (Office) to IG (General Industrial). The Applicant/Project Sponsor proposes to lease an existing building (one story; 5200± square feet) and grounds to a prospective tenant for use as a base of operations for a property maintenance business (the "Project"). The Project does not include any new construction or substantial changes to the Premises at this time. Vehicular access for the Premises is via an unsignalized driveway at Ridgeway Avenue (Monroe County Route 111, a two-lane urban minor arterial). Currently, the Premises consist of a building that previously was used by various construction contractors, with a paved parking area. Existing land uses in the vicinity include but are not limited to: single-family houses; apartments; storage of construction equipment; a food processing factory and warehouses; and a freight and truck terminal with general warehousing; a new, freestanding restaurant in the vicinity is expected to be under construction soon.
2. Proof was had of the notice of a public hearing on a resolution proposing to amend said Official Zoning Map by rezoning 0.66± acres from BP-1 (Office) to IG (General Industrial), relative to property located at 1739 Ridgeway Avenue.
3. On May 17, 2016 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
6. On November 20, 1945, the Town Board adopted a new zoning ordinance and official zoning map for the Town (respectively, the "1945 Zoning Ordinance" and the "1945 Zoning Map"). The 1945 Zoning Map showed that the zoning of the southern approximately one-half of the Premises was industrial; the zoning of the northern approximately one-half of the Premises was single-family residential; this zoning pattern remained until 2003.
7. The original building on the Premises and the additions thereto were constructed in the 1970s and 1980s, respectively, on the part of the Premises that was zoned industrial. The uses of the Premises were permitted by the zoning ordinance in force and effect at the time that such uses were established on the Premises.
8. On July 15, 2003, the Town Board adopted a new zoning ordinance and official zoning map for the Town (respectively, the "2003 Zoning Ordinance" and the "2003 Zoning Map"). The 2003 Zoning Map changed the zoning of the Premises to BP-1 (Office).
9. The Applicant now intends to lease the Premises to a private individual, who would use it for a base of operations for a property maintenance business; such use is permitted in the IG zoning district.

10. The Premises are surrounded by the following zoning districts and land uses:

North: No zoning (undeveloped land that is the former bed of the Erie Canal, which is part of the City of Rochester); further north—IG (General Industrial)—an industrial park (Eastman Business Park).

South: IG (General Industrial)—food processing and warehousing facility.

East: BP-1 (Office)—contractor's yard for storage of materials and equipment, and single-family residences.

West: IG (General Industrial)—undeveloped land that is part of the food processing and warehousing facility to the south; further west, the site of a freestanding restaurant that is to be constructed in the near future.

11. The proposed IG zoning and land use are consistent and compatible with the nearby zoning and land uses.

12. The size and shape of the Premises are suitable for the proposed use.

13. Public utility service and vehicular access are adequate for the Proposal.

14. On May 17, 2016, in accordance with 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"), the Town Board issued a Negative Declaration for the Proposal and the Project (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of Project elements or Project modifications that were identified as practicable. The SEQRA Negative Declaration is incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the Proposal.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the Official Zoning Map of the Town of Greece, New York, hereby be and the same is amended to change the zoning classification of 0.66± acres from BP-1 (Office) to IG (General Industrial), relative to property located at 1739 Ridgeway Avenue, as more particularly identified in the description attached hereto, subject to the following conditions:

1. In the event of any conflict among the oral or written descriptions of the Proposal, the site development plans for the Proposal, or the requirements or restrictions of this resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.
2. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
3. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors, and assigns.
4. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
 Nays 0

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

6:17 p.m. — Public hearing to consider the request submitted by Benderson Development Company, LLC to rezone 15.19± acres from R1-18 (Single-Family Residential) and BR (Restricted Business) to BG (General Business), on property located at 4057–4231 West Ridge Road. (RESCHEDULED)

Supervisor Reilich declared the public hearing open at 6:30 p.m. to consider the request submitted by Benderson Development Company, LLC to rezone 15.19± acres from R1-18 (Single-Family Residential) and BR (Restricted Business) to BG (General Business), on property located at 4057–4231 West Ridge Road.

Proof of publication in the Greece Post on Thursday, March 31 and May 5, 2016 was read and received. Representatives from Benderson Development Company, LLC presented an overview of the project. There were three speakers who addressed the Town Board and the hearing concluded at 7:05 p.m.

#185 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that the Town Board adopt a Motion to Reserve Decision.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

6:18 p.m. — Public hearing to consider the request submitted by William Allen for a special use permit to operate a restaurant, to be known as Cobblestone Trail Brewery, on property located at 1192 Manitou Road.

Supervisor Reilich declared the public hearing open at 7:05 p.m. to consider the request submitted by William Allen for a special use permit to operate a restaurant, to be known as Cobblestone Trail Brewery, on property located at 1192 Manitou Road.

Proof of publication in the Greece Post on Thursday, May 5, 2016 was read and received. Representatives from Cobblestone Trail Brewery presented an overview of the project. There were three speakers who addressed the Town Board and the hearing concluded at 7:35 p.m.

#186 A- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

WHEREAS, William Allen (the “Applicant/Project Sponsor”) has submitted a request to the Town Board (the “Town Board”) of the Town of Greece (the “Town”), Monroe County, New York, for a special use permit to operate a restaurant, to be known as Cobblestone Trail Brewery, on property located at 1192 Manitou Road, in a BR (Restricted Business) Zoning District; and

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

1. In summary, the Applicant/Project Sponsor’s proposal (the “Proposal”) is to operate a restaurant in an existing, freestanding building which originally was used as a restaurant (the “Premises”). The Proposal includes tastings of beer that is brewed on the premises, preparation and service of food (such as Panini and salads) for consumption on the Premises and for takeout, and service of alcoholic and nonalcoholic beverages for consumption on the Premises. Weather permitting, outdoor seating for consumption of food and beverages will be provided in a limited area that is adjacent to the restaurant. The Proposal does not include outdoor cooking, outdoor loudspeakers, or delivery service. The Proposal includes background music or live entertainment (as these terms are defined in the Town’s zoning ordinance) on a recurring basis—typically, about once per week. Background music, live entertainment, and the Applicant/Project Sponsor’s sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The proposed hours of availability to the public are: Sundays through Saturdays, 12:00 noon to 11:00 p.m. Vehicular access for the Premises is via an unsignalized driveways at Latta Road (New York State Route 18, a two-lane urban minor arterial) and Manitou Road (New York State Route 261, a two-lane urban minor arterial).

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

2. 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. (SEQRA Regulations, § 617.5(c)(1) & (2).)
3. 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.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
 Nays 0

#186 B- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

WHEREAS, William Allen (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for a special use permit to operate a restaurant, to be known as Cobblestone Trail Brewery, on property located at 1192 Manitou Road, in a BR (Restricted Business) Zoning District; and

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

1. In summary, the Applicant's proposal (the "Proposal") is to operate a restaurant in an existing, freestanding building which originally was used as a restaurant (the "Premises"). The Proposal includes tastings of beer that is brewed on the premises, preparation and service of food (such as Panini and salads) for consumption on the Premises and for takeout, and service of alcoholic and nonalcoholic beverages for consumption on the Premises. Weather permitting, outdoor seating for consumption of food and beverages will be provided in a limited area that is adjacent to the restaurant. The Proposal does not include outdoor cooking, outdoor loudspeakers, or delivery service. The Proposal includes background music or live entertainment (as these terms are defined in the Town's zoning ordinance) on a recurring basis—typically, about once per week. Background music, live entertainment, and the Applicant's sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The proposed hours of availability to the public are: Sundays through Saturdays, 12:00 noon to 11:00 p.m. Vehicular access for the Premises is via an unsignalized driveways at Latta Road (New York State Route 18, a two-lane urban minor arterial) and Manitou Road (New York State Route 261, a two-lane urban minor arterial).
2. Proof was had of the notice of public hearing on a resolution proposing to permit the Proposal.
3. On May 17, 2016, at 6:18 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing.
6. Access to the Premises and the size and shape of the Premises are adequate for the Proposal.
7. Public utility service and vehicular access are adequate for the Proposal.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

8. Based on the Town Board's review of relevant documentary, testimonial, and other evidence, the location, nature, duration, and intensity of the Proposal: (a) will not adversely affect the orderly pattern of the development in the area; (b) will be in harmony with nearby uses; (c) will not alter the essential character of the nearby neighborhood, nor be detrimental to the residents thereof; (d) will not create a hazard to health, safety, or the general welfare; (e) will not be detrimental to the flow of traffic; and (f) will not place an excessive burden on public improvements, facilities, services, or utilities.
9. Having considered the Proposal and all additional information that may be relevant to the Proposal, it is in the public interest to grant the requested special use permit.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the request submitted by William Allen (the "Applicant") for a special use permit to operate a restaurant, to be known as Cobblestone Trail Brewery, on property located at 1192 Manitou Road, in a BR (Restricted Business) Zoning District, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate this restaurant in conformity with all details of the Proposal as presented in the written descriptions and site development plans of the Proposal, as orally described at the Hearing, 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 Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.
2. The maximum occupancies in this restaurant shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code and all applicable requirements for the installation/maintenance of a grease trap. Failure to comply with such requirements may be grounds for revocation of this special use permit.
4. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
5. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
6. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.
7. Upon the sale or other transfer of controlling interest in this restaurant to any person or entity other than William Allen, his wholly owned subsidiaries or its franchisees, a new application for a special use permit must be submitted to the Town Board.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
 Nays 0

#187 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to enter into an agreement with Cut and Trim Lawn Services to provide maintenance of athletic fields at Carter Park including seasonal clean-ups as necessary.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all necessary documentation.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
 Nays 0

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

#188 - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into an agreement with Clark Patterson Lee for construction support services related to the Straub Road Bridge project for an amount not to exceed \$16,000.00.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#189 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to award the following bids:

Rental of Light Duty Construction Equipment to the only bidder meeting specifications, Admar Supply, 1950 Brighton-Henrietta Town Line Road, Rochester, New York 14623, in an amount not to exceed \$91,535.00. Three (3) other bids were received that did not meet specifications.

Specifications for the purchase of five (5) 2016 F-150 4x4 Ford Pick-up Trucks to the low bidder, Webster Ford DBG Henderson Ford, 810 Ridge Road, Webster, New York 14580, in the amount of \$149,809.00. Two (2) other bids were received in the amounts of \$152,552.00 and \$163,021.00.

Paddy Hill Creek Improvements Pre-cast Modular Concrete Block, to the sole bidder Lakelands Concrete Products, Inc., 7520 East Main Street, Lima, New York 14485, in the amount of \$140,300.00.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#190 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to extend the following bid for an additional year with no changes in pricing and contract terms:

- 2015 Manhole Extension Rings

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#191 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to make various budget amendments and transfers (List attached).

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#192 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to accept a Letter of Credit in the amount of \$34,128 to guarantee the public improvements associated with the Doan Buick Sanitary Sewer Project.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

#193 - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization for the Supervisor to approve a Change Order to our agreement with DiPasquale Construction Inc. for milling and paving work in an amount not to exceed \$38,500.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#194 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to enter into various agreements (list attached) for programs associated with the operation of the Greece Community and Senior Center;

BE IT FURTHER

RESOLVED that the Supervisor is authorized to execute said agreements.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#195 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to renew a maintenance agreement for Community and Senior Center registration and facility software with Vermont Systems, 12 Market Place, Essex Junction, VT 05452.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#196 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to purchase Lexipol Policy Implementation Services via an addendum to an Online Subscription Agreement (OSA) between Lexipol and the Greece Police Department. Services rendered are billed monthly and is based on hours used; with a total cost not to exceed \$5,000.00.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#197 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization enter into a contract with Rochester Computer Recycling and Recovery to provide electronic waste pick up and disposal services for scrap computer equipment.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all related documents.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#198 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to enter into an agreement with Samange to provide an online asset management system for Town computer equipment at a cost of \$2,537.50 per year.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all necessary documentation.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#199 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into an agreement with Judd Sunshine Inc. for various musical performances for a total amount not to exceed \$8,000. This is in addition to the approval previously given for Judd Sunshine to hire Ambrosia for the 4th of July celebration.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#200 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

WHEREAS, Patrick Phelan, Chief of Police for the Town of Greece Police Department (hereinafter referred to as "Department"), has commenced a proceeding and requested a hearing pursuant to Section 75 of the New York State Civil Service Law regarding employee Kathy Schulmerich via Charges dated May 17, 2016; and

WHEREAS, Section 75(2) of the New York State Civil Service Law requires that a hearing upon New York State Civil Service Law Section 75 charges shall be held by the officer or body having the power to remove the person against whom such charges are preferred, or by a deputy or other person designated by such officer or body in writing for that purpose; and

WHEREAS, in case a deputy or other person is so designated, he/she shall, for the purpose of such hearing, be vested with all the powers of such officer or body and shall make a record of such hearing which shall, with his/her recommendations, be referred to such officer or body for review and decision; and

WHEREAS, Patrick Phelan, the Chief of Police for the Department, has recommended the appointment of Brian Marianetti, Esq., of Greece, New York, as the designated hearing officer.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby appoints Brian Marianetti, Esq. as the Hearing Officer pursuant to Section 75 of the New York State Civil Service Law, with respect to the Charges brought by Chief Patrick Phelan on May 17, 2016 against a particular employee, and authorizes the Hearing Officer to hear evidence, make a transcript of the proceedings, and to issue a written report of his findings and recommendations.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#201 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization for Young Explosives to discharge a public display of fireworks at Greece Town Hall Campus on July 4, 2016, pursuant to Town Code § 108-5.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#202 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to appoint Jason Westlake to the full time position of Motor Equipment Operator in the Department of Public Works effective May 21, 2016.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#203 A - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Ronald J. Berardi (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 839 North Greece Road; and

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

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to rezone 6.94± acres of real property (the Premises") from R1-44 (Single-Family Residential) to RMS (Multiple-Family Residential – Senior Citizen). The Applicant/Project Sponsor proposes to construct 28 dwelling units for rental to senior citizens (seven townhouse buildings, each with four dwelling units; each dwelling unit not less than 1450 square feet; and each dwelling unit with two-car garage), with related utilities, grading, landscaping/buffering, paved driveways and parking, and other site modifications (the "Project"). The proposed vehicular access to the Premises is via an unsignalized driveway at North Greece Road (Monroe County Route 144, a two-lane urban collector). The Premises consist of undeveloped, wooded land; Smith Creek crosses the northwest corner of the Premises. Existing land uses in the vicinity include but are not limited to single-family houses and undeveloped land.
2. 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 and the Project constitute an Unlisted action under SEQRA.
3. On March 15, 2016 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
6. The Town Board has carefully considered environmental information that was prepared by the Applicant/Project Sponsor's representatives or the Town's staff, which included but was not limited to: a project narrative; a conceptual site plan; aerial photographs; a preliminary engineering report (the "Engineering Report"); and Part 1 of an Environmental Assessment Form (the "EAF"), which was prepared in part by using the New York State Department of Environmental Conservation's (the "NYDEC") online EAF Mapper application (collectively, the "Environmental Analysis").
7. The Town Board also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant/Project Sponsor's representatives, including but not limited to: oral or written descriptions of the Proposal and the Project; maps and other drawings of the Proposal and the Project; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
8. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Department of Planning and Development; the Monroe County Department of Transportation (the "MCDOT"); the Monroe County Department of Public Health; the North Greece Fire District; and the Town's own staff.
9. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of May 17, 2016.
10. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Proposal and the Project on the following principal relevant issues: vehicular traffic; storm

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.
water management; and compatibility with nearby uses. A summary of the analyses of these issues and the Town Board's reasoned elaboration supporting its determination of environmental significance follows.

11. Vehicular traffic.

- a. Description of analysis and impacts. The MCDOT has reviewed the Project and has determined that the nature, location, and size/intensity of the Project do not warrant a traffic impact study; therefore, the Project is not likely to have a significant adverse effect on the existing transportation network. The proposed location of the access driveway at North Greece Road has been accepted by the MCDOT.
- b. Project elements or modifications. No modifications for this aspect of the Project are required at this time.
- c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Project without mitigation measures.

12. Storm water management.

- a. Description of analysis and potential impacts. The Premises currently consist of undeveloped land covered by trees; in the northwest corner of the Premises, Smith Creek flows northeastward. The Project includes the construction of buildings and paved driveways. The Project has the potential for altering drainage patterns and volumes in the area by the construction of impervious surfaces and changes to the drainage characteristics of the area. The Engineering Report examined existing and proposed topography on the Premises and existing drainage patterns on the Premises and adjoining lands. The Engineering Report concluded that the Project would create a need for on-site management of storm water runoff quality and quantity. The proposed changes to the Premises must comply with applicable federal, state, and local regulations, including the most recent storm water management guidelines promulgated by the NYSDEC.
- b. Project elements or modifications.
 - i. The Project will not encroach into the Smith Creek floodplain. The Project will include provision of storm water management facilities on the Premises, to be designed to limit peak storm water discharge to rates that are below the pre-development level for precipitation events up to and including the 100-year storm. In order to manage storm water quantity and quality, the Applicant/Project Sponsor will construct one or more surface or subsurface detention facilities and will include "green infrastructure" practices. The storm water management facilities will be designed to include water quality improvement features consistent with the most recent guidelines promulgated by the NYSDEC.
 - ii. Standard construction procedures will be followed to control storm water runoff, erosion, and sedimentation during construction in accordance with all applicable regulations.
- c. Conclusions.
 - i. The Project will not degrade existing storm water conditions on the Premises or on adjacent properties, and may present an opportunity to improve drainage conditions for adjacent properties.
 - ii. The Project will include features that are designed to improve storm water quality before runoff leaves the Premises.
 - iii. The proposed storm water management facilities will avoid or minimize potential adverse impacts on storm water runoff quantity and quality.

13. Compatibility with nearby uses.

- a. Description of analysis and potential impacts. The Premises are surrounded by single-family residences. The Project consists of 28 dwelling units for rental to senior citizens (seven townhouse buildings, each with four dwelling units; each dwelling unit not less than 1450 square feet; and each dwelling unit with two-car garage), with related utilities, grading, landscaping/buffering, paved driveways and parking, and other site modifications.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

- b. Project elements or modifications.
 - i. The proposed architecture of each four-unit building presents two front faces on each building, rather than one front face and one rear face.
 - ii. Existing trees that are northwest of Smith Creek in the northwest corner of the Premises will not be removed, and disturbance of trees in the remainder of the Smith Creek floodplain on the Premises will be minimized.
 - iii. The Planning Board will require buffering for the nearby residences.
 - c. Conclusions. The Proposal and the Project will not have a significant adverse effect on existing character of the surrounding area.
14. The Environmental Analysis examined the relevant issues associated with the Proposal and the Project.
 15. The Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
 16. The Town Board has met the procedural and substantive requirements of SEQRA.
 17. The Town Board has carefully considered each and every criterion for determining the potential significance of the Proposal and the Project upon the environment, as set forth in SEQRA.
 18. The Town Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the Project and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional relevant information submitted.
 19. The Town Board concurs with the information and conclusions contained in the Environmental Analysis.
 20. The Town Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Town Board's determination is supported by substantial evidence, as set forth herein.
 21. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant/Project Sponsor's voluntary incorporation of Project elements or Project modifications that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Town 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 Town Board determines that the Proposal and the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
 Nays 0

#203 B - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Ronald J. Berardi (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 839 North Greece Road; and

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

1. In summary, the Applicant's proposal (the "Proposal") is to rezone 6.94± acres of real property (the Premises") from R1-44 (Single-Family Residential) to RMS (Multiple-Family Residential – Senior Citizen). The Applicant proposes to construct 28 dwelling units for rental to senior citizens (seven townhouse buildings, each with four dwelling units; each dwelling unit not less than 1450 square feet; and each dwelling unit with two-car garage), with related utilities, grading, landscaping/buffering, paved driveways and parking, and other site modifications (the "Project"). The proposed vehicular access to the Premises is via an unsignalized driveway at North Greece Road (Monroe County Route 144, a two-lane

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

urban collector). The Premises consist of undeveloped, wooded land; Smith Creek crosses the northwest corner of the Premises. Existing land uses in the vicinity include but are not limited to single-family houses and undeveloped land.

2. Proof was had of the notice of a public hearing on a resolution proposing to amend said Official Zoning Map by rezoning 6.94± acres from R1-44 (Single-Family Residential) to RMS (Multiple-Family Residential – Senior Citizen), relative to property located at 839 North Greece Road.
3. On March 15, 2016 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the “Hearing”) to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board’s consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
6. The Premises are surrounded by the following zoning districts and land uses:

North: R1-44 (Single-Family Residential)—single-family residences.

South: R1-44 (Single-Family Residential)—undeveloped land and single-family residences; A-R (Agricultural)—undeveloped land.

East: R1-18 and R1-E (Single-Family Residential)—single-family residences.

West: R1-44 (Single-Family Residential)—undeveloped land and single-family residences.
7. The proposed zoning and use of the Premises are consistent and compatible with the zoning and uses that are adjacent to the Premises.
8. The size and shape of the Premises are suitable for the Proposal.
9. Public utility service and vehicular access are adequate for the Proposal.
10. The Code of the Town of Greece, New York, Chapter 211 (Zoning) (the “Zoning Ordinance”) defines the term “senior citizen” to be a person who is 55 years of age or older (a “Senior Citizen” or “Senior Citizens”). According to data from the United States Census Bureau, the number of Senior Citizens in the Town is increasing, as is their percentage of the Town’s total population. Senior citizens comprise approximately 30 percent of the Town’s population.
11. There is a wide range of housing and services that are wanted or needed by the Senior Citizen segment of the Town’s population, from smaller single-family houses and lots for fully independent living, to apartments for fully independent living, to semi-independent living in facilities that provide varying levels of service and assistance, to skilled nursing care.
12. The Proposal and the Project are consistent with general and specific recommendations in the Town’s 2001 Community Master Plan Update (the “Master Plan Update,” completed September 18, 2001), including but not limited to:
 - a. The Master Plan Update (pp. IV–2, VI-2) recognized the growing need for a variety of housing for Senior Citizens, and recommended that such housing be permitted wherever the Town Board deemed it to be appropriate, to encourage a diverse style and type of housing to meet the needs of Senior Citizens.
 - b. The Master Plan Update (p. III–2) recommended that the Town provide for sufficient Senior Citizen housing that is affordable and above basic standards. The Project is housing specifically for Senior Citizens, and is well above basic standards.
 - c. The Master Plan Update (p. IV-19) noted that the Town wants its residents to regard the community as an attractive place to retire. This calls for activities that address the many types of retirement housing, such as smaller single-family houses, *townhouses* [emphasis added], apartments, and assisted/congregate living.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held May 17, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

- d. The Master Plan Update (p. IV-19) recommended that housing specifically for Senior Citizens be permitted in all planning districts.
13. The Town Board wants to accommodate a variety of types of housing for the Town's Senior Citizens, so that they have an opportunity to remain residents of the Town as their housing needs change. The Town Board also wants to allow flexibility if new types of housing for Senior Citizens become available.
14. The Proposal and the Project meet the Town Board's goal of providing a flexible set of housing opportunities for Senior Citizens, in a way that does not have a significant adverse effect on surrounding neighbors.
15. In order to further the legislative intent and purposes of the RMS zoning district set forth in the Zoning Ordinance, the Applicant has offered and agreed to provide a restrictive covenant on the Premises, inuring to the benefit of the Town, which limits occupancy of the Project to Senior Citizens, in conformity with the requirements, restrictions, and allowances of the RMS zoning district.
16. The Applicant has offered and agreed that the minimum gross floor area of each dwelling unit (exclusive of garages) will be 1450 square feet, and that each dwelling unit will have an attached, two-car garage.
17. In response to an inquiry from the Town Board about future use and development of an adjacent 14± acre parcel of land which the Applicant owns to the south and southwest of the Premises (identified by Monroe County Tax Account No. 058.01-2-20.2; the "Adjacent Land"), the Applicant has offered and agreed to provide a restrictive covenant on the Adjacent Land, inuring to the benefit of the Town, which covenant restricts the zoning of the Adjacent Land to single-family and the principal use of each lot on the Adjacent Land to a single-family residence.
18. On May 17, 2016, in accordance with 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"), the Town Board issued a Negative Declaration for the Proposal and the Project (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of Project elements or Project modifications that were identified as practicable. The SEQRA Negative Declaration is incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the Proposal.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the Official Zoning Map of the Town of

Greece, New York, hereby be and the same is amended to change the zoning classification of 6.94± acres from R1-44 (Single-Family Residential) to RMS (Multiple-Family Residential – Senior Citizen), relative to property located at 839 North Greece Road, as more particularly identified in the description attached hereto, subject to the following conditions:

1. The Applicant shall submit a request to the Town of Greece Planning Board for subdivision and site plan approval in order to address the details of site development issues, including but not limited to: landscaping and buffering; lighting; parking; vehicular and pedestrian access for the Premises; on-site vehicular and pedestrian circulation; utilities; grading; storm water management; and architectural appearance.
2. As offered and agreed to by the Applicant, the Applicant shall provide a restrictive covenant on the Premises, inuring to the benefit of the Town, which limits occupancy of the Project to Senior Citizens, in conformity with the requirements, restrictions, and allowances of the RMS zoning district. Such restrictive covenant shall be subject to review and approval by the Town Attorney, and shall be recorded in the Office of the Monroe County Clerk.
3. As offered and agreed to by the Applicant, the minimum gross floor area of each dwelling unit (exclusive of garages) shall be 1450 square feet, and each dwelling unit shall have an attached, two-car garage.
4. As offered and agreed to by the Applicant, the Applicant shall provide a restrictive covenant, inuring to the benefit of the Town, on an adjacent 14± acre parcel of land which the Applicant owns to the south and southwest of the Premises (identified by Monroe County Tax Account No. 058.01-2-20.2; the "Adjacent Land"), which covenant restricts the zoning of the Adjacent Land to single-family and the principal use

Town of Greece
 2016 Budget Modifications
 Town Board Agenda May, 2016

Action	Account	Description	Amount
ADJUSTMENTS TO BUDGET			
1)	<i>To reallocate capital funds for sewer projects.</i>		
Appropriation	SS.9950.0000.291	Sanitary Sewers, Transfer Out	\$ 338,688.28
Revenue	SS.5031.0000.000	Sanitary Sewers, Transfer In	\$ 338,688.28
Appropriation	H.0544.8120.291	2015 Sanitary Sewer Program, Capital	\$ 125,000.00
Revenue	H.0544.8120.503	2015 Sanitary Sewer Program, Transfer In	\$ 125,000.00
Appropriation	H.0548.8120.291	2016 Sanitary Sewer Program, Capital	\$ 125,000.00
Revenue	H.0548.8120.503	2016 Sanitary Sewer Program, Transfer In	\$ 125,000.00
Appropriation	H.0512.8120.291	Sewer Ext 532-7, Infrastructure	\$ (6,861.72)
Revenue	H.0512.8120.573	Sewer Ext 532-7, BAN/Bond Receipts	\$ (12,000.00)
Revenue	H.0512.8120.503	Sewer Ext 532-7, Transfer In	\$ 5,138.28
Revenue	H.0402.8120.573	Sewer Ext 494, BAN/Bond Receipts	\$ (120,000.00)
Revenue	H.0402.8120.503	Sewer Ext 494, Transfer In	\$ 120,000.00
Revenue	H.0523.8120.573	2013 Sewer Program, BAN/Bond Receipts	\$ (15,000.00)
Revenue	H.0523.8120.503	2013 Sewer Program, Transfer In	\$ 15,000.00
2)	<i>To allocate capital funds for road projects previously approved.</i>		
Appropriation	H.0549.5112.291	2016 Road Program, Capital	\$ 1,700,000.00
Revenue	H.0549.5112.573	2016 Road Program, BAN/Bond Proceeds	\$ 1,700,000.00
3)	<i>For the purchase of additional computer equipment.</i>		
From	A.1680.0000.412	Info Services, Equipment/Software Maint	\$ (5,000.00)
From	A.1680.0000.419	Info Services, Professional Services	\$ (2,500.00)
To	A.1680.0000.217	Info Services, Computer Equipment	\$ 7,500.00

Action	Account	Description	Amount
CAPITAL ACCOUNT CLOSEOUTS			
1)	<i>To close out capital project accounts related to General Fund.</i>		
Appropriation	H.0534.7110.419	Park Architectural Services	\$ (15,937.50)
Revenue	H.0534.7110.503	Park Architectural Services	\$ (15,937.50)
Appropriation	H.0519.8020.419	Bike/Ped Master Plan, Professional Services	\$ (391.01)
Revenue	H.0519.8020.400	Bike/Ped Master Plan, Federal Aid	\$ (391.01)
Appropriation	H.0506.7110.997	Marella Park Improv, Transfer Out	\$ 131.08
Revenue	H.0506.7110.240	Marella Park Improv, Interest	\$ 131.08
Transfer From	H.0506.7110.292	Marella Park Improv, Buildings	\$ (59,239.16)
Transfer To	H.0506.7110.997	Marella Park Improv, Transfer Out	\$ 59,239.16
Appropriation	H.0500.5410.997	2010 Sidewalk Improv, Transfer Out	\$ 392.81
Revenue	H.0500.5410.240	2010 Sidewalk Improv, Interest Earned	\$ 392.81
Transfer From	H.0500.5410.291	2010 Sidewalk Improv, Infrastructure	\$ (53,980.95)
Transfer To	H.0500.5410.997	2010 Sidewalk Improv, Transfer Out	\$ 53,980.95
Appropriation	H.0497.3120.292	EEC Grant, Buildings	\$ 1,500.00
Revenue	H.0497.3120.400	EEC Grant, Federal Aid	\$ 1,500.00
Appropriation	H.0492.8020.419	Dewey Ave Traffic Study, Professional Svcs	\$ 3,638.78
Revenue	H.0492.8020.503	Dewey Ave Traffic Study, Transfer In	\$ 3,638.78
Appropriation	H.0482.5410.291	Flynn Rd Sidewalk Easements, Infrastructure	\$ (2,531.25)
Revenue	H.0482.5410.270	Flynn Rd Sidewalk Easements, Misc Income	\$ 5,905.99
Revenue	H.0482.5410.503	Flynn Rd Sidewalk Easements, Transfer In	\$ 12,937.76
Appropriation	H.0449.1680.217	Computer Equipment, Transfer Out	\$ (45.56)
Revenue	H.0449.1680.240	Computer Equipment, Interest Earned	\$ (45.56)
Transfer From	H.0449.1680.217	Computer Equipment, Computer Equipment	\$ (1,624.23)
Transfer From	H.0449.1680.419	Computer Equipment, Professional Services	\$ (20.11)
Transfer To	H.0449.1680.997	Computer Equipment, Transfer Out	\$ 1,644.34
Appropriation	H.0434.1941.293	Land Acquisition, Land	\$ 21,618.96
Revenue	H.0434.1941.503	Land Acquisition, Transfer In	\$ 21,618.96
Appropriation	H.0431.5410.997	Sidewalks, Transfer Out	\$ 161.96
Revenue	H.0431.5410.240	Sidewalks, Interest Earned	\$ 161.96
Transfer From	H.0431.5410.291	Sidewalks, Infrastructure	\$ (149,374.12)
Transfer To	H.0431.5410.997	Sidewalks, Transfer Out	\$ 149,374.12
Appropriation	H.0420.8160.419	Landfill Remediation, Professional Services	\$ 495.00
Revenue	H.0420.8160.503	Landfill Remediation, Transfer In	\$ 100,495.00
Revenue	H.0420.8160.573	Landfill Remediation, BAN/Bond Receipts	\$ (100,000.00)
2)	<i>To close out capital project accounts related to Highway Fund.</i>		
Transfer From	H.0528.5130.203	2014 Medium Trucks, Vehicles	\$ (14,382.56)
Transfer To	H.0528.5130.997	2014 Medium Trucks, Transfer Out	\$ 14,382.56
Appropriation	H.0520.5112.997	2013 Road Program, Transfer Out	\$ 122.10
Revenue	H.0520.5112.240	2013 Road Program, Interest Earned	\$ 122.10
Transfer From	H.0520.5112.291	2013 Road Program, Infrastructure	\$ (5,343.91)
Transfer To	H.0520.5112.997	2013 Road Program, Transfer Out	\$ 5,343.91
Appropriation	H.0517.5112.291	2012 Maiden Ln, Infrastructure	\$ (175,000.00)
Appropriation	H.0517.5112.997	2012 Maiden Ln, Transfer Out	\$ 130.87
Revenue	H.0517.5112.240	2012 Maiden Ln, Interest Earned	\$ 130.87
Revenue	H.0517.5112.573	2012 Maiden Ln, BAN/Bond Receipts	\$ (175,000.00)
Transfer From	H.0517.5112.291	2012 Maiden Ln, Infrastructure	\$ (65,999.68)
Transfer To	H.0517.5112.997	2012 Maiden Ln, Transfer Out	\$ 65,999.68
Appropriation	H.0486.5112.997	2008 Road Improv, Transfer Out	\$ 225.81
Revenue	H.0486.5112.240	2008 Road Improv, Interest Earned	\$ 225.81
Appropriation	H.0479.5112.291	Maiden Ln Reconstruction, Infrastructure	\$ (2,625,208.33)
Revenue	H.0479.5112.240	Maiden Ln Reconstruction, Interest Earned	\$ (2,625,208.33)

Town of Greece
 2016 Budget Modifications
 Town Board Agenda

May, 2016

Action	Account	Description	Amount
Appropriation	H.0429.5112.997	Janes Rd Recon, Transfer Out	\$ 347,986.81
Revenue	H.0429.5112.240	Janes Rd Recon, Interest Earned	\$ 1,276.83
Revenue	H.0429.5112.400	Janes Rd Recon, Federal Aid	\$ 346,709.98
Appropriation	H.0415.5112.997	English Rd, Transfer Out	\$ 359.38
Revenue	H.0415.5112.240	English Rd, Interest Earned	\$ 359.38
3) <i>To close out capital projects accounts related to Library Fund.</i>			
Appropriation	H.0505.7410.997	Library Facility, Transfer Out	\$ 116.37
Revenue	H.0505.7410.240	Interest Earned	\$ 116.37
Transfer From	H.0505.7410.204	Library Facility, Equipment	\$ (272.94)
Transfer From	H.0505.7410.292	Library Facility, Building	\$ (8,588.77)
Transfer From	H.0505.7411.204	Library Facility, Equipment	\$ (1,170.25)
Transfer To	H.0505.7410.997	Library Facility, Transfer Out	\$ 10,031.96
Appropriation	H.0401.7412.997	Library Facility, Transfer Out	\$ 9.73
Revenue	H.0401.7410.240	Interest Earned	\$ 9.73
4) <i>To close out capital project accounts related to Drainage Fund.</i>			
Transfer From	H.0524.8540.291	Heritage Drive Culvert, Infrastructure	\$ (3,235.11)
Transfer To	H.0524.8540.997	Heritage Drive Culvert, Transfer Out	\$ 3,235.11
Appropriation	H.0502.8540.997	2010 Drainage Improv, Transfer Out	\$ 207.48
Revenue	H.0502.8540.240	2010 Drainage Improv, Interest Earned	\$ 207.48
Transfer From	H.0502.8540.293	2010 Drainage Improv, Capital Improvements	\$ (111,299.97)
Transfer To	H.0502.8540.997	2010 Drainage Improv, Transfer Out	\$ 111,299.97
Appropriation	H.0483.8540.997	Dam Improvements, Transfer Out	\$ 145,355.54
Revenue	H.0483.8540.240	Dam Improvements, Interest Earned	\$ 355.54
Revenue	H.0483.8540.573	Dam Improvements, BAN/Bond Revenue	\$ 145,000.00
Transfer From	H.0483.8540.291	Dam Improvements, Infrastructure	\$ (35,061.68)
Transfer To	H.0483.8540.997	Dam Improvements, Transfer Out	\$ 35,061.68
Appropriation	H.0425.8540.997	St Andrews/Wood Rd, Transfer Out	\$ 44.27
Revenue	H.0425.8540.240	St Andrews/Wood Rd, Interest Earned	\$ 44.27
5) <i>To close out capital project accounts related to Streetlighting Fund.</i>			
Appropriation	H.0461.5182.997	Lighting Infrastructure, Transfer Out	\$ 223.97
Revenue	H.0461.5182.240	Lighting Infrastructure, Interest Earned	\$ 223.97
Appropriation	H.0503.5182.997	2010 Streetlighting, Transfer Out	\$ 846.52
Revenue	H.0503.5182.240	2010 Streetlighting, Interest Earned	\$ 846.52
6) <i>To close out capital project accounts related to Sanitary Sewer Fund.</i>			
Transfer From	H.0507.8120.291	2010 Sewer Program, Infrastructure	\$ (7,740.02)
Transfer To	H.0507.8120.997	2010 Sewer Program, Transfer Out	\$ 7,740.02
Transfer From	H.0447.8120.291	Sewer Ext 527, Infrastructure	\$ (14,030.08)
Transfer To	H.0447.8120.997	Sewer Ext 527, Transfer Out	\$ 14,030.08
Transfer From	H.0407.8121.291	Sewer Ext 490/493, Infrastructure	\$ (35,180.65)
Transfer To	H.0407.8121.997	Sewer Ext 490/493, Transfer Out	\$ 35,180.65
Transfer From	H.0527.8120.291	2014 Sewer Program, Infrastructure	\$ (16,470.23)
Transfer To	H.0527.8120.997	2014 Sewer Program, Transfer Out	\$ 16,470.23

May CSC Items:

- Harvey Hutchins, Two Steps Back, 709 Cogdell Circle, Webster, NY 14580; Contract to provide entertainment for the Greece Senior Nutrition Program from 12:30-2:00pm on May 25, 2016 in the amount of \$100.00
- Joseph Meli, 2600 Dewey Ave, Apt. 3, Rochester, NY 14616; Contract to provide a presentation for the Time Out for Women Program on May 25, 2016 in the amount of \$30.00.
- Barbara Carder, 330 Manitou Beach Rd, Hilton, NY 14468; Contract to provide Tai Chi instruction at the Greece Community Center on Tuesdays from June through December in the amount of \$25.00 per hour.
- Will Herzog, 119 Aspen Drive, Rochester, NY 14625; Contract to provide line dancing instruction at the Greece Community Center on Tuesdays from June through December in the amount of \$25.00 per hour.
- Virginia Pizzarello, 84 Tioga Drive. S, Rochester, NY 14616; Contract to provide aerobics instruction at the Greece Community Center from June through December in the amount of \$25.00 per hour.
- Bridget LeBeau, 32 Applegrove Drive, Rochester, NY 14612; Contract to provide aerobics instruction at the Greece Community Center from June through December in the amount of \$25.00 per hour.
- Harvey Hutchins, Two Steps Back, 709 Cogdell Circle, Webster, NY 14580; Contract to provide entertainment for the Greece Senior Center from 12:30-2:00pm on June 29, 2016 in the amount of \$200.00