



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **PLANNING BOARD**

### **MINUTES**

**MARCH 4, 2015**

**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

Richard C. Antelli

Daniel P. Barletta, DDS

Christine R. Burke

William E. Selke

Christopher A. Schiano, Esq., Deputy Town Attorney

Scott R. Copey, Planner

Michelle M. Betters, Planning Board Secretary

#### **Absent**

Michael H. Sofia

John Gauthier, P.E., Associate Engineer

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

#### **Announcements**

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**PUBLIC HEARINGS**

**Old Business**

None

**New Business**

None

**SITE PLANS**

**Old Business**

None

**New Business**

1. Applicant: RED-Rochester, LLC  
Location: Generally, in Eastman Business Park (at southeast corner of Technology Boulevard and Chemical Imaging Loop)  
Request: Site plan approval for a proposed natural gas-powered electricity generation plant (consisting of three proposed buildings – 13,500 square feet, 1850 square feet, 1800 square feet), with related parking, utilities, grading, and landscaping, on approximately 1.0 acres  
Zoning District: IG (Industrial)  
Mon. Co. Tax No.: 090.50-1-14.11

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

David Cox, P.E., Passero Associates; and Kenneth Gerew and Melissa Mullarkey, RED-Rochester, LLC, presented the application

Ms. Mullarkey: I work for the parent company, Recycled Energy Development, LLC ("RED"), which is located in Chicago. We acquired the utilities business from Eastman Kodak Company when they were exiting bankruptcy in September 2013; we required the utilities business, which included all utilities within their 1200-acre business park. We provide 14 different services to all the customers occupying Eastman Business Park ("EBP"). When we acquired the facility, it was subject to a federal Environmental Protection Agency ("EPA") Boiler Maximum Achievable Control Technology order, which essentially precludes the operation of the coal-fired boilers after 2017. We knew that when we bought the power plant; our goal is to transition the facility from a coal-based to a natural gas-based utility. The proposal in front of you is part of that process, to help us transition from a coal-based utility to a natural gas-based utility. We are contemplating a full transition that will take place over several different phases. One of the phases will include the construction of a new building that will house the natural gas combustion equipment.

Mr. Gerew: This picture gives you an idea of the site. Building 321 is the current power plant; it has four large boilers in it. It will be the source of all the water, air; most of the

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services are going to be generated in the power plant. The new building will have the new equipment that will get us off the coal as the energy source for the electricity. The building is about 13,000 square feet, roughly about 60 feet high at the highest point. The exhaust stacks will be from 150 to about 200 feet high in the back; engineering will give us the final height. Most documents are based on studies that we did. We have an engineering contractor that will construct this project, and we have the pieces of the puzzle; we just don't know the exact place that they are going to sit. The building shown is a gas compression building, essentially a shed that will have gas compressors. Part of the process is to pressurize the natural gas so that we can actually generate steam at a pressure of 1400 pounds per square inch. There is an aqueous ammonia tank that is part of the process, which we use to reduce the emissions from the process of burning the natural gas. There also is a small building that will be our electrical load center.

Mr. Cox: This a great project, and there are so many benefits: we will be reducing emissions and reducing the amount of particulates; the exhaust stacks are only half the height of the existing ones; and transportation cost will be less because coal won't have to be brought in by train. With natural gas, you have better control to adjust the output of your power. We have the ability to increase the capacity of how much electricity we want to generate. The project will allow all the electric rates to remain stable, and this will be a positive draw to fill vacancies. The steam that will be generated will attract new businesses. Overall, the plan is much more efficient, and the best part is that most of the infrastructure already is in place. There is no better place in Rochester for this than right here. We are reducing the amount of impervious surface, and there will be no increase in traffic. We have received Town staff comments; most were minimal in nature, and we have no problem addressing them.

Mr. Copey: The Monroe County Development Review Committee had few comments. The Town's Fire Marshal stated that the new building has to comply with the sprinkler ordinance and other building codes; he had questions regarding hydrants. We have comments from our engineering department with regard to areas of disturbance. We know that the applicant's engineer and the Town's engineering staff have discussed those items, and our engineers have no objection to approval tonight. We have received a map that shows an alternate location for the ammonia tank. A noise analysis was part of what was discussed.

Ms. Mullarkey: We have done a more sophisticated study; we would be happy to share that with you. We will follow what protocols the New York State Department of Environmental Conservation ("NYSDEC") has set out for us. We have receptors around the EBP fence line; none of those showed a hit above 75 dB during the night and the day. We will stay in compliance with the Town of Greece's requirements.

Mr. Copey: We had the opportunity to visit the site, and we appreciate the effort that has been made. It's clear that the specifics of the equipment location still are in flux, and that there is a need for some flexibility in terms of what the buildings would look like and the exact location of where things might be on the site. I have drafted a condition of approval to address that need for flexibility, in which the Board would permit administrative approval of minor changes pursuant to normal procedures and the ability to determine whether there are impacts or not. I think that the project is a very positive thing for the community.

Mr. Fisher: Some of the Board members visited the site to visualize the impacts. It was helpful when we came to see where it's proposed to be and where it may be; it's a pretty isolated location.

Mr. Barletta: How tall will the smokestacks be?

Mr. Gerew: They will be about 200 feet; they will be half or less than half the height of the existing stacks.

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Mr. Barletta: Where will the air intakes be located?

Mr. Gerew: They will be located on the roof of the building.

Mr. Selke: Thank you, it was very informative. Visually, I don't see any impact, but do you have any similar type projects?

Ms. Mullarkey: Our principals have been acquiring and developing in this field for over 30 years. About 15 years ago, Kodak outsourced the boiler house operation to our company. The name of the company has changed on the door as the company gone public, and the principals have had to move on to the next company. This is the third company. The first one was Trigen, the second one was Primary Energy, the third one was Recycled Energy. Through that time, there has been the development and ownership of more than 250 industrial site energy projects. Under Recycled Energy ownership, we acquired biomass power plants in California that subsequently have been spun off. We now operate several industrial site plants much smaller than this; there is nothing that compares to EBP. Building a gas plant to serve steam and electrical to industrial users is what our company has been doing for 30 years.

Mr. Selke: I'm not familiar with the process. What would create the noise?

Mr. Mullarkey: The combustion of natural gas. There are a lot of techniques that will be in place to ensure that that sound is encased to comply with code; we also are driven to maintain a safe noise level for our employees.

Mr. Fisher: I look at EBP as a source of good jobs. This project being a good source of power, it provides the infrastructure that will attract people, along with the advantages of using natural gas. This is a win-win for everyone and the community. EBP has a huge set of infrastructure that is sitting there waiting for more industries to come. This is a great step for improving the area, and we will do anything we can to facilitate the process.

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

WHEREAS RED-Rochester, LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a site plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property generally located in Eastman Business Park (near the southeast corner of Technology Boulevard and Chemical Imaging Loop) (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning 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 "SEQR Regulations") (collectively, "SEQR"), and that the Proposal constitutes an Unlisted action under SEQR.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, One Vince Tofany Boulevard, at which time all parties in interest and citizens 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 Part 1 of an Environmental Assessment Form (the "EAF") and supplemental environmental information that was submitted by the Applicant's representatives or the Town's staff, which may have included but

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was not limited to: descriptions; maps; drawings; analyses; reports; reviews; and aerial photographs (collectively, the "Environmental Analysis").

5. The Planning Board has also included in the Environmental Analysis and has carefully considered additional information and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant's representatives.
6. The Planning Board has also 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 and the Town's own staff.
7. The Planning Board has also 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 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 SEQR.
11. The Planning 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 SEQR.
12. The Planning 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.
13. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
14. The Planning Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Planning Board's determination is supported by substantial evidence, as set forth herein.
15. 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 mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQR, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

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<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Barletta</b>	<b>Yes</b>
	<b>Burke</b>	<b>Yes</b>	<b>Selke</b>	<b>Yes</b>
	<b>Sofia</b>	<b>Absent</b>	<b>Fisher</b>	<b>Yes</b>

**MOTION CARRIED**

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**Mr. Barletta then made the following motion, seconded by Mr. Selke, 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 the Premises does not relieve the Applicant, developer, or owner of the Premises from obtaining all other town, county, state, or federal government approvals or permits that are required for the Premises. A note that indicates this requirement shall be added to the plan.
3. The complex nature of the proposal will necessitate various approvals from multiple agencies. Detailed design work is still underway and the outward appearance and precise location of proposed structures may vary to some degree within the proposed area of development. The proposed area of development is located in Eastman Business Park, surrounded by existing industrial buildings and infrastructure, more than 1000 feet from the nearest residence or public roadway. The Planning Board finds that minor variations in the outward appearance and precise location of proposed structures within the proposed area of development will be imperceptible from properties surrounding Eastman Business Park. Furthermore, the Planning Board hereby permits administrative approval of such changes through formal Change Order Request pursuant to Town procedures and upon a determination from the Planning Board Clerk that such changes do not impact surrounding properties and are in keeping with the proposal approved here by the Planning Board.
4. The exterior appearance (that is, materials, colors, and architectural style) of the proposed buildings shall be generally consistent on all sides, and shall be visually compatible with the existing building(s). Elevations of the exterior appearance shall identify these colors and materials, shall show all sides of the proposed buildings, and shall be filed with the site plan.
5. The locations, heights, and types of outdoor lighting fixtures shall be shown on the plan. If none are proposed, a note to this effect shall be added to the plan.
6. Details or catalogue cuts of the proposed light fixtures and standards shall be added to the plan.
7. Light spill shall be contained on the Premises. Outdoor light sources shall be aimed or shielded so that they are not visible when viewed from off the Premises, and so that light spill is cast only downward onto the Premises. Exempt from this requirement are low-wattage or low-voltage lights that are located near the principal entrance to a building, and low-wattage or low-voltage lights, not higher than 42 inches above grade, that define a walkway or other access to a building. A note that indicates this requirement shall be added to the plan.

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8. The August 28, 2008, Federal Emergency Management Agency flood zone and map source for the Premises shall be added to the site plan. In addition, the boundaries (if any) and boundary designations shall be added to the plan.
9. The plan shall show the dimensions and purpose of the easements on the Premises, to whom the easements are granted, and the Libers and Pages at which they are filed or recorded in the Office of the Monroe County Clerk.
10. Subject to approval of a special use permit by the Town Board for the proposed 12,000-gallon storage tank. The date on which such special use permit is granted shall be added to the plan.
11. The locations of the designated fire lanes shall be shown on the Site Plan.
12. The locations of all exterior doors shall be shown on the plan. All exterior doors shall be connected by a sidewalk to an acceptable fire safety zone.
13. Permanently mounted "No Parking – Fire Lane" signs shall be posted along the fire lanes at intervals of 50 feet or less. A note that indicates this requirement shall be added to the plan.
14. 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.
15. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Deputy Commissioner of Public Works for Engineering.
16. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
17. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors and assigns.
18. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
19. As offered and agreed by the Applicant, the noise level shall meet Town requirements, as expressed in the Code of the Town of Greece, Chapter 139 (Noise).
20. As offered and agreed by the Applicant, the exhaust emission stacks shall not exceed 200 feet in height.

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Barletta</b>	<b>Yes</b>
	<b>Burke</b>	<b>Yes</b>	<b>Selke</b>	<b>Yes</b>
	<b>Sofia</b>	<b>Absent</b>	<b>Fisher</b>	<b>Yes</b>

**MOTION CARRIED**  
**APPLICATION APPROVED**

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2. Applicant: Arek Enterprises, Inc.  
Location: 100 Dobson Road  
Request: Site plan approval for the proposed Dobson Townhomes, consisting of six dwelling units (attached; two stories each unit), with related parking, utilities, grading, and landscaping, on approximately 0.47 acres  
Zoning District: DMU (Dewey Avenue Mixed Use)  
Mon. Co. Tax No.: 060.070-01-021

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

Greg McMahon, P.E., McMahon LaRue Associates, PC, presented the application:

Mr. McMahon: This property is in the DMU (Dewey Avenue Mixed Use) district. The parcel is just under a half acre in size. We are proposing a single building, six units, two bedroom townhouses for rent only. There will be no subdivision of the property. There will be 14 parking spaces, which slightly exceeds the Town's requirements. The dumpster will be enclosed. All utilities already exist on Dobson Road. We will be doing on-site storm water mitigation. We will be extending the sidewalk on Dobson Road from the west to the east property lines. There is a lighting plan that shows minimal lighting, for safety. I passed out a color rendering with floor plan. The building is handicap-accessible, although these are not handicapped accessible units because the bedrooms are on the second floor; however, from a code standpoint, they are meeting code. This is a rental property managed by Arek Enterprises. We have received comments from the Town; we can address those. Because of firewalls, sprinklers are not required. An issue we are dealing with is the transparency requirement of the DMU zoning district. Your zoning staff has stated that 60% transparency is required; we are proposing 21% on the front, 24% on the rear, and 10% on the sides. We are prepared to make application to the Board of Zoning Appeals ("BZA") for a variance; 60% transparency would be rather unusual for residential units. We are proposing stone pillars and a three-foot-high decorative fence in order to comply with a requirement to have certain features on the frontage. The side of this building is facing the road, and has to account for other required design elements. I have brought some samples to show you, including the colors. The roof will be asphalt, and vinyl siding will be used for the building.

Mr. Copey: The Monroe County Development Review Committee had minimal comments. The Fire Marshal had a few; those will not be an issue. The building department had a question about handicap accessibility.

Mr. McMahon: They will be handicap accessible; they will meet code. We have to review the grading; the front doors will be level with the sidewalk, and will have handicapped parking spaces.

Mr. Copey: Our engineers had some comments, which can be worked out. They will have to appear before the BZA; the BZA might appreciate some input from the Planning Board. This is the first residential use in the DMU district that has come before the Town.

Nancy Hagenbach, 1007 Denise Road: My rear yard will back up to the parking lot that is proposed. I have been there for 29 years, and I know that I'm losing my privacy, but I would like you to consider putting up an eight-foot-high fence so that I can maintain some kind of privacy. I know that there is some sort of precedent with businesses that have put up fences, so I don't think that I'm being unreasonable. My neighbor at 997 Denise Road, who is in Florida right now, also asks for the same consideration. Another thing that I ask is

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for the dumpster to be moved away from my property, maybe near the carwash. Thank you.

Ms. Samantha Sand, 150 Dobson Road: I moved into my home in July. I'm torn because I am excited to see new developments, but there are existing problems. We have concerns about the traffic; there is a lot of traffic. It's horrendous; drivers are not following the signs, and we counted 40 cars in 2 minutes. The road is a little narrow, so, especially with all the snow, people have to pull off and sometimes it's hard to get out of our driveway. With this project, we want to make sure that this does not cause additional traffic. If there is not enough parking for this, will visitors be parking in the road? The garbage is a big concern. I know that these are existing problems and may not pertain to this project, but I hope that this does not add to the problem. Are the apartments going to be maintained by the owner? Will they be collecting the payments? Are they rent to own?

Mr. Schiano: Are you asking whether there will be maintenance on site, the Town has its own code with regard to holding the landlords responsible, and they have to register.

Ms. Sand: The rodent problem also is a problem, which goes along with the garbage issue. Will the housing be subsidized or low income? What kind of people will live there? What does the Town gain from this development?

Mr. Schiano: This is private property; they can build what they want if the code allows it. We can't tell them what to build as long as they are within code. These apartments are not subsidized.

Mr. Fisher: One of the benefits of the development is if someone is living there, there will be much more likelihood that it will be maintained. I visited the site, and it's a catchall for garbage; it seems to blow right into that lot. If you find that there are issues, you can contact our code compliance staff, or perhaps the maintenance staff of the new property owners.

Mr. McMahon: Arek Enterprises will be the contact; they are located in Irondequoit. They are not a big developer, but we have been working with them for about 10 years. They have a number of homes in the city and Irondequoit. They also do home improvement and have about three or four plowing contracts in the Town of Greece. They have about eight or nine employees; they maintain and plow their own properties. I have known the owner to be very particular about the maintenance, and I'm sure that they will be on-site almost daily. The target range for rent will be around \$1,000 to \$1,200 a month; that does not fall in the subsidized range.

Ms. Sand: Is anyone accountable for the traffic or garbage issue? Do we just live with it?

Mr. Fisher: That is separate from this site; this site is not likely to add to the issue. Given the existing Wal-Mart site, how do we reduce the amount of traffic along that road?

Mr. Copey: We can bring the issue before the Town's Traffic Advisory Committee.

Mr. Fisher: They are the folks who might be able to help with these concerns.

Mr. Schiano: Put this in writing, send it to Scott Copey, and he can get it to the Traffic Advisory Committee to have it addressed.

Ms. Sand: OK, thank you for your time.

Mr. Barletta: I like the idea of moving the dumpster.

Mr. McMahon: We can find out whether they will be using garbage totes instead. If there is a dumpster, the garbage truck has to be able to get in there.

Mr. Schiano: What about the fence? Eight feet height is allowed.

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Mr. McMahon: I will check with the owner; maybe we can remove some landscaping and put in the fence. The fence will be either board-on-board or vinyl. I don't think that this will be an issue.

Mr. Copey: Vinyl would last the best.

Mr. Selke: If they are totes, I hope that they don't end up in front of the units.

Mr. McMahon: There could be six totes in an enclosure with a gate on it; that will be up to the developer.

Mr. Copey: We have a tote enclosure; it's just a smaller version of a dumpster enclosure.

Mr. Selke: Will it complement the exterior appearance of the building?

Mr. McMahon: We will put in what's required; a board-on-board fence or maybe a shed with a door.

Mr. Barletta: Isn't there supposed to be some variation with regard to the exterior appearance of the building? The back is kind of plain, too; you should put something there as well.

Mr. McMahon: There also will be a fence dividing the units with a patio off the rear door at ground level. I will talk to the architect with regard to splitting the colors.

Mr. Barletta: The knee wall will be only about three feet high, correct? What if you extended it to the east property line? That might help out with maintenance.

Mr. Selke: What kind of posts?

Mr. McMahon: They will stone posts; it is shown in the plans.

Mr. Selke: This is just general housing, not seniors only? This lot is heavily vegetated. Will all this come down? Are you going to have a "Stop" sign at the exit?

Mr. McMahon: Yes, it's general occupancy at market rate. All the vegetation will go away; it's really just scrub. The sign is not required; normally, we would not put one there.

Mr. Selke: Are you adjacent to a house? You have some screening in between there, right? Could they build a house on that lot to the east?

Mr. McMahon: Yes, they could. There are about 30 to 40 feet of wooded area between our site and the neighbor's. We thought to put the building on the east side so that the parking would be next to the carwash to the west.

Mr. Copey: If someone bought that adjacent lot, it would be a self-created issue.

Mr. Selke: What about lighting? The rear façade of the building should have some detail added, and the fence should be put in place on the north side.

Mr. McMahon: The lighting is shown on the plans; there are three eight-foot-high poles in the parking lot. There will be entrance lights near the doors.

Mr. Fisher: We will not act tonight; we look forward to seeing the updated plans. With the DMU zoning district, we envisioned a streetscape along Dewey Avenue where there is commercial intermingled with residential. Here, where it's just residential, the approach to setting up a streetscape is more one of providing a transition. To provide this transition, you want to make it as much like the adjacent residential property as you can, rather than the commercial transparency. We should make a recommendation to the BZA regarding the transparency requirement that has been established in the DMU district.

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**Motion by Ms. Burke, seconded by Mr. Antelli:**

WHEREAS, transparency provisions in the Dewey Avenue Mixed Use (DMU) Zoning District require more ground floor window space for these proposed townhouses; and

WHEREAS, the Planning Board finds that the proposed use provides an appropriate transition between adjoining commercial and residential areas; and

WHEREAS, the Planning Board finds that the effectiveness of this transition in use will be enhanced if the proposed townhouses are designed to blend in with the lower-intensity single-family residential uses which adjoin it; and

WHEREAS, the proposal is otherwise in substantial compliance with the requirements of the DMU Zoning District; and

NOW, THEREFORE, be it

RESOLVED that the Planning Board recommends approval of the requested variance by the Board of Zoning Appeals, and furthermore to continue this application to the Planning Board's April 8, 2015, meeting, as requested by the applicant.

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Barletta</b>	<b>Yes</b>
	<b>Burke</b>	<b>Yes</b>	<b>Selke</b>	<b>Yes</b>
	<b>Sofia</b>	<b>Absent</b>	<b>Fisher</b>	<b>Yes</b>

**MOTION CARRIED  
RECOMMENDATION MADE AND  
APPLICATION CONTINUED  
TO APRIL 8, 2015, MEETING**

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3. Applicant: Crescent Beach Restaurant and Hotel, LLC  
Location: 1372, 1384 & 1390 Edgemere Drive  
Request: Site plan approval for the following changes to the site of an existing restaurant: addition of concrete patio on the north and east sides; revised parking lot layout; removal of an accessory structure (one-car garage); and related utilities, grading, and landscaping, on approximately 2.6 acres  
Zoning District: BR (Restricted Business)  
Mon. Co. Tax No.: 035.09-1-21, 035.09-1-22, 035.09-1-23

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

Richard Giraulo, LaDieu Associates, presented the application:

Mr. Giraulo: I represent the owners of the Crescent Beach Restaurant and Hotel. I want to fill you in on the intent of the project and to get some feedback so that we may move forward. On the board, I have shown the existing conditions, although we have not been able to locate the riprap along the front because it is buried under snow. The intent for the owner is to be able to complete the interior renovations that were started previously and to finish some of the exterior renovations, site-wise. The exterior work is fairly limited; the owner has replaced the riprap out on the lakeside, which consisted of broken sidewalks and was not very attractive, and more of a hazardous breakwater.

Mr. Barletta: There is nothing there along the lakeshore.

Mr. Copey: We were out on the site in October. There were some good-sized boulders placed there, one or maybe two layers. The building department is going to direct them to return that to the height of the previous wall, but using good, solid boulders.

Mr. Fisher: That is one of the requirements. We want to be sure that whatever is needed to protect the property against erosion meets the current regulations. The building department will follow up on it.

Mr. Giraulo: So, the thought now is that the stone out there is not high enough?

Mr. Fisher: I don't think so. Paul Czapranski from the building department is going to get in contact with you to explain the requirements for meeting the storm water regulations.

Mr. Giraulo: We will get out there when the snow melts. The owner has torn out the old sidewalks; the intent is to replace what was there, and is shown on the site plan. The owner wants to resurface the existing parking lot to give it a better surface, and proposes to remove some of the parking lot. This is existing pavement all the way up to Edgemere Drive; there is no separation between the parking lot and the road, so you can't tell where one starts or ends. We want to remove this area of pavement; we don't have to, but if it becomes an issue with the permit, then we won't do it there.

Mr. Fisher: I think that it would desirable to have some trees or landscaping. Folks are used to driving over that, so it would help not only having grass but having some type of trees to provide buffering.

Mr. Selke: We have addressed that before with this site.

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Mr. Giraulo: We intend to do that, to make that lawn. We will take out the pillars that are there and stick to using the right-of-way through the parking to Crescent Beach Road as the only access to the parking lot.

Mr. Fisher: What are you going to do with the property immediately west of the right-of-way?

Mr. Giraulo: Right now, nothing, simply because the owner is looking to acquire some more parcels west. Right now, there is parking that probably was utilized initially with the previous owner on that property. There is enough parking on the site now. The zoning ordinance requires 100 parking spaces for the restaurant use, and we proposed 126 spaces. We will restripe this area and keep everything west of the Crescent Beach Road right-of-way easement as is, because when we acquire the other land, we will come back to the Town.

Mr. Fisher: If the land to the west is not needed for parking, then you should make it so that people would not park there because they have to cross the right-of-way to get to the restaurant. If you aren't going to use it as parking, then there ought to be grass or landscaping.

Mr. Giraulo: It might be used for parking if the owner acquired the other property; we would want some parking there.

Mr. Copey: If you are going to use it, it has to be used properly. Right now, cars would be backing out into the road; on the east side, you are formalizing the entrance.

Mr. Fisher: Perhaps you could put employee parking there; they would come before the busy time when customers are there.

Mr. Selke: Do you plan on any future parking needs? Does it include the banquet area? Will many people be eating outside in the summer?

Mr. Giraulo: It includes all the parking requirements. We will not reduce the number of parking spaces.

Mr. Fisher: We want to be sure that the calculations are right, determine what the best way to use that area is, and set it up so that it is safe for crossing.

Mr. Copey: Let's get an interpretation on the floor area and related parking.

Mr. Giraulo: If the other property were not acquired, then the owner would be kind of penned in with the right-of-way easement. All that we could do would be put in a bay of parking; we could have an access drive on both sides and a row of parking. I'm not sure what the Town's position is on the right-of-way; at one point, it was going to be moved.

Mr. Fisher: I think that the intent of the owner is to get the restaurant open with the least amount of changes, so we are assuming that the road will stay where it is; that may change in the future. The question is, what is the usability of the parking, and how can you use it?

Mr. Barletta: The way the right-of-way shows how it has to be defined. Perhaps curbing, striping, grass?

Mr. Giraulo: The parking will be striped. We show a single bay of parking for now, and show striping.

Mr. Fisher: We want to be able to show the edge of pavement.

Mr. Giraulo: Let's get rid of the right-of-way.

Mr. Copey: To clarify, for the record, the Town's position is loud and clear from our Town's Attorney. It is a public right-of-way. We are not opposed to relocation of the right-of-way. In fact, when a hotel was proposed on the site, that moved the roadway was proposed to be

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moved westward. I don't think that the developer wants to take on that project now. I can't say that the Town is dismissing entirely the idea of participating in any kind of activity, but I don't think that we are going to do it alone and we're certainly not going to do it alone right now; we would love to talk to the owner about it more. This is a positive step forward with respect to the roadway.

Mr. Giraulo: Unfortunately, it's always gone through that parking lot.

Mr. Fisher: If it is going to be as good as it was in its heyday, then you will need more parking, if it would be financially feasible to get additional land.

Mr. Giraulo: Ultimately, that is the goal. The owner would like to put more into the inside of the building; I'm not sure whether he will be ripping out a parking lot.

Mr. Fisher: We have to find out what the parking requirements are. If the requirement is less, then we can take a look at what we can do to make it safe and useable with the least amount of cost. We are looking at his approach being one, trying to keep it like it is. The changes that you have proposed with the entrance are great; we need to resolve the question of parking.

Mr. Giraulo: Would you be opposed if we just striped the stone pad? If it's full of potholes, we will have to look at it; I don't know what it looks like.

Mr. Copey: It's a mess. It might make sense to dig up some of it and put in some grass.

Mr. Barletta: Where would the snow storage be?

Mr. Fisher: Maybe that extra parking lot could be used.

Mr. Giraulo: That's a good idea.

Mr. Selke: How will deliveries be handled? Is there lighting in the parking lot?

Mr. Giraulo: It will be the same as it used to be; the drop-off area in front will be the same. I'm not sure what's over there; I will take a look.

Mr. Selke: Is there a street sign?

Mr. Giraulo: There is not one, but if the Town supplies one, we can put it up.

Mr. Copey: I believe that the Town supplies them. I agree that we do need to have one.

Mr. Giraulo: I want to go over the disturbed site area. The disturbance is what has occurred around the building. If we took that to the end of the riprap slope, that would be about 0.6 acres.

Mr. Fisher: What about the pile of rubble?

Mr. Giraulo: It's gone. If you disturbed the subsoil and exposed soil, then that's the disturbance. If it's covered with a stabilized material, then you are not disturbing the soil. This was a stone pad, so as far as I'm concerned, it's not a disturbed soil that can erode.

Mr. Barletta: Are you going to have a patio here? With this be considered a more impervious area?

Mr. Giraulo: It will have less because we are tearing out some.

Mr. Copey: I have to defer to John Gauthier of our engineering staff, but when you talk about infiltration near the lakeshore, it's almost a lost cause. I spoke to him earlier and directed Rick to him about it.

Mr. Giraulo: Do I have to have a landscape architect?

Mr. Copey: You are not required to have one.

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Mr. Fisher: It would be nice to get that back in line, and it would be a subject of interest.

**Motion by Ms. Burke, seconded by Mr. Antelli, to continue the application to the April 8, 2015, meeting, as requested by the applicant.**

<b>VOTE:</b>	<b>Antelli</b>	<b>Yes</b>	<b>Barletta</b>	<b>Yes</b>
	<b>Burke</b>	<b>Yes</b>	<b>Selke</b>	<b>Yes</b>
	<b>Sofia</b>	<b>Absent</b>	<b>Fisher</b>	<b>Yes</b>

**MOTION CARRIED  
APPLICATION CONTINUED  
TO APRIL 8, 2015, MEETING**

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**SPECIAL PLANNING TOPICS**

**Old Business**

None

**New Business**

None

**CODE ENFORCEMENT**

**ADJOURNMENT:** 8:45 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:** \_\_\_\_\_

Alvin I. Fisher, Jr., Chairman

**Date:** \_\_\_\_\_