



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD MINUTES

JANUARY 4, 2017

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
Christine R. Burke
Devan M. Helfer
William E. Selke
Jamie L. Slocum
Michael H. Sofia

Christopher A. Schiano, Esq., Deputy Town Attorney
John Gauthier, P.E., Associate Engineer
Scott R. Copey, Planner
Michelle M. Betters, Planning Board Secretary

Absent

Additions, Deletions and Continuances to the Agenda

Announcements

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PUBLIC HEARINGS

Old Business

1. Applicant: Ridgeway Properties I, LLC
Location: 1349-1401 Ridgeway Avenue & 50 McLoughlin Road Extension
Mon. Co. Tax No.: 089.04-1-3.2, 090.09-1-16, 090.09-1-17, 090.09-1-19,
090.09-1-20, 090.09-1-21
Request: Site plan approval for a proposed eco-industrial park (5±
buildings, 2,000,000± square feet at full buildout), with related
parking, utilities, grading, and landscaping on approximately
124 acres
Zoning District: IG (General Industrial) & BP-1 (Office)

Mr. Selke made a motion, seconded by Mr. Antelli, to continue the application to the January 18, 2017, meeting, as requested by the applicant.

VOTE:	Antelli	Yes	Burke	Yes
	Helfer	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
APPLICATION CONTINUED TO
JANUARY 18, 2017, MEETING**

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New Business

1. Applicant: Ronald J. Berardi
Location: 839 North Greece Road
Mon. Co. Tax No.: 058.01-2-19.2 & part of 058.01-2-20.2
Request: Preliminary and final plat approval and site plan approval for the Meadows at English subdivision, consisting of 29 lots (7 one-story buildings of 4 dwelling units each (28 lots), plus 1 common lot), with related parking, utilities, grading, and landscaping on approximately 6.94 acres
Zoning District: RMS (Multiple-Family Residential – Senior Citizen)

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

Richard Giraulo, Landtech Associates, presented the application.

Mr. Giraulo: We have been at this project for about a year and a half; I will be going over some of the history. We have had multiple meetings with Town staff, meetings with neighbors in the area, and the whole concept is to provide some multi-family senior living on this property. We find this important because as seniors age they want to move and downsize and have less responsibility for the upkeep of their property. They want to stay in the area, they have friends nearby, neighbors they keep in contact with without moving out of town, and this project provides the opportunity to do that. The intent is to be very upscale. We looked at various zoning classifications. We thought about asking for approval under New York State Town Law, Section 278, and discussed that with the Town. That would have allowed the Planning Board to establish the setbacks, depending on the project type. This is part of a larger piece of property that extends to the west. The thought was that we would give up that other piece as open space and develop the seven acres up front. The Town was not interested in the open space, and we were led in the direction where we are today. This was before the Town Board, there has been a lot of different concept plans, different buildings, but the one that has been settled into is this quad building that takes up a lot of space on the property but is a very desirable product; it gives a sense of privacy and community living. In May of last year, the Town Board approved the plan that you have in front of you; this the plan that got worked on and changed. For the Town Board to take action these days they want to be comfortable with the plan; not all the details, but we are at the exact plan that the Town Board saw. These buildings are proposed to be a minimum of 1450 square feet per unit—they are pretty big—and they have two car garages and they are ranches. What is shown on the plans is a simple block within which each unit would fit. Each unit will have some more architectural features, and the intent is to show the space. I will pass out the pictures of the elevations. This shows the side that will face north and south—one-story, very residential, no garages showing, which helps with noise and activities. From North Greece Road you will see garages on these end units. They are very nice-looking buildings with stone and siding. This a subdivision application. With the RMS zoning, we are allowed 15 dwelling units per acre; with this proposal we have only four dwelling units per acre, and we are well below the density. The RMS zoning would allow us put up 104 dwelling units in 3-story buildings on this site; that is not our intent. These large, ranch units take up a lot of floor space, which takes up more land. As a result of the bigger footprint, we are in need of variances; we are before the Board of Zoning appeals for those. We show the proposed buildings and the setback line. Even though we have 7 acres, we have only 3.2 acres of developable area due to site constraints. That takes in

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consideration a floodplain for Smith Creek that cuts across the northwest corner of the property. The setbacks of most concern are the setbacks from North Greece Road. We have measured the setbacks of the existing houses to the north and south, and our buildings will sit back further than the property on either side. Across the street, they are 70 to 115 feet setback, in that range. Our subdivision is also part of a second property that is in the back, consisting of 13 acres. As part of the rezoning approval, seven acres in the front were rezoned to RMS. There is no intent to do any development of the 13 acres in the rear at this time, and the zoning will remain R1-44. One question that comes up is, how do you get back to the 13 acres? We have provided an access easement across the front property to get to the rear property. Our plan is to subdivide the property to be developed to create lots for each unit. The storm water system and the roadway will be privately held and maintained by the homeowners association; the sanitary sewer and water services would be public facilities. The sanitary sewer is not directly available to this property. In order to acquire access to an existing sanitary sewer, easements have been obtained from 818 and 820 North Greece Road, on the east side. This will allow the construction of the sanitary sewer to come across North Greece Road along the south and east (rear) lot lines of 820 North Greece Road to an existing sanitary sewer at a lot on Crab Apple Lane. As laid out now, there are two manholes which bring the sanitary sewer fairly close to the south property line at 820 North Greece Road; that was brought up as an issue with the Department of Public Works. We are flexible on the design, maybe adding a manhole, allowing us to move the sanitary sewer northward a little so that we are not so close to the south lot line; this would save a hedgerow of vegetation, although we may lose a tree or two. There is an expense to bring the sanitary sewer onto 820 North Greece Road. As part of the work, the sanitary sewer will be extended to serve not only our site and our road, but also will be extended south to the extent of our property so that it could be continued. There is a public benefit to the sanitary sewer that is being proposed to provide access both north and the south of the property. Water service will come off the existing line on North Greece Road. The storm water will be managed a little differently than we typically would. There are no open ponds on the site; instead, we have four underground facilities. These are infiltration units, which temporarily store the storm water and allow it to slowly infiltrate into the ground. There are sandy soils, so this is a perfect location for this type of facility; because the facilities are underground, you will not know that they are there. With this plan there has been discussion about the creek and the floodplain easement. There is an existing floodplain easement along the northwest corner of our site. We are willing to give to the Town much better access to that; we will grant an easement across the road to make it easier to manage the floodplain. There is no intent to do any development or any clearing of trees, or any other work; I think that that is important to the neighbors. Lastly, I want to discuss the floodplain issue and the elevations of the floodplain. This dark line on the plan shows the latest floodplain elevation; we have raised it, based on our agreement. We have come up a couple of feet in some areas, and that line is now reflected based on the grading that is on our plan. One big issue is the proposal for one unit to encroach into the existing easement area; the unit is slab-on-grade and is actually six feet above the floodplain elevation. There is an issue of concern because it does encroach into the easement. There is some flexibility with the variances. The developer would like to reduce some variances. One way would be to shift this building and our access road about six feet southward, and eliminate our need for a side setback variance from the north for that unit. The other possibility would be to shift all four units about 17 feet westward; that would eliminate front setback variances for the two units in the front, and give us more separation for the proposed pavement.

Mr. Copey: This property was rezoned last year to RMS (Multiple-Family Residential – Senior Citizen); they also appeared before the Board of Zoning Appeals in early December. The subdivision has been reviewed by the Monroe County Department of Planning and

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Development and the Monroe County Development Review Committee, and they had a number of comments; a lot of them relate to details in the North Greece Road highway right-of-way. There were no comments from our building department and some minor comments from the Fire Marshal. Regarding the north side setback and the 6 feet needed to comply with the 50-foot setback requirement, the blocks that are shown for the buildings are 1800 square feet. For the Town Board rezoning, the developer agreed to a minimum of 1450 square feet, exclusive of garages, so the blocks are larger than actually needed. Anything that you could do to eliminate or minimize those variances, especially when you are that close. We are encouraged to hear that there may be some flexibility in moving some of the buildings.

Mr. Gauthier: We have sent the collective public works and engineering comments to you; a lot of them are details that you have at least partially addressed, and some we agree with. The Town's position is that we do not have any interest in surrendering any of our existing drainage easement. The reasoning is that the floodplain study, which was a part of the easement consideration, was based on a state-of-the-art study that was done almost 50 years ago. Many conditions have changed, and before we will consider giving up a part of that easement we would want an updated version of the floodplain study, at least at the level of sophistication that we discussed. The last time that we discussed this, I thought that it was way too onerous of an undertaking for the amount of gains. As such, we advise you to stay out of the floodplain and easements. In addition to the practicality of it, any encroachment into the area that provides flood storage would be contrary to the biggest concern about this project that we heard from the neighbors, which is potential impacts of drainage.

Mr. Giraulo: The developer is flexible on the building in the easement. He will be meeting with an architect about doing something different with this building. Maybe it will be a row of units, rather than a quad, but he wants to get 28 units; however, we will do it outside the easement.

Mr. Gauthier: That would be the most expeditious way, and we certainly don't want to waste any of your time by giving the impression that there's any degree of flexibility.

Mr. Giraulo: Understood.

Jack Rittler, 839 North Greece Road: I'm here to speak for me and for my brother's estate. The proposal of moving the homes away from North Greece Road is an allowable one, but is it enough? If anyone recognizes the number of fire trucks, evening and morning traffic, the noise level is tremendous. Anyone that will be in these units will be disrupted by the rumbles and shakes; I don't think that it is appropriate. The second part is, when someone starts a new project and knows what the rules are in terms of setbacks, before there is shovel in the ground, there are variances all over the plan, which is the consequence of putting ten pounds in a five-pound bag. Regarding the average of the setbacks from North Greece Road, the existing houses are older and when they were built there was not the traffic that there is now. The setbacks should be greater; it will help define the nature of our town. On the southwest side, there is a proposed road to provide access for development in the back. I'd like to see a commitment from the developer that says that he is going to do it and shows how. The reason is that by connecting the parcels, they are not showing how to cross Smith Creek and that has been the major drawback for the back parcel ever being developed. This property has gone through many development proposals because there is a mandate by the county that what crosses the creek has to be a bridge, which is very expensive. I would like to know how that would happen, and what about the traffic that would come to that site? Originally when this was sold there was an easement that lines up with English Road. The developer has chosen to not do that and use the 30 feet of the back parcel's North Greece Road frontage for the development parcel. In effect,

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the developer has precluded being able to be able to drive from English Road to the back parcel. By using this portion and not developing a 60-foot-wide right-of-way, the ability to put a road here I think is somewhat questionable in that he would have to destroy one of these properties to do that. I have seen floods on Smith Creek in my back yard that have been 200 feet wide from edge to edge. The flooding does not happen very often, but for a creek that normally is dry, that is pretty severe; with all the development going on, that only will add to the drainage to Smith Creek. I think that it is appropriate when the Town says that it will not allow encroachment in the floodplain. The developer described to the Town Board all the landscaping that he would do, but before he does that he would have to clear-cut the property.

James Seidewand, 25 Pine Creek Lane: My main concern is the buffer zone between these properties. There is only about ten feet and the developer has said that he won't remove any trees on my side of the creek. My property is directly behind this property. Lights from the roadway and these garages will shine right into my property, so a buffer is important. I would like the Town to require that full cutoff lighting be used, at least for the buildings. I'm concerned about the creek—we also get back yard flooding—and I'd like to see the setback increased to maintain the buffer zone. The front setback does seem close, and there does seem to be a lot proposed for the site. The developer has been kind enough to talk to us but would like an agreement not to change the other side of the creek, and put some barrier there to shield the end of the road.

Ralph Sanfilippo, 30 Putney Place: North Greece Road has so much traffic, why wouldn't you put the entrance directly opposite English Road?

Mr. Fisher: This is a County road, and the Monroe County Department of Transportation ("MCDOT") has required it to be offset.

Mr. Copey: The MCDOT's position is that it is worse to have an unsignalized, four-way intersection than having the driveway offset from English Road. The traffic volume from this project does not warrant a traffic signal.

Andrew Chornobil, 35 Pine Creek Lane: I have been there about two years and keep trying to reinforce the side of my pond. The creek is dry in the summer, but when you have a heavy rain, the whole pond becomes mud, and the island in my pond is becoming smaller.

Mr. Fisher: I think that that is why our engineers are adamant about maintaining what we have now.

Mr. Gauthier: The nature of the creek is to meander over time. There has been a significant amount of development over time; fortunately, in the last 15 years there have been some mitigation. Any improvement in the floodplain requires a permit; there has been a significant amount of unpermitted action that has taken place. The Town requires that the project not make conditions worse, and they should make things a little better. All projects are required to make conditions better; the Town's mission is to keep people out of the floodplain.

Mr. Chornobil: But the more development, the more water.

Mr. Copey: It always has been that way. Previous development was not subject to the rules that are in place now.

Mr. Gauthier: The current rules are the most challenging ever, and this basin has been virtually undeveloped since the early 70s. The requirements now are for handling a 100-year flood event.

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Mr. Sofia: Every project is challenged with reducing runoff, managing and reducing it; that's where our engineering staff comes in to make sure that storm sewers are being managed and reduced by at least 30% of the original rate of runoff.

Mr. Chornobil: I'm just telling you what I see.

Mr. Sofia: Nature is taking its course but every project is challenged with that mitigation.

Mr. Gauthier: The concerns are from others are similar—the creek is dry and then there's too much water. We can try to moderate the unacceptable high flows that are attributable to development.

Mr. Selke: The storm water management facilities also are meant to clean the runoff. We are looking at landscaping. Can you have plantings somewhere along the creek? How would you buffer near the road?

Mr. Giraulo: We would not have plantings there because they would not take root. We will have foundation plantings near the buildings. This site drains toward North Greece Road. Regarding the traffic and noise, construction with windows, walls and insulation is made much better now, and I don't think that there is a concern. There will be no road built in the back, and, yes, the creek crossing would be very expensive. There is no commitment to put a road there now. The client has committed to put a conservation easement over this area to maintain the buffering. In terms of runoff, we absolutely will reduce runoff and it will be put into the ground.

Mr. Fisher: The critical areas are along North Greece Road; you should try to move those units back as much as you can. This is senior housing, and the creek bank is steep. There has to be a way to create a barrier between the creek and the road to make it safe.

Mr. Sofia: The building that encroaches into the easement has to be reworked?

Mr. Giraulo: Yes. It's pretty flat above the creek, but we will put in a guardrail or some barrier where there are steep banks.

Mr. Sofia: The developer does a nice job, and the buildings look very nice but the view from inside the project will be nice, too, keeping the garages where they are. Regarding the visibility from North Greece Road, having the driveways parallel, when you rework can you move those back and then add some landscaping? Is it possible to put a two-story building in the area where there is encroachment into the easement? Then you really could push everything back. We want to make sure that there is buffering at the end of the road to make sure that the lights are shielded from the neighbors.

Mr. Giraulo: Would you be willing to grant preliminary approval if we will work to shift some things around?

Mr. Fisher: We will not be able to grant any kind of approval at this time. We need to see how you are going to mitigate some of the issues—move some of the buildings and the pavement—and the Board of Zoning Appeals has to take action first.

Mr. Schiano: They were waiting for this Board.

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Ms. Slocum then made a motion, seconded by Mr. Antelli, to continue the application to the January 18, 2017, meeting, as requested by the applicant.

VOTE:	Antelli	Yes	Burke	Yes
	Helper	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
APPLICATION CONTINUED TO
JANUARY 18, 2017, MEETING**

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2. Applicant: Greece Towne Mall, LP
Location: 346 Holmes Road
Mon. Co. Tax No.: 074.18-4-14.1
Request: Approval for the resubdivision of Lot 6 of The Mall at Greece Ridge Center Addition subdivision, consisting of 2 lots on approximately 2.889 acres
Zoning District: BG (General Business)

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

John Sciarabba, L.S., LandTech Surveying & Planning, P.L.L.C., presented the application.

Mr. Sciarabba: We have been asked by Wilmorite, which purchased this home on Holmes Road. It is a very deep lot, about 700 feet deep, and is adjacent to the Target Store site. Wilmorite would like to retain the rear portion of about 2.2 acres, and sell the house. The new house lot is consistent with the neighborhood. We could have done a change of lot line but it would have taken more time to combine it with the larger mall lot than simply subdividing. Wilmorite has no plans to develop the 2.2-acre lot. It could be used for buffering or lot coverage calculations for the future.

Mr. Copey: This was reviewed by the Monroe County Department of Planning and Development and the Monroe County Development Review Committee, with little or no comment. Town staff also had little or no comment. The most pertinent information is the past history of this property. This lot was the subject of a requirement associated with the rezoning of the Target parcel back in 1998. When the Town Board rezoned that site, Wilmorite had agreed to purchase that lot at the time when the owner was ready and offer it to the Town or the Greece Central School District. All that discussion is in the Town Board's hands. In creating the subdivision, the only thing that we have to worry about is drawing the line; the Town Board will handle the rest. We do have to handle access and in the recommended conditions of approval I have added that.

Kevin Dennis, 376 Holmes Road: My only concern was that there would be no access road and no development.

Mr. Copey: Town Board also stated that there be no vehicular access to Holmes Road through this parcel.

Mary Lou Marrow, 10 Breckinridge Drive: I have lived there for about 26 years and have witnessed many changes with the mall, from the nice flat land to the berm with many weeds that is not kept up. We have a lot of traffic that wants to avoid West Ridge Road. We have been fighting for years. If Wilmorite does build, how that will affect it?

Mr. Fisher: As I understand it, there won't be any vehicular traffic or development allowed.

Ms. Marrow: That's today.

Mr. Copey: I'll read from the Town Board's rezoning condition. They required that the land in the back to be cut off and leave the single-family home, and the back land to be transferred to the Town of Greece or the Greece Central School District. This Board's job is to approve the new property line so that Wilmorite can file the map and create a separate deed for the rear part of the property.

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

WHEREAS, Greece Towne Mall, LP (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a resubdivision, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 346 Holmes Road (the "Premises"); and

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

1. On November 17, 1998, the Town Board changed the zoning of adjoining property from SF1 (Single-Family Residential) to BG (General Business). As a Type I action pursuant 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"), the rezoning was the subject of a coordinated environmental review, for which the Town Board was the Lead Agency and the Planning Board was an involved agency. The Applicant included in the rezoning request, as design feature, a commitment to acquire the Premises for visual buffering. Following the review of the Full Environmental Assessment Form and supplemental information provided by the Applicant and other interested or involved parties, the Town Board issued a negative declaration pursuant to SEQRA, indicating that there would be no significant adverse environmental impact.
2. In its role as the Lead Agency, the Town Board exercised due diligence in identifying and notifying involved agencies, including the Planning Board, and pursuant to the SEQRA Regulations, Section 617.6(b)(3)(iii), the Lead Agency's Negative Declaration is binding on all involved agencies.
3. The Planning Board has considered the Lead Agency's Negative Declaration, and reviewed additional detailed information related to traffic, buffering, utilities, drainage, and other relevant issues.
4. The Planning Board finds the proposed project to be consistent with the project reviewed by the Town Board.

NOW, THEREFORE, be it

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

VOTE:	Antelli	Yes	Burke	Yes
	Helfer	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Mr. Selke then made the following motion, seconded by Mr. Sofia, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict

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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. The Premises remain subject to any and all conditions associated with the Town Board's November 17, 1998, rezoning approval.
3. No final approval signature shall be placed on the plat unless and until an easement or other acceptable means of direct or indirect legal access to a public highway has been provided for Lot R-6B, in a form acceptable to the Planning Board's attorney. Such easement shall be filed in the Office of the Monroe County Clerk in conjunction with the plat, and shall be referenced on the plat.
4. 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 plat.
5. This subdivision map is for conveyance purposes only; no new construction is proposed. Approval of this map does not supersede any other conditions imposed by the Town of Greece or any other agency. Additional Town of Greece approvals must be obtained before any future construction. A note that indicates this requirement shall be added to the plat.
6. No building permits shall be issued for any of the lots in this subdivision unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures and the Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
7. Subject to approval by the Town's Commissioner of Public Works and Engineering staff.
8. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
9. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
10. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

VOTE:	Antelli	Yes	Burke	Yes
	Helfer	Yes	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED WITH CONDITIONS

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SITE PLANS

Old Business

None

New Business

None

SPECIAL PLANNING TOPICS

Old Business

None

New Business

None

ADJOURNMENT: 8:20 p.m.

APPROVAL OF PLANNING BOARD MEETING MINUTES

The Planning Board of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Date: _____

Alvin I. Fisher, Jr., Chairman